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STATE OF CALIFORNIA

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

In the matter of: GOLDEN BY-PRODUCTS, INC. PROPERTY OWNER AND OPERATOR TPID NO.: 1003314-01 ASSESSOR'S PARCEL NO.: 041-120-019 RESPONDENT.	AMENDED ADMINISTRATIVE DECISION FOR WASTE TIRE FACILITY PENALTIES Agency No: 2007-010971-ADC

PROCEDURAL HISTORY

Pursuant to Public Resources Code section 42850(b), the California Integrated Waste Management Board ("CIWMB") served an Administrative Complaint on GOLDEN BY-PRODUCTS, INC. PROPERTY OWNER AND OPERATOR ("RESPONDENT"), on June 8, 2007. RESPONDENT requested a hearing in a timely manner. RESPONDENT and CIWMB staff negotiated a July 31, 2007, Stipulation For Issuance of Administrative Decision For Waste Tire Facility Penalties (Stipulation) with the CIWMB in lieu of litigating the case at an administrative hearing.

On August 9, 2007, pursuant to Public Resources Code section 42851(b), the Board adopted the Stipulation, including the Stipulated Statement of Facts, Stipulated

Conclusions of Law, and the Stipulated Order, including the penalty schedule for future violations of the terms and conditions of the Stipulation.

On August 9, 2007, CIWMB inspectors found that water tanks containing approximately 50,000 gallons were at the Golden By-Products, Inc. permitted facility. Item 11 of Exhibit A of the Stipulation requires water tanks containing 62,000 gallons of water on site by August 5, 2007. Therefore, RESPONDENT violated this provision of the Stipulation.

In accordance with the terms of the Stipulation, RESPONDENT owes thirty-five thousand dollars ($35,000) in administrative penalties plus an additional five thousand dollars ($5,000) in administrative penalties for the violation. RESPONDENT orally requested that CIWMB waive the August 9, 2007 violation. CIWMB denied this request by letter of August 15, 2007.

ORDER

RESPONDENT is ordered as follows:

1. RESPONDENT shall comply with the compliance plan as set forth in Exhibit A, and Exhibits B (map no. 5 of the proposed fire plan), C (tire conversion calculation method), and D (cone calculation method), which are incorporated by reference into the STIPULATION.

2. RESPONDENT shall pay $40,000 (forty thousand dollars) in administrative penalties pursuant to the terms of the Stipulation.

Dated: 8/22/07

MARGO REID BROWN
Chair
California Integrated Waste Management Board