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10 STATE OF CALIFORNIA
11 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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13 In the matter of:

14 ROBERT CARROLL ROAK, JR. d/b/a
15 BOB'S QUALITY TIRES; MATTHEW
16 RAYMOND PUDGE, UNREGISTERED
17 WASTE TIRE HAULERS
18 TPID NO: 1044804-01
19 RESPONDENTS.

ADMINISTRATIVE DECISION FOR
WASTE TIRE HAULER
ADMINISTRATIVE PENALTIES

PUBLIC RESOURCES CODE
SECTION 42950, ET SEQ.

AGENCY No: 2007-010978-ADC

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22 The California Integrated Waste Management Board (CIWMB) served an
23 Administrative Complaint and Request for Hearing form on ROBERT CARROLL ROAK,
24 JR. d/b/a BOB'S QUALITY TIRE (RESPONDENT), a waste tire hauler located at 7807
25 Fair Oaks Blvd, Carmichael, California 95608, by personal service, on October 23,
26 2007. RESPONDENT did not file a Request for Hearing. The matter shall be
27 determined as a default pursuant to Title 14 California Code of Regulations (CCR)
28 section 18466 and Government Code section 11520. The CIWMB takes action against

1 RESPONDENT based upon evidence and affidavits that may be used without any
2 notice to RESPONDENT.

3 **FACTUAL FINDINGS**

4 1. The CIWMB has authority to regulate and conduct enforcement actions
5 regarding Waste Tire Haulers within the State of California under PRC section 42950 et
6 seq. and attendant regulations contained in Title 14 of the California Code of
7 Regulations (CCR).

8 2. RESPONDENTS are responsible for the transportation of waste or used
9 tires by a person not holding a valid waste tire hauler registration from the CIWMB.

10 3. RESPONDENTS operated as a registered waste tire hauler in 2006, and
11 then failed to renew their CIWMB waste tire hauler registration in 2007 prior to hauling
12 used or waste tires. CIWMB mailed RESPONDENTS a January 17, 2007, letter stating
13 their registration had expired on December 31, 2006.

14 4. On or about July 26, 2007, RESPONDENTS violated waste tire hauler
15 laws when one of the RESPONDENTS hauled or was responsible for hauling at least
16 75 used or waste tires in West Sacramento, California at the intersection of West
17 Capitol and Harbor Boulevard, and continued hauling the used or waste tires to
18 Interstate-80.

19 5. RESPONDENTS failed to submit manifests to CIWMB for the July 26,
20 2007, load of waste or used tires pursuant to PRC section 42961.5.

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22 **LEGAL CONCLUSIONS**

23 1. RESPONDENTS are in violation of PRC section 42951, which makes it
24 unlawful to engage in the transportation of waste tires unless holding a valid Used and
25 Waste Tire Hauler Registration, unless exempted as specified in PRC section 42954.

26 2. RESPONDENTS are in violation of PRC section 42961.5 for failure
27 to manifest used or waste tires on July 26, 2007.

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