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10 STATE OF CALIFORNIA  
11 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
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13 In the Matter of: ) ADMINISTRATIVE DECISION FOR  
14 JAMES DODENHOFF, Vice President, ) ADMINISTRATIVE PENALTIES  
15 GREENMAN TECHNOLOGIES OF ) PURSUANT TO STIPULATION FOR  
16 CALIFORNIA, Inc., Operator ) ISSUANCE OF ADMINISTRATIVE  
17 TPID No.: 1332895-01 ) DECISION  
18 RESPONDENT. ) Agency No: WTS-2005-00167

19  
20 **PROCEDURAL HISTORY**

21 The California Integrated Waste Management Board ("CIWMB")  
22 served an Administrative Complaint and Request for Hearing form on James Dodenhoff,  
23 Vice President of Greenman Technologies of California, Inc. ("RESPONDENT"), on  
24 July 14, 2005. RESPONDENT negotiated a Stipulation For Issuance of Administrative  
25 Decision (Stipulation) with the CIWMB instead of attending the administrative hearing  
26 scheduled for October 12, 2005. Pursuant to the Stipulation dated October 11, 2005,  
27 entered into by the CIWMB and RESPONDENT and good cause appearing therefore,  
28

1 the following Stipulated Factual Findings and Conclusions of Law are made, and the  
2 following Stipulated Order is issued.

3 **STIPULATED FACTUAL FINDINGS**

4  
5 1. The Administrative Complaint was executed by WENDY BRECKON, Staff  
6 Counsel, CIWMB, acting in her official capacity.

7 2. JAMES DODENHOFF, Vice President of GREENMAN TECHNOLOGIES  
8 OF CALIFORNIA, INC. is responsible for the transportation of waste tires by a person  
9 not holding a valid waste tire hauler registration from the CIWMB.

10 3. The CIWMB has authority to regulate and conduct enforcement actions  
11 regarding Waste Tire Haulers within the State of California under PRC section 42950 et  
12 seq. and attendant regulations contained in Title 14 of the California Code of  
13 Regulations (CCR).

14 4. On November 3, 2003, RESPONDENT was warned not to contract with  
15 unregistered waste and used tires haulers. In response, RESPONDENT created a  
16 Corrective Action Plan outlining procedures for insuring that RESPONDENT contracts  
17 with registered haulers.

18 5. Macias Tires (TPID No. 1280742) is currently an unregistered waste and  
19 used tire hauler. Macias Tires' registration expired without being renewed on  
20 December 31, 2003.

21 6. On six separate occasions, May 4, May 27, June 16, July 7, July 23, and  
22 August 20, 2004; JAMES DODENHOFF d.b.a. GREENMAN TECHONOLIGIES OF  
23 CALIFORNIA sold waste or used tires to Macias Tires, an unregistered waste and used  
24 tire hauler, located at 2132 West Pacific Coast Highway, Long Beach, California. Also  
25 in 2004, GREENMAN TECHNOLOGIES OF CALIFORNIA contracted and exercised  
26 direct influence over Mocho Enterprise who on four occasions, February 11, March 15,  
27 March 29, and April 23; sold waste or used tires to Macias Tires, an unregistered waste  
28 and used tire hauler.

1 **STIPULATED LEGAL CONCLUSIONS**

2 6. JAMES DODENHOFF, Vice President of GREENMAN TECHNOLOGIES  
3 OF CALIFORNIA, INC. is in violation of Public Resources Code (PRC) section 42951,  
4 which makes it unlawful, on or after January 1, 1995, to engage in the transportation of  
5 waste tires unless holding a valid Waste Tire Hauler Registration, unless exempted as  
6 specified in PRC section 42954.  
7

8 7. The CIWMB's authority to assess administrative penalties against JAMES  
9 DODENHOFF, Vice President of GREENMAN TECHNOLOGIES OF CALIFORNIA,  
10 INC. as a waste tire hauler is set forth in PRC section 42962 (c) and in Title 14 of the  
11 California Code of Regulations section 18464.

12 8. The negotiated penalty of \$1,500.00 (One Thousand Five Hundred  
13 Dollars) is within CIWMB's discretion pursuant to 14 CCR section 18465.

14 **ORDER**

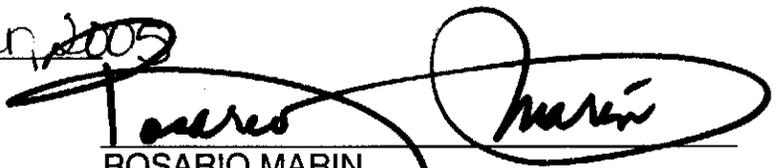
15 Good cause appearing, THE FOLLOWING ORDER is hereby made:

16 RESPONDENT is ordered to pay an administrative penalty of \$1,500.00 (One  
17 Thousand Five Hundred Dollars) within 30 (thirty) days of the date of this Decision.

18 Interest shall accrue at the rate of 10% per year on any unpaid balance.

19 This DECISION shall become effective October 18, 2005.

20  
21 Dated this 18<sup>th</sup> day of October, 2005

22   
23 ROSARIO MARIN  
24 Chair  
25 CALIFORNIA INTEGRATED WASTE  
26 MANAGEMENT BOARD  
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