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9 STATE OF CALIFORNIA
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

10 In the matter of:

11 LUIS SANCHEZ DBA SANCHEZ NEW
12 AND USED TIRES AKA SANCHEZ TIRES
13 Unregistered Used and Waste Tire Hauler
14 TPID NO: 1236143-01
15 RESPONDENT.

ADMINISTRATIVE DECISION
FOR WASTE TIRE HAULER
ADMINISTRATIVE PENALTIES

PUBLIC RESOURCES CODE
SECTION 42950, ET SEQ.

AGENCY No: 2009-011091-ADC

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17 **INTRODUCTION**

18 The California Integrated Waste Management Board ("CIWMB") served an
19 Administrative Complaint and Request for Hearing form on LUIS SANCHEZ DBA SANCHEZ
20 NEW AND USED TIRES AKA SANCHEZ TIRES an unregistered waste and used tire hauler
21 ("RESPONDENT"), on April 30, 2009. RESPONDENT did not file a Request for Hearing. The
22 matter shall be determined as a default pursuant to 14 California Code of Regulations (CCR)
23 section 18466 and Government Code section 11520. The CIWMB takes action against
24 RESPONDENT based upon evidence and affidavits that may be used without any notice to
25 RESPONDENT.

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1 **FACTUAL FINDINGS**

2 1. The Administrative Complaint was executed by WENDY BRECKON,
3 Senior Staff Counsel, CWIMB, acting in her official capacity.

4 2. RESPONDENT is responsible for the transportation of waste or used tires by a
5 person not holding a valid waste tire hauler registration from the CIWMB.

6 3. On March 31, 2008, RESPONDENT hauled 3.56 tons of tires (tire count
7 equivalency of 356 waste tires) in a vehicle with the license plate number 7E28514 to the Sun
8 Street Transfer Station. CIWMB issued a Letter of Violation (LOV) to SANCHEZ TIRES on
9 April 7, 2008, notifying them of the violation and the regulations regarding hauling used and/or
10 waste tires.

11 4. On June 3, 2008, RESPONDENT hauled to 139 Sun Street, Salinas, California
12 93902, 3.74 tons of tires (tire count equivalency of 374 waste tires) in a vehicle with the license
13 plate number 7E28514. A second LOV was mailed to SANCHEZ TIRES on July 24, 2008,
14 notifying RESPONDENT of the violation and regulations regarding hauling used and/or waste
15 tires.

16 5. On September 22, 2008, RESPONDENT hauled to 139 Sun Street, Salinas,
17 California 93902, 2.97 tons of tires (tire count equivalency of 297 waste tires) in a vehicle with
18 the license plate number 4F64094.

19 6. On September 22, 2008, SANCHEZ NEW AND USED TIRES, either transported
20 or allowed the transportation of at least one load of waste/used tires in a vehicle not authorized
21 by the CIWMB to transport waste/used tires.

22 **LEGAL CONCLUSIONS**

23 7. LUIS SANCHEZ DBA SANCHEZ NEW AND USED TIRES AKA SANCHEZ
24 TIRES is in violation of PRC section 42951(a), which makes it unlawful, to engage in the
25 transportation of waste tires unless holding a valid Waste Tire Hauler Registration, unless
26 exempted as specified in PRC section 42954.
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2 This DECISION shall become effective _____
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4 Dated this 1st day of June, 2009.
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9 MARGO REID BROWN
10 Chair
11 CALIFORNIA INTEGRATED
12 WASTE MANAGEMENT
13 BOARD
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