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BEFORE THE
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

IN THE MATTER OF:

JOSE R PADILLA

PROPERTY OWNER AND

RAUL G DURAN dba

Duran's Tire Recycling,

OPERATOR

TPID NO: 1640606

ASSESSOR PARCEL NO:

036-0162-044-0000

) Cleanup and Abatement

) Order: No. 2012-011008-CAO

) Public Resources Code section 42845

TO: JOSE R PADILLA, Property Owner and RAUL G DURAN dba Duran's Tire Recycling,
Operator:

PLEASE TAKE NOTICE THAT:

You are the Operator of a Waste Tire Facility (WTF) known as Duran's Tire Recycling and/or Owner of property located at 3442 La Grand Boulevard, Unit-C, Sacramento, CA 95823, Assessor Parcel Number 036-0162-044-0000 (this site), upon which Duran's Tire Recycling is located, as those terms are defined in Public Resources Code (PRC) sections 42804, 42805 and 42808 (Property Profile for this site is attached hereto and incorporated herein by reference as Appendix A-1);

The California Integrated Waste Management Board (CIWMB) which is now the Department of Resources Recycling and Recovery (CalRecycle) has authority to act as the enforcement agency for Waste Tire Facilities, pursuant to PRC section 42800 et seq., and is the enforcement agency for this waste tire site. CalRecycle succeeded to CIWMB's authority on January 1, 2010, pursuant to PRC section 40401;

1 This site meets the definition of a minor WTF as that term is defined by PRC section
2 42808(c);

3 You are currently in violation of California Waste Tire Laws as prescribed by PRC
4 section 42800 et seq.;

5 The Sacramento County Grantee inspected this site on April 1, 2011, and determined
6 that 500 or more waste tires were being stored on site;

7 The Sacramento County Grantee issued a Notice of Violation to you as the property
8 Owner/Operator on April 1, 2011, as documented in Inspection Report I1-1128113, which is
9 attached herein and incorporated by reference as appendix A-2, requiring the tires to be
10 reduced to 499 by May 1, 2011;

11 The Sacramento County Grantee re-inspected this site on May 31, 2011, and
12 determined that 500 or more waste tires remain on site, as documented in Inspection Report
13 I1-1172409, which is attached herein and incorporated by reference as appendix A-2, requiring
14 the tires to be reduced to 499 within 30 days, or apply for a minor waste tire facility permit
15 within 7 days.

16 The Sacramento County Grantee re-inspected this site on December 9, 2011, to
17 determine compliance from Inspections conducted on April 1, 2011 and May 31, 2011, again
18 500 or more waste tires remain on site, as documented in Inspection Report I1-1227005,
19 which is attached herein and incorporated by reference as appendix A-2,

20 To date, you have not acquired a minor WTF permit for this site;

21 You are in violation of PRC section 42834 for accepting and storing 500 or more waste
22 tires on this site without obtaining a "Minor Waste Tire Facility Permit";

23 You are in violation of Title 14 of the California Code of Regulations (CCR), section
24 18420(a), which requires every Operator of a major or minor WTF that stores, stockpiles,
25 accumulates or discards waste tires to acquire a Permit;

26 You are in violation of Title 14 of the CCR, section 18423, which requires every
27 Operator of a major or minor WTF to submit a completed Permit application;

1 Since this site meets the definition of a "Waste Tire Facility" as set out in PRC section
2 42808, this site is also subject to the same safety and security measures to which a legally
3 permitted facility is subject. These requirements are set forth in Title 14 of the CCR, Division
4 7, Chapter 3, Article 5.5, attached hereto and incorporated herein by reference as "Appendix
5 B";

6 CalRecycle has the authority to order WTF Operators and Property Owners who are in
7 violation of the aforementioned law to clean up waste tire piles, abate the effects thereof, or
8 otherwise remedy a case of threatened pollution or nuisance, pursuant to PRC section
9 42845(a);

10 Where there is no identified "Operator", the Operator shall mean the owner, pursuant to
11 Title 14 of the CCR, section 17225.755;

12 CalRecycle has the authority to seek administrative penalties of not less than five
13 hundred dollars (\$500) and up to ten thousand dollars (\$10,000) for each violation of a
14 separate provision or, for continuing violations, for each day that the violation continues,
15 against any person who violates any provision of this Chapter, or any permit, rule, regulation,
16 standard or requirement issued or adopted pursuant to this Chapter as provided in PRC
17 sections 42850 and 42850.1.

18 **THEREFORE, PURSUANT TO PRC SECTION 42845, YOU ARE ORDERED TO:**

19 Reduce and maintain the number of waste tires onsite to 499 or less, in accordance with the
20 following:

- 21 1. Remove all waste tires in excess of 499 from the premises within 15 days from the date
22 of service of this Cleanup and Abatement Order (CAO), in accordance with the following
23 waste tire removal schedule:

24 a. Waste Tire Removal Schedule

- 25 i. Waste tires shall be removed from the premises. CalRecycle must
26 approve the destinations of the tires to ensure that a registered waste tire
27 hauler legally transports them to an approved facility.
28

1 ii. All waste tires (whole and/or passenger tire equivalents, pursuant to Title
2 14 of the CCR, section 17225.770) shall be removed by a registered
3 waste tire hauler, as prescribed by PRC section 42950 et seq., within 15
4 days from the date of service of this CAO. A completed Comprehensive
5 Trip Log (CTL), CalRecycle 203, manifest form must accompany each
6 load and a copy of each completed CTL form must be submitted to
7 CalRecycle within 30 days from the date of service of this CAO. Failure to
8 comply with this provision may result in penalties, pursuant to PRC
9 sections 42961.5 and 42962.

10 2. At no time may you accept additional waste tires at this site unless there are less than
11 499 onsite and the acceptance of additional waste tires will not result in more than 499
12 waste tires being onsite.

13
14 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTIONS 42845, 42850**
15 **and 42850.1:**

16 If you do not complete or comply with the above actions by the specified dates,
17 CalRecycle may petition the superior court for injunctive relief to enforce this CAO and for civil
18 penalties in the amount of not less than \$500 and up to \$10,000 for each violation of a
19 separate provision or, for continuing violations, for each day the violation continues, pursuant
20 to PRC sections 42845, 42850 and 42850.1. Civil penalties may be imposed in a civil action or
21 may be imposed administratively, pursuant to PRC section 42850 et seq.:

22 If a decision is made in favor of CalRecycle in an administrative or civil hearing in
23 accordance with PRC section 42850 et seq., CalRecycle or its contractors may subsequently
24 enter your property for the purposes of abatement or remediation without your consent,
25 pursuant to PRC section 42846.5;

26 You have ten (10) days from the date of service of this order to file a petition with
27 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will
28 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.

1 Regardless of whether you file a petition, you must complete the above actions ordered
2 pursuant to PRC section 42845;

3 If you fail to remove all of the waste tires by the required date, CalRecycle is authorized
4 to expend available funds to perform any necessary cleanup, abatement or remedial work, as
5 set forth in PRC section 42845 et seq.;

6 If CalRecycle expends funds to perform any cleanup, abatement or remedial work,
7 CalRecycle may seek cost reimbursement from you and any other responsible party acting as
8 the Operator and/or Property Owner, pursuant to PRC section 42847;

9 Moreover, funds so expended by CalRecycle constitute a lien upon the real property
10 owned by any responsible party that is subject to the remedial action, pursuant to PRC section
11 42847.5.

12 Nothing in this CAO shall constitute or be construed as a satisfaction or release from
13 liability for any conditions or claims arising as a result of yours or any other responsible party's
14 past, current or future operations acting as the Operator and/or Property Owner.
15 Notwithstanding compliance with the terms of this CAO, you may be required to take further
16 actions as are necessary to protect public health or welfare or the environment.

17 CalRecycle shall not be liable for injuries or damages to persons or property resulting
18 from acts or omissions by you or any other responsible party acting as the Operator and/or
19 Property Owner, or related parties in carrying out activities pursuant to this CAO; nor shall
20 CalRecycle be held as a party to any contract entered into by you or any other responsible
21 party acting as Operator and/or Property Owner or their agent(s) in carrying out activities
22 pursuant to this CAO.

23 This CAO does not relieve you or any other responsible party acting as the Operator
24 and/or Property Owner from complying with all other local, state and federal requirements.

25 This CAO may only be amended in writing by an authorized CalRecycle representative.
26
27
28

1 If you have any questions about this CAO, you may contact Cathy Blair of my staff at
2 (916) 341-6803.

3
4 Dated this 7 day of March 2012



5
6
7 **Mark de Bie**
8 **Deputy Director**
9 **Waste Permitting, Compliance and**
10 **Mitigation Division**
11 **Department of Resources**
12 **Recycling and Recovery**

APPENDIX A-1

PROPERTY PROFILE

Information For Parcel:

036-0162-044-0000

PROPERTY INFORMATION

APN 03601620440000
Situs Address 3440 LA GRANDE BL
Postal SACRAMENTO, CA 95823
City/St/Zip

[Additional Addresses for this Parcel](#)

Thomas Bros 317 F 7
Landuse Code [GMGB0A](#)
Jurisdiction UNINCORPORATED
Sup. District 2-Jimmie Yee

OWNERSHIP INFORMATION

Owner PADILLA JOSE R
Owner Mail 10065 DILLARD RD
Address
Owner Mail WILTON CA 95693
City/St/Zip

Property No Addl Assessor data records available.
Transfer Info.

Deed [View Property Transfer Document](#)

Owner History [View Owner History](#)

PARCEL DETAIL LINKS

General Info [View General Parcel Data](#)

Districts [View District Data](#)

Recorded Map No maps are available.

Assessor Maps [View Assessor Map](#)

Parcel History [View Splits and Merges History Data](#)

Assessment [View Assessor Data](#)

Info

Building [View Permits](#)

Permits

Parcel Notes [View Parcel Notes](#)

Business [View Business Licenses](#)

Licenses

SHRA Info [View SHRA Data](#)

CUBS Info [View CUBS Data](#)

Refuse Pickup No Refuse Pickup schedule available.

Water Meters No Water Meter Data available.

Sacramento County APN-036-0162-044-0000 Map, For Property Address 3442 La Grand Boulevard

County of Sacramento

Parcel Viewer

Overview | Navigate | Select | Comments

Map | Imagery

County of Sacramento

Information for Parcel:

036-0162-044-0000

036-0162-044-0000

APN: 036-0162-044-0000

Site Address: 3442 LA GRAND BL

Postal City ZIP: SACRAMENTO, CA 95827

Additional Addresses for this Parcel:

Thomas Ross 11117

Lambert Court 040000

Jacksonville 040000000000

Exp. District: 2 - Unimpr - 140

036-0162-044-0000-0000

County: SACRAMENTO

Owner Map: 036-0162-044-0000

Address: 3442 LA GRAND BL

Owner Map: 036-0162-044-0000

City ZIP: SACRAMENTO, CA 95827

Property Transfer for all assessment data history available info

Parcel: 036-0162-044-0000-0000

Owner History: 036-0162-044-0000-0000

036-0162-044-0000

General Info: View General Parcel Data

Districts: View District Data

Recorded Map: View Recorded Map

Assessment Map: View Assessment Map

Parcel History: View Spills and Mergers History Data

Assessment Info: View Assessment Data

Building Permits: View Permits

Parcel Notes: View Parcel Notes

Business Licenses: View Business Licenses

Utility Info: View Utility Data

Sacramento County APN-036-0162-044-0000 Map, For Property Address 3442 La Grand Boulevard

Additional addresses for this parcel

The screenshot displays the Sacramento Parcel Viewer interface. At the top, the Sacramento County logo is visible. The main navigation bar includes 'Navigate', 'Select', 'Comments', 'Map', and 'Imagery'. The map shows a grid of parcels with APN numbers. The parcel 036-0162-044 is highlighted in yellow. A sidebar on the right lists 'Addresses for APN: 036-0162-044-0000' and provides a list of addresses and their corresponding parcel numbers.

Parcel Viewer

Navigation: [Navigate](#) | [Select](#) | [Comments](#) | [Map](#) | [Imagery](#)

Addresses for APN: **036-0162-044-0000**

ADDRESS, MEASUREMENT
036-0162-044
036-0162-014
036-0162-015
036-0162-043
036-0162-044
036-0162-044
036-0201-018
036-0201-027
036-0201-028
036-0201-029
036-0201-030
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036-0202-300

APPENDIX A-2

INSPECTION REPORT AND PHOTOS

Waste Tire Survey & Inspection Report

State of California
CIWMB 181 (New 04/04)
California Integrated Waste Management Board

Inspection Report Number
I1 - 1128113
BLUE OR BLACK INK PEN

Part A - Survey

Business Profile

TPID -
Site Suffix: **1640606-01**

Local Identifier:

Business or Facility Name
DURAN'S TIRE RECYCLING

Physical Address
**3442 LA CLAY BLVD STE C
SACRAMENTO CA 95825**

Business Rep
RALI G DURAN Title
OWNER

Tire Count (Whole/PTE) **2,808**

GPS Latitude
Longitude

Business Type (Fill all that apply)

- New Tire Dealer
- Auto Repair
- Trucking Fleet
- Government
- Retreader
- Dismantler
- Tire Derived Fuel
- Used Tire Dealer
- Auto Body
- Car Dealer
- Collection
- Crumb Rubber
- Service Station
- Hauler
- Agriculture
- Shredder
- Other

Inspection Details

- Inspection Type (Fill one)
- Routine
 - Re-inspection
 - Referral
 - Observation
- If Referral, choose referral type (Fill one)
- CHP
 - CIWMB
 - Complaint
 - Educational Visit
 - Other

Inspected By
34-101

Inspector
**MIKE SIMPSON
ASHY SHARMA**

Inspection Date **04/01/11**

Time In **01:30** AM PM

Time Out **03:40** AM PM

- Operational Status (Fill one only)
- Active
 - Closed
 - Inactive
 - Planned
- Tire Type (Fill all that apply)
- Passenger
 - Altered
 - Truck
 - OTR
- Business Role (Fill all that apply)
- Generator
 - Hauler
 - End-Use
 - Container
- Storage Type (Fill all that apply)
- Outdoor
 - Indoor

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

- V A HAULING AND MANIFEST REQUIREMENTS**
- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
 - PRC § 42953 - Contracts with Registered Waste Tire Haulers.
 - PRC § 42956 - Registration/Decal in Vehicle
 - 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
 - 14 CCR § 18459.1 - Tire Program ID Number from CIWMB
 - 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
 - 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
 - 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
 - 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
 - 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
 - Other: §

ENFORCEMENT STATUS

- Notice Of Violation
 - Extension
- Compliance Deadline
- Date **05/01/11**
(Required for NOV or EXT)
- Referred / CIWMB Enforcement
 - In Compliance - No Violations

Comments

**14 CCR SECTION 18459.1
TIRE PROGRAM ID CERTIFICATE NOT POSTED. ORDERED COPY
OF TAD CERTIFICATE. POST ON WALL WHEN RECEIVED.**

Inspection Form Included:

Comments included: **Rali G Duran** 397 2811 **MIKE SIMPSON** 875-4812
Business Rep's Signature Phone Number Inspector's Signature Phone Number

INSTRUCTIONS ON BACK

Correct: Incorrect: **X 4 V** EXAMPLE 1 2 3

White Copy: CIWMB Yellow Copy: Operator Pink Copy: LEA



Waste Tire Survey & Inspection Report

Inspection Form - Page 2

State of California
 CWMS 182 (Rev 04/94)
 California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile

TPID -
 Site Suffix: 1640604-01
 SWIS
 Number:

Inspection Details

Inspection Report Number: I1-1128113
 Inspection Number on the associated Survey form (Page 1)
 Photos Taken Yes No

Property Owner

JESS PADULLA

Exempt Business Type (Fill if applicable)

- PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption
- Excluded Business Types (Fill if applicable)
- PRC § 42806 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- 14 CCR § 18420 (a) (7) & (a) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

- Permitted Exempt
- Excluded Unpermitted
- Facility Type (Fill one)
- Major WTF (≥ 5,000 Tires)
- Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

Permit Requirements

- PRC § 42824 - Major Waste Tire Facility Permit
- PRC § 42834 - Minor Waste Tire Facility Permit
- PRC § 42830(a) - Complies with Terms of Permit
- 14 CCR § 18420(a) - Applicable for Permit
- 14 CCR § 18423 - Filing Application for Permit
- 14 CCR § 18432 - Operations Plan
- 14 CCR § 18433 - Emergency Response Plan

Recordkeeping Requirement

- 14 CCR § 18447 - Records Available
- 14 CCR § 17301 - Fire Prevention Measures
 - (a) Communication Equipment (c) Water Supply
 - (b) Fire Equipment (d) Other Requirements

- 14 CCR § 17382 - Site Security
 - (a) Signs (b) Site Attendant (c) Access
- 14 CCR § 17383(a) - Vector Control
 - (1) Impenetrable Barrier (2) Approved Vector Plan
- 14 CCR § 17384 - Storage of Waste Tires Outdoors
 - (a) Storage Units
 - (b) Fire Lanes
 - (c) Fire District Requirements
 - (d) Drainage
 - (e) Slope/Grade
 - (f) Siting (New Facilities)
 - (g) Rim Removal
 - (h) Protection from Pyrolytic Oil Runoff
- 14 CCR § 17386 - Indoor Storage
 Facility Compliance with NFPA 231D-1999

Comments: 2 FACILITY EXCEEDS 500 WASTE TIRE COUNT. FACILITY IS NOT A PERMITTED MINOR WASTE TIRE FACILITY. BUSINESS LICENSE HAS A WASTE TIRE LIMIT OF 500 TIRES. REDUCE WASTE TIRE COUNT TO BELOW 499 WITHIN 30 DAYS OR APPLY WITH PERMIT WITHIN 7 DAYS & COMPLY WITH REGULATIONS ADDRESSING MINOR WASTE TIRE FACILITY. PRC SECTION 42834 & 14 CCR SECTION 18420(a).

PAGE 2 of 4

INSTRUCTIONS ON BACK

White Copy: CWMS

Yellow Copy: Operator

Pink Copy: LEA

EXAMPLE 123

15386



Waste Tire Survey & Inspection Report Comments Form

State of California
CWRMB 202 (New 6/04)
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile

TPID -
Site Suffix: 1640606-01

Inspection Details

Inspection
Report
Number: I1-1128113

Inspection Number on the associated Survey form (Page 1)

Comments

PAGE 3 OF 4

③ 14 CAR SECTION 17351 & 14 CAR SECTION 17356
FACILITY NOT IN COMPLIANCE WITH FIRE PREVENTION MEASURE
& INDOOR STORAGE REQUIREMENTS. REDUCE WASTE TIRE COUNT
TO BELOW 499 TIRES WITHIN 30 DAYS OR APPLY FOR UNDER
WASTE TIRE FACILITY PERMIT WITHIN 7 DAYS & COMPLY WITH
ALL REQUIREMENTS.

NOTE - BOTH REGISTERED HEAVY VEHICLES ARE ON-SITE.
BOTH HAVE REGISTRATION CERTIFICATE & DECAL VALID FOR 2011.
HOWEVER, GMC TRUCK (BOX VAN) IS NOT IN OPERATION. OWNER
EXPECTS GMC TRUCK TO BE REPAIRED WITHIN 1 WEEK. ONCE
TRUCK IS REPAIRED OWNER CAN DISPOSE OF MORE WASTE TIRES
AT LANDFILL.

NOV/REGULATIONS PROVIDED DURING INSPECTION.

EXAMPLE 123

42408

White Copy: CWRMB

Yellow Copy: Operator

Pink Copy: LEA



4/1/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. I1-1128113

Page 1 of 6



4/1/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. 11-1128113

Page 2 of 6



4/1/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. I1-1128113

Page 5 of 6





Waste Tire Survey & Inspection Report

Inspection Report Number

State of California
CalRecycle 101 (Rev. 10/10)
Dept. of Resources Recycling and Recovery (CalRecycle)

Survey Form - Page 1

I1 - 1172409

BLUE OR BLACK INK PEN

Part A - Survey

Business Profile

TPID - Site Suffix: 1640606-01

Local Identifier: RA 14015 PR 94563 RA 94564

Business or Facility Name

DURAN'S TIRE RECYCLING
Physical Address
3442 LA GRANDE BLVD STE. C

SACRAMENTO CA 95823

Business Rep: RAJI DURAN Title: OWNER

Inspection Details

Inspection Type (Fill one)

Routine Re-inspection Referral Observation

If Referral, choose referral type (Fill one)

CHP CalRecycle Complaint Educational Visit Other

Inspected By

34-101

Inspector

MIKE SIMPSON
ASHY SIMPSON

Inspection Date: 05/31/11

Time In

12:00 AM PM

Time Out

02:00 AM PM

Tire Count (Whole/PTE): 1,080

GPS Latitude: -

Longitude: -

Operational Status (Fill one only)

Active
 Closed
 Inactive
 Planned

Tire Type (Fill all that apply)

Passenger
 Altered
 Truck
 OTH

Business Role (Fill all that apply)

Generator
 Hauler
 End-Use

Storage Type (Fill all that apply)

Outdoor
 Indoor
 Container

Business Type (Fill all that apply)

New Tire Dealer Auto Repair Trucking Fleet Government Retreader Dismantler Tire Derived Fuel
 Used Tire Dealer Auto Body Car Dealer Collection Crumb Rubber
 Service Station Hauler Agriculture Shredder Other

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

V A HAULING AND MANIFEST REQUIREMENTS

- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
- PRC § 42953 - Contracts with Registered Waste Tire Haulers.
- PRC § 42956 - Registration/Decal in Vehicle
- 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
- 14 CCR § 18458.1 - Tire Program ID Number from CalRecycle
- 14 CCR § 18458.2.1 - Submittal of Comprehensive Trip Logs within 90 days
- 14 CCR § 18458.3 - Retention of Comprehensive Trip Logs for 3 years
- 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
- 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
- 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
- Other: §

ENFORCEMENT STATUS

Notice Of Violation Extension

Compliance Deadline

Date: 07/01/11
(Required for NOV or EXT)

Referred / CalRecycle Enforcement

In Compliance - No Violations

Comments: REINSPECTION CONDUCTED TO ENSURE COMPLIANCE WITH
RUTINE INSPECTION REPORT DATED 4-1-11.

- TPID CERTIFICATE POSTED

Inspection Form Included:

Comments Included:

Raji Duran 916 2367026
Mike Simpson
Ashy Simpson

875-4842
Phone Number

INSTRUCTIONS ON BACK Correct: Incorrect: X ✓ EXAMPLE 1 2 3

White Copy: CalRecycle Yellow Copy: Operator Pink Copy: LEA

EM-110347-250431

Waste Tire Survey & Inspection Report

Inspection Form - Page 2

State of California
 Central Valley Waste Management Board

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile

TPID -
 Site Suffix: 1640606-01
 SWIS
 Number: _____

Inspection Details

Inspection
 Report
 Number: I1-1172409
 Inspection Number on the associated Survey form (Page 1)
 Photos Taken Yes No

Property Owner

Jose Paolinias

Exempt Business Type (Fill if applicable)

PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

Excluded Business Types (Fill if applicable)

- PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

Permitted Regulatory Status (Fill one)

- Permitted Exempt
- Excluded Unpermitted
- Facility Type (Fill one)
- Major WTF (≥ 5,000 Tires)
- Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

Permit Requirements

- PRC § 42824 - Major Waste Tire Facility Permit
- PRC § 42834 - Minor Waste Tire Facility Permit
- PRC § 42850(a) - Complies with Terms of Permit
- 14 CCR § 18420(a) - Applicable for Permit
- 14 CCR § 18423 - Filing Application for Permit
- 14 CCR § 18432 - Operations Plan
- 14 CCR § 18433 - Emergency Response Plan

Recordkeeping Requirement

- 14 CCR § 18447 - Records Available
- 14 CCR § 17351 - Fire Prevention Measures
- (a) Communication Equipment (c) Water Supply
- (b) Fire Equipment (d) Other Requirements

- 14 CCR § 17352 - Site Security
- (a) Signs (b) Site Attendant (c) Access
- 14 CCR § 17353(a) - Vector Control
- (1) Impermeable Barrier (2) Approved Vector Plan
- 14 CCR § 17354 - Storage of Waste Tires Outdoors
- (a) Storage Units
- (b) Fire Lanes
- (c) Fire District Requirements
- (d) Drainage
- (e) Slope/Grade
- (f) Stiring (New Facilities)
- (g) Rim Removal
- (h) Protection from Pyrolytic Oil Runoff
- 14 CCR § 17355 - Indoor Storage
- Facility Compliance with NFPA 231D-1999

Comments

① FACILITY STILL EXCEEDS 500 WASTE TIRE COUNT. FACILITY HAS NOT APPLIED FOR A MINOR WASTE TIRE FACILITY PERMIT. REDUCE WASTE TIRE COUNT TO BELOW 499 WITHIN 30 DAYS OR APPLY FOR A MINOR WASTE TIRE FACILITY PERMIT WITHIN 7 DAYS & COMPLY WITH REGULATIONS ADDRESSING MINOR WASTE TIRE FACILITY. PRC SECTIONS 42831, 18420(a), CCR 17351 & 17356.

INSTRUCTIONS ON BACK

White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA

15386





Waste Tire Survey & Inspection Report

Inspection Report Number

Survey Form - Page 1

I1 - 1227005

Part A - Survey

BLUE OR BLACK INK PEN

Business Profile

TPID - Site Suffix: **1640606-01**

Local Identifier: **RA 14045** **PL 94528**
PR 99529

Business or Facility Name
DURAN'S TIRE RECYCLING

Physical Address
3442 LA GRANDE BLVD SCL
SACRAMENTO CA 95823

Business Rep **RAUL G DURAN** **Title** **OWNER**

Inspection Details

Inspection Type (Fill one)
 Routine Re-inspection Referral Observation

If Referral, choose referral type (Fill one)
 CHP CalRecycle Complaint Educational Visit Other

Inspected By **Inspector** **MIKE SHARMA**

34-101A SHARMA

Inspection Date **12/09/11**

Time In **10:30** AM PM
Time Out **02:40** AM PM

Tire Count (Whole/PTE) **1,688**

GPS Latitude _____

Longitude _____

Operational Status (Fill one only)
 Active Closed Inactive Planned

Tire Type (Fill all that apply)
 Passenger Altered Truck OTR

Business Role (Fill all that apply)
 Generator Hauler End-Use

Storage Type (Fill all that apply)
 Outdoor Indoor Container

Business Type (Fill all that apply)

New Tire Dealer Auto Repair Trucking Fleet Government Retreader Dismantler Tire Derived Fuel
 Used Tire Dealer Auto Body Car Dealer Collection Crumb Rubber
 Service Station Hauler Agriculture Shredder Other

Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

- HAULING AND MANIFEST REQUIREMENTS**
- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
 - PRC § 42953 - Contracts with Registered Waste Tire Haulers.
 - PRC § 42956 - Registration/Decal in Vehicle
 - 14 CCR § 18459 - Reasonable Entities Complying with Manifesting Requirements
 - 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
 - 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
 - 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
 - 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
 - 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
 - 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
 - Other: §

ENFORCEMENT STATUS

Notice Of Violation Extension
 Referred / CalRecycle Enforcement
 In Compliance - No Violations

Compliance Deadline

Date / /

(Required for NOV or EXT)

Comments **REINSPECTION CONDUCTED TO ENSURE COMPLIANCE WITH INSPECTION REPORTS DATED 4-1-11 & 5-31-11.**

PAGE 1 of 4

Inspection Form Included:

Comments Included:

Business Rep's Signature **RAUL G DURAN** **Phone Number** **916 2367626**

Inspector's Signature **MIKE SHARMA** **Phone Number** **875-4842**

Waste Tire Survey & Inspection Report

Inspection Form - Page 2

State of California
 CWMS 152 (Rev 9/89)
 California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Part C - Facility Information

Business Profile
 TPD - Site Suffix: 1640606-01
 SWS Number: -

Inspection Details
 Inspection Report Number: I 1 - 1227005
 Inspection Number on the associated Survey form (Page 1)
 Photos Taken Yes No

Property Owner
Jose Padilla 10065 Duval Rd Wilton CA 95693

- Exempt Business Type (FBI if applicable)
 PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption
- Excluded Business Types (FBI if applicable)
 PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days
- Permitted Regulatory Status (FBI one)
 Permitted Exempt
 Excluded Unpermitted
- Facility Type (FBI one)
 Major WTF (≥ 5,000 Tires)
 Minor WTF (500 - 4,999 Tires)

Part D - Inspection of Waste Tire Facility

- Permit Requirements
 PRC § 42824 - Major Waste Tire Facility Permit
 PRC § 42834 - Minor Waste Tire Facility Permit
 PRC § 42850(a) - Complies with Terms of Permit
 14 CCR § 18420(a) - Applicable for Permit
 14 CCR § 18423 - Filing Application for Permit
 14 CCR § 18432 - Operations Plan
 14 CCR § 18433 - Emergency Response Plan
- Recordkeeping Requirement
 14 CCR § 18447 - Records Available
 14 CCR § 17381 - Fire Prevention Measures
 (a) Communication Equipment (c) Water Supply
 (b) Fire Equipment (d) Other Requirements
- 14 CCR § 17382 - Site Security
 (a) Signs (b) Site Attendant (c) Access
- 14 CCR § 17388(a) - Vector Control
 (1) Impermeable Barrier (2) Approved Vector Plan
- 14 CCR § 17384 - Storage of Waste Tires Outdoors
 (a) Storage Units
 (b) Fire Lanes
 (c) Fire District Requirements
 (d) Drainage
 (e) Slope/Grade
 (f) Siting (New Facilities)
 (g) Rim Removal
 (h) Protection from Pyrolytic Oil Runoff
- 14 CCR § 17385 - Indoor Storage
 Facility Compliance with NFPA 231D-1999

Comments
① FACILITY STILL EXCEEDS SO2 WASTE TIRE COUNT.
FACILITY HAS NOT APPLIED FOR A MINOR WASTE TIRE FACILITY PERMIT.
DURAN'S TIRE HAS APPLIED FOR A DIFFERENT BUSINESS LICENSE.
IF APPROVED WOULD QUALIFY FACILITY FOR THE TIRE DEALER
EXCLUSION, PRC SECTIONS 42834, 18420 (a), 14 CCR SECTIONS 17351 + 17356

MAGZ 2.24.9

INSTRUCTIONS ON BACK

EXAMPLE 123

15388

White Copy: CWMS Yellow Copy: Operator Pink Copy: LEA



Waste Tire Survey & Inspection Report Comments Form

State of California
CWMB (S.D. Title 24.24)
California Integrated Waste Management Board

SURVEY NUMBER

BLUE OR BLACK INK PEN

Business Profile

TPID -
Site Suffix: **1 6 4 0 6 0 6 - 0 1**

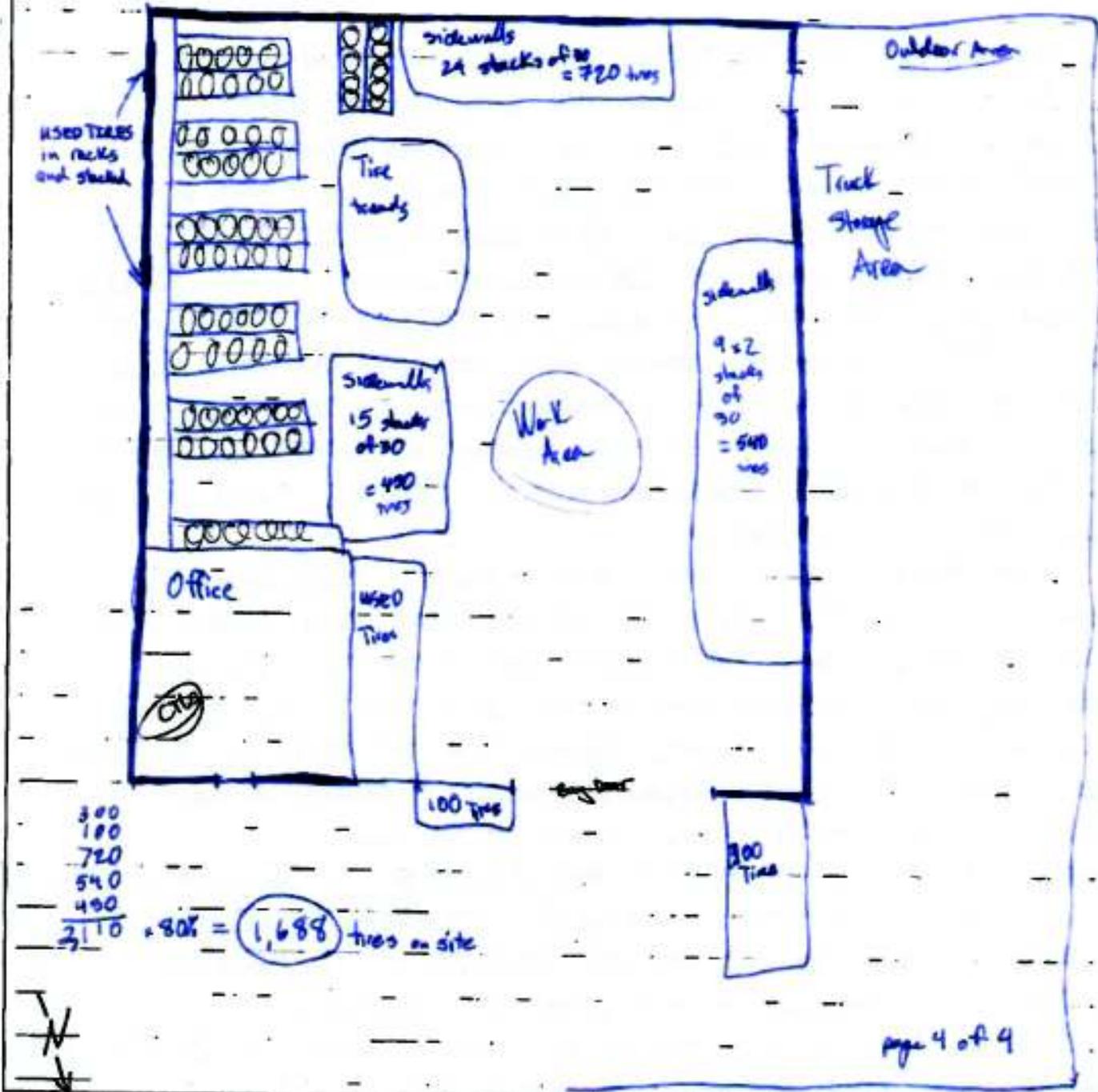
Inspection Details

Inspection
Report
Number: **I 1 - 1 2 2 7 0 0 5**

Inspection Number on the associated Survey form (Page 1)

Comments

* 1 stack of sidewalls (-6ft) = 30 tires sidewalls



page 4 of 4

EXAMPLE 123

42408



White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA

Waste Tire Survey & Inspection Report
Comments Form

State of California
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile

Inspection Details

TPID-
Site Suffix: 1640606-01

Inspection
Report
Number: I1-1227005

Inspection Number on the associated Survey form (Page 1)

Comments

① PUC 42953, 14 CCR SECTION 18462.2 & SECTION 18462.

FACILITY HAS BEEN CONTRACTING WITH UNREGISTERED HAULER (NARAYAN'S TRUCKING INC) TO HAUL USED TIRES (SIDEWALL & TREAD) FROM "DURAN'S TIRE RECYCLING FACILITY" TO PORT SCORS 710 MARINE ST, OAKLAND, CA. RAUL DURAN (OWNER) LISTED HIS MANIFEST FORMS WITH HIS TRUCK DECAL NUMBER & LICENSE PLATE NUMBER FOR "NARAYAN'S TRUCKING, INC" TO USE TO TRANSPORT THESE TIRES. RAUL STATES HIS TRUCKS WILL NOT BE USED TO HAUL THESE TIRES TO OAKLAND. "NARAYAN'S TRUCKING, INC" IS NOT A REGISTERED HAULER & DOES NOT HAVE A TIRE PROGRAM ID NUMBER. UNABLE TO VERIFY IF DELIVERY LOCATION NOTED ON MANIFEST FORMS IS WHERE TIRES ARE BEING DELIVERED.

RAUL STATES JIE QUANG (PHONE # 916-509-1728) CAME TO HIS FACILITY & INFORMED HIM THAT HE CAN HAUL THESE TIRES WITHOUT PERMITS BECAUSE TIRES WILL BE SENT OUT OF COUNTRY. JIE QUANG ARRANGED FOR "NARAYAN'S TRUCKING" TO HAUL THE TIRES. ACCORDING TO RAUL, FACILITY REP. (MIKE) STATES COMPANY THAT IS EXPORTING THESE TIRES IS "MURNI IMPORTS/EXPORTS" & FACILITY CONTACT PERSON IS JACK SINGH. MIKE STATED THIS COMPANY IS IN THE PROCESS OF OPENING A FACILITY OFF BRANSHAW & GILBERT, SACRAMENTO. DO NOT CONTRACT WITH THIS COMPANY UNTIL THEY OBTAIN PROPER PERMITS. INFORMED RAUL DURAN OF HIS RESPONSIBILITY & REVIEWED REGULATIONS. NON-REGULATIONS - HANDOUTS PROVIDED.

- FAX COPIES OF ALL INVOICES PROVIDED BY "NARAYAN TRUCKING" TO 875 858 4024

FACILITY HAS BEEN REFERRED TO CALRECYCLE FOR FOLLOW-UP.
(FACILITY REP. MIKE REYES)

PAGE 3 OF 4

EXAMPLE 123

42408



12/9/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. 11-1227005

Page 1 of 13



12/9/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. 11-1227005

Page 4 of 13



12/9/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. 11-1227005

Page 9 of 13



12/9/2011

Duran's Tire Recycling
TPID Number 1640606-01
Inspection Report No. 11-1227005

Page 13 of 13



APPENDIX B

APPLICABLE CALIFORNIA STATUTE AND REGULATIONS

APPENDIX B

PUBLIC RESOURCES CODE

§ Section 42824. Transporting Waste Tires to an Unpermitted Major Waste Tire Facility

On and after September 1, 1994, it is unlawful to direct or transport waste tires to a major waste tire facility or to accept waste tires at a major waste tire facility unless the operator has obtained a major waste tire facility permit.

§ Section 42834. Transporting Waste Tires to an Unpermitted Minor Waste Tire Facility

On and after July 1, 1994, it is unlawful to direct or transport waste tires to a minor waste tire facility or to accept waste tires at a minor waste tire facility unless the operator has obtained a major waste tire facility permit.

§ Section 42850. Complies with Terms of Permit

(a) Any person who negligently violates any provision of this chapter, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter, is liable for civil penalty of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000), for each violation of a separate provision or, for continuing violations, for each day that the violation continues.

§ Section 42953. Contracts With Registered Waste Tire Haulers

Any person who gives, contracts, or arranges with another person to transport waste or used tires shall utilize only a person holding a valid waste and used tire hauler registration from the board, unless the hauler is exempt as specific in Section 42954.

TITLE 14, DIVISION 7, CHAPTER 3, Minimum Standards for Solid Waste Handling and Disposal

Article 5.5. Section 17351. Fire Prevention Measures.

(a) Communication equipment shall be maintained at all facilities, if they are staffed by an attendant, to ensure that the site operator can contact local fire protection authorities in the event of fire.

(b) Adequate equipment to aid in the control of fires must be provided and maintained at the facility at all times. At a minimum the following items shall be maintained on site and in working order at all times:

- (1) One (1) dry chemical fire extinguisher;
- (2) One (1) two and one-half gallon water extinguisher;
- (3) One (1) pike pole or comparable pole at least 10 feet in length to separate burning from nonburning tires; and
- (4) One (1) round point and one (1) square point shovel.
- (5) One (1) dry chemical fire extinguisher with a minimum rating of 4A:40BC shall be carried on each piece of fuel-powered equipment used to handle waste tires;

(c) An adequate water supply shall be available for use by the local fire authority. The water supply shall be capable of delivering at least 1000 gallons per minute for a duration of at least three hours and at least 2000 gallons per minute for a duration of at least three hours if the sum of altered plus whole waste tires exceeds 10,000.

(d) All of the requirements of subsections (b) and (c) shall apply unless the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or

APPENDIX B

adequate to meet the intent of these regulations for fire control and the protection of life and property. This may include the availability of earth moving equipment or other approved means to control the tire fire. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

Article 5.5. Section 17352. Facility Access and Security.

(a) Signs--for facilities open to the public a sign shall be posted at the facility entrance stating the name of the operator, operating hours, and site rules.

(b) Attendant--An attendant shall be present when the facility is open for business if the facility receives tires from persons other than the operator of the facility.

(c) Access--An access road to the facility must be maintained passable for emergency equipment and vector control vehicles at all times. Unauthorized access must be strictly controlled.

Article 5.5. Section 17353. Vector Control Measures.

(a) All waste tires shall be stored in a manner which prevents the breeding and harborage of mosquitoes, rodents, and other vectors by any of the following means:

(1) Cover with impermeable barriers other than soil to prevent entry or accumulation of precipitation; or

(2) Use of treatments or methods to prevent or eliminate vector breeding as necessary, provided the control program is approved as appropriate and effective by the local vector control authority, if such authority exists. If no local vector control authority exists, the local Environmental Health Department or other local agency with authority over vector control shall approve the vector control plan. Any control program approved by the local vector control authority shall be subject to Board concurrence at the time of issuance or renewal of the waste tire facility permit.

Article 5.5. Section 17354. Storage of Waste Tires Outdoors.

(a) Except as provided in subsection (c) waste tires shall be restricted to individual piles, which include stacks and racks of tires that do not exceed 5,000 square feet of contiguous area. Any pile shall not exceed 50,000 cubic feet in volume nor 10 feet in height. Piles shall not exceed 6 feet in height when within 20 feet of any property line or perimeter fencing. Waste tires shall not be located within 10 feet of any property line or perimeter fencing. The minimum distance between waste tire piles and between waste tire piles and structures that are located either on-site or off-site shall be as specified in Table I.

(b) Except as provided in subsection (c) waste tires shall be separated from vegetation and other potentially flammable materials by no less than 40 feet. Accessible fire lanes with a minimum width as specified in Table I shall be provided between tire storage units. Fire lanes shall be kept free of flammable or combustible material and vegetation. Access to fire lane(s) for emergency vehicles must be unobstructed at all times. Open flames, blow torches, or highly flammable materials, including but not limited to, tire inner tubes, are prohibited within 40 feet of a waste tire pile.

APPENDIX B

Table I Minimum Separation Distances (Ft.)			
Length of Exposed Face (Ft.)	Tire Storage Pile Height (Ft.)		
	6	8	10
25	50	56	62
50	66	75	84
100	84	100	116
150	99	117	135
200	111	130	149
250	118	140	162

(c) All of the requirements in subsections (a) and (b) shall apply to the storage of waste tires unless, for any particular requirement, the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for the prevention of fire and the protection of life and property. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

(d) Surface water drainage shall be directed around and away from the waste tire storage area.

(e) Waste tires at existing waste tire facilities shall not be stored on surfaces with grades that will interfere with firefighting equipment or personnel unless mitigation measures have been approved in writing by the local fire authority, or a fire safety engineer registered by the State of California. Measures established by a fire safety engineer shall be subject to approval by the local fire authority.

(f) New waste tire facilities shall not:

- (1) Be sited in any area where they may be subjected to immersion in water during a 100-year storm unless the operator demonstrates to the Board that the facility will be designed and operated so as to prevent waste tires from migrating off site; or
- (2) Be located on sites with grades or other physical features that will interfere with firefighting equipment or personnel.

(g) Tires must be removed from rims immediately upon arrival at the facility.

(h) The site shall be designed and constructed to provide protection to bodies of water from runoff of pyrolytic oil resulting from a potential tire fire.

APPENDIX B

TITLE 14, DIVISION 7, CHAPTER 6, Permitting of Waste Tire Facilities and Waste Tire Hauler Registration and Tire Manifests

Article 1. Section 18420. Applicability.

(a) The operator of a waste tire facility shall acquire a waste tire facility permit in accordance with the requirements of this Chapter and PRC section 42808, unless any of the following conditions exist:

(1) The waste tires are stored or disposed at a permitted solid waste disposal facility. The permit of the solid waste facility shall be revised pursuant to Public Resources Code (PRC) section 44014 and shall conform to the requirements of Division 7, Chapter 3, Article 5.5.

(2) The facility is using fewer than 5,000 waste tires for agricultural purposes and the waste tires have been rendered incapable of holding accumulations of water.

(3) The facility is storing fewer than 500 waste tires.

(4) The facility is a tire treading business and not more than 3,000 waste tires are kept on the premises.

(5) (Reserved)

(6) The facility is an automobile dismantler, as defined in Sections 220 and 221 of the Vehicle Code, who stores waste tires on the premises of the auto dismantler for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dismantler's premises.

(7) The facility is a tire dealer who stores waste tires on the dealer's premises for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dealer's premises.

(b) For purposes of determining the applicability of this chapter 6, altered waste tires shall be counted as passenger tire equivalents (PTE).

(c) (Reserved)

(d) For the purposes of Chapter 6, Articles 2 through 7 and Articles 9, 10 and 11 apply to operators and/or businesses described under Chapter 6, Article 1.

(e) A "used tire dealer" is only authorized to lawfully accept used or waste tires without a waste tire facility permit if the used tire dealer is in compliance with Section 17225.820, Article 4.1, Chapter 3 and has fewer than 1500 waste tires in accordance with Section 42808(c).

Article 2. Section 18423. Filing of Application

(a) Every operator of a new or existing major or minor waste tire facility shall submit to the Board a completed original and two (2) copies of the waste tire facility permit application, as specified in Article 4 of this Chapter.

(b) Upon receipt of the application, the Board shall mark the application package with the date of receipt. Within 30 days of receipt, the Board shall examine the application package to determine whether it meets the requirements contained in this chapter and either accept the application as complete or reject the application. If the Board finds the application meets the requirements, the application shall be accepted as complete. If the Board determines that the application does not conform to the applicable requirements, it shall notify the applicant in writing enumerating the grounds for rejection.

APPENDIX B

Article 4. Section 18432. Operation Plan

- (a) The Operation Plan, as required by 18431(b) shall demonstrate conformance with the technical standards contained in 14 CCR, Division 7, Chapter 3, Article 5.5.
- (b) The operator shall file amendments to the Operation Plan whenever necessary to keep the information contained in it current.

Article 4. Section 18433. Emergency Response Plan

- (a) The operator of the waste tire facility shall maintain a copy of the Emergency Response Plan at the facility. At the time of permit issuance the approved Emergency Response Plan shall be forwarded to the local fire authority by the permittee. The plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. The local fire authority and the Board shall be notified of any changes to the plan within 30 days of the revision.
- (b) The operator of the facility shall immediately notify the Board in the event of a fire or other emergency if that emergency has potential significant off-site effects. Within 30 days of any such emergency, the operator shall submit to the Board a written report describing the cause(s) of the emergency, the results of actions taken, and an analysis of the success or failure of these actions.

Article 7. Section 18447. Retention of Records

Copies of all records required to be kept under this Chapter shall be retained by the operator for three (3) years at the place of business and shall be made available at the site during normal business hours for inspection and photocopy by any representative of the Board or any individual authorized by the Board.

Article 8.5. Section 18459.2.1. Submittal of the Comprehensive Trip Log, Manifest Form, Tire Trip Log, Retreader Trip Log, and Electronic Reporting to the Board

As provided in this section, the Comprehensive Trip Log, or Manifest Form and Tire Trip Log, or Retreader Trip Log shall be submitted to the CIWMB by the waste tire generator, waste tire hauler or Retreader as specified in (a), (b), (c), or (d).

(a)(1) If the waste tire hauler chooses to use the Manifest form, the waste tire generator shall submit the completed original Manifest Form to the Board within ninety (90) days of the load shipment. The Manifest Form and Tire Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Manifest Form and the Tire Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(2) If the waste tire hauler chooses to use the Tire Trip Log, the waste tire hauler shall submit the completed original Tire Trip Log to the Board within ninety (90) days of the load shipment.

(3) The Manifest Form and Tire Trip Log shall not be used after December 31, 2005.

(b) On or before January 1, 2006, the waste tire hauler shall submit a copy of the completed Comprehensive Trip Log to the Board within ninety (90) days of the load shipment. The Comprehensive Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Comprehensive Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

APPENDIX B

(c) If the waste or used tire is a tire casing being shipped for inspection, retreading, or recapping and is being transported by a Retreader, the waste tire generator may substitute an invoice for the required manifest form provided by the Retreader. The invoice shall contain the date of the transaction, the name of the customer and address, the Tire Program Identification Number of the generator or end use facility, the name of the retreader and address, the quantity of tire casings shipped. A copy of the invoice and Retreader Trip Log shall be in the Retreader's possession while transporting the tire casings. The copy of the invoice and Retreader Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(1) The Retreader shall submit the completed Retreader Trip Log to the Board within ninety (90) days of the load shipment.

(d) If approved by the Board pursuant to Public Resources Code Section 42961.5, any person that is subject to the requirements set forth in above (a), (b), or (c) may substitute their own functionally equivalent form, once approved by the Board, in lieu of the Board required form and submit an electronic report within ninety (90) days of the load shipment to the Board, in lieu of submitting the required form. The electronic report shall include all information required to be on the Comprehensive Trip Log, Retreader Trip Log, or Manifest and Tire Trip Log forms.

