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Sent: Sunday, September 15, 2013 8:51 PM
To: Cambridge, Keith; utah0344@yahoo.com
Subject: CTL record keeping

Kieth, you may have heard I have nearly finished picking up tires as a business. You can review my WTMS records to see very little activity since the middle of June. I will continue to dispose of tires with CTL records until the yard is clean possibly by October. I am also disposing of all previous records dated September 2010 or earlier. I don't feel there is any proprietary information on any part of those forms so they will simply be sent for recycling not shredded. Because I will be relocating to Pennsylvania when I finish here my question for you is about those records I have

in Hesperia at this time for the period from 2010 through the time I leave. Any suggestion for what should be done with them considering you have a good record on WTMS without a count for the number of tires handled by each specific vehicle. The method I have used for filing has been to file each receipt involving my location in two files delivery, pickup including those from other haulers to and from my location, the hard copy is in numerical sequence and the yellow copy filed by vehicle. In addition I have maintained a record of the CTL by number on each invoice and the invoice number is printed on the CTL. This cross reference would have been useful to the agency but no one listened. You know I have little respect for this form and the information you think you are getting from it. My WTMS has a function to report those records filed by other haulers regarding pickups and deliveries at my location. There is no information in that form despite the years of my insisting all deliveries and pickups over 9 tires be documented. All Mexican, out of state and California haulers have completed forms here but I happen to know a few of them failed to submit the forms because they often used the next numbered form at my store the next time they came here even weeks later. That is clear that they failed to make the next receipt for the delivery to their own yard in Mexico or any where other than that. It also proves other facilities did not require their load be documented. For example the several loads I sent to Kansas with documentation after they had begun loading at Edwards AFB. Even though I had worked so hard to get those backhaulers to be documented by your department I really have no reason to think they ever returned the CTLs I started here after they delivered the tires in Kansas.

I have read the review of proposed rules changes and find the new fire code to be onerous and likely to be a big stumbling block for small businesses with limited resources. Even my bigger yard would be hard pressed to accommodate the set backs required by these rules. Over the years the agency has hurt the process with a failure to listen to good advice from those in the industry, failing to include retired or experienced tire industry personnel in the enforcement section of the agency and failing to vigorously enforcing bad rules as that would have caused the industry to protest and have those dumb rules removed from the books. When that would happen everyone benefitted and the rules would soon become a building block for future enforcement of productive procedures. This thought was given to me early in the process by Board Member Daniel Pennington when he quoted "the best way to get rid of a bad law is to vigorously enforce it."

In retrospect I hope you can see the unnecessary and unproductive effort the agency has spent since the first adoption of rules rewrote the definition of a waste tire and interpreted it as anything stored outside. When AB829 was being considered it was reviewed by the industry and all agreed those tires described in the legislation needed to be regulated and paid little attention to the process that created the mess. No one in the industry expected to be punished for having tires of value including repairable, regroovable and retreadable tires in their inventory regardless of the number. Those dealers that have succumbed to stacking and racking to avoid penalties seldom do it consistently and knows the inspectors seldom know the difference in the quality of the tires stacked and counts on getting over on them for a time. I seldom drive down a busy street where used tire sellers don't have piles of tires stacked up against their building in excess of the limits in the current regulations. In addition I have independently tried to encourage local authorities to restrict the accumulation of waste tires without a form of securing the tires from public access in order to avoid those unscrupulous haulers from picking through those piles, removing the tires of value without documentation but that effort was unproductive. I started that effort after encouraging your agency to cross reference the BoE records for the number of new tires sold vs the CTL receipts for tires removed over a 3 to 12 month period.

Carl, the HubCap Kid
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