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8 STATE OF CALIFORNIA

9 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

10
11 IN THE MATTER OF:

12
13 KNIGHT TRANSPORTATION, INC. d/b/a
14 ARIZONA KNIGHT TRANSPORTATION,
15 INC.

16 TPID NO: 1003543-01

17 RESPONDENT.

SUPPLEMENTAL ADMINISTRATIVE
DECISION PURSUANT TO
STIPULATION FOR ISSUANCE OF
ADMINISTRATIVE DECISION FOR
WASTE TIRE HAULER PENALTIES

18 AGENCY No. 2005-010928-ADC
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22 INTRODUCTION

23 On June 1, 2006, The California Integrated Waste Management Board
24 ("CIWMB") served an Amended Administrative Complaint and Request for Hearing form
25 on Knight Transportation, Inc. d/b/a Arizona Knight Transportation, Inc.
26 ("RESPONDENT"). A Stipulation was signed by both parties agreeing to hold Eight
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1 Thousand (\$8,000.00) in abeyance pending a default of the Stipulation, and to pay Six
2 Thousand (\$6,000.00). Respondent waived their right to a hearing.

3 On May 24, 2006, CIWMB issued a Decision adopting the Stipulation. CIWMB
4 issued an Amended Administrative Decision on August 14, 2006.
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6 Paragraph 15 of the Stipulation for Issuance of Administrative Decision provides
7 as follows:

8 If RESPONDENT defaults under the terms of this STIPULATION, then the
9 CIWMB shall send RESPONDENT a letter by certified mail or personal service
10 notifying them of the same. Said letter shall apprise RESPONDENT of the
11 provision(s) of the STIPULATION of which it is in default, and will attach a copy
12 of the Inspection Report or other report documenting the violation(s) in issue.
13 RESPONDENT shall have ten (10) days from the receipt of the certified letter or
14 personal service to correct the noticed violation. If the violation is corrected
15 within the 10-day period then RESPONDENT will be deemed to not be in default
16 of the STIPULATION. The parties understand there is no cure or ability to
17 correct a violation of hauling waste or used tires as an unregistered hauler except
18 to show proof that they were registered.
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20 **FACTS RELATED TO DEFAULT OF STIPULATION**

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22 1. On April 8, 2008, a Notice of Default was sent to Kevin Knight, CEO of
23 Knight Transportation, Inc., stating that KNIGHT TRANSPORTATION, d/b/a ARIZONA
24 KNIGHT TRANSPORTATION, INC., were in default of the Stipulation because the
25 hauler was hauling waste/used tires from Wal-Mart in Apple Valley, CA to Safranmark
26 International in Apache Junction, AZ, during the time when the KNIGHT
27 TRANSPORTATION, INC., was not registered as a waste tire hauler.
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1 2. On September 12, 2007, CIWMB issued a letter of exemption to KNIGHT
2 TRANSPORTATION, INC., from the tire hauler requirements. Prior to the issuance of
3 the 2007 Letter of Exemption, Respondent did not have a Letter of Exemption.

4 3. During the time of 2006 and 2007, when KNIGHT TRANSPORTATION,
5 INC., was hauling waste/used tires from Wal-Mart Stores in Apple Valley, California, to
6 SafraMark International in Arizona, the hauler failed to complete the required manifest
7 forms, provide a copy to the generator, and submit a copy to the CIWMB.

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9 **ORDER BASED UPON DEFAULT OF STIPULATION**

10 Good cause appearing therefore, the following Order is hereby made:
11 RESPONDENT, KNIGHT TRANSPORTATION, INC., d/b/a ARIZONA KNIGHT
12 TRANSPORTATION INC., shall pay a monetary penalty of Eight Thousand Dollars
13 (\$8,000.00) for the violations set forth in the Notice of Default.

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15 This DECISION shall become effective May 6, 2008.

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17 Dated this 6 day of May, 2008.

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20 MARGO REID BROWN
21 Chair
22 CALIFORNIA INTEGRATED WASTE
23 MANAGEMENT BOARD
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