



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027

P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

Certified Mail
7014 2120 0004 6268 1457

August 17, 2018

Old School Tire & Wheels
13978 Old 215 Frontage Road Unit B
Moreno Vallet, CA 92553
Attn: Ray Waters

TPID: 1716294

RE: STIPULATED, DECISION, AND ORDER

Dear Ray:

The Department of Resources Recycling and Recovery (CalRecycle) is in receipt of the CalRecycle Stipulation, Decision, and Order, 2017-000665-PEN which you have signed and returned. We appreciate your payment of \$1,500.00, your timely response and your willingness to resolve this issue through this Streamlined Penalty Process. Enclosed, you will find the Stipulation, Decision, and Order. The received payment, combined with terms set forth in the attached Stipulation, Decision, and Order, constitutes full resolution of this matter.

In the future, should you have any questions or concerns about the waste tire hauler or manifesting requirements, please call our toll free number at (866) 896-0600 so that we can assist you and minimize the potential for future enforcement action.

If you have any other questions concerning this Stipulation, Decision, and Order, please call Cathy Blair, Supervisor of the Tire Hauler Compliance Unit at (916) 341-6308.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark de Bie", followed by a period.

Mark de Bie, Deputy Director
Waste Permitting, Compliance and Mitigation Division
California Department of Resources Recycling and Recovery



**CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
WASTE TIRE HAULER/MANIFESTING VIOLATIONS
STIPULATION, DECISION, AND ORDER**
(YOU MUST SIGN THE OTHER SIDE OF THIS PAGE IF YOU ACCEPT THIS STIPULATION)

Complainant, the California Department of Resources Recycling and Recovery (CalRecycle) and Respondent(s) hereby agree that the stipulation will be a final resolution of the violations alleged below. The parties stipulate to the following facts and violations of law:

CALRECYCLE ENFORCEMENT ORDER NUMBER: 2018-000665-PEN

RESPONDENT: Old School Tire & Wheels
13978 Old 215 Frontage Road Unit B
Moreno Valley, CA 92553

PUBLIC RESOURCES CODE (PRC) SECTION VIOLATED: §42951(a)

TITLE 14, CALIFORNIA CODE OF REGULATIONS (CCR) VIOLATED: §18454(a)

DESCRIPTION OF VIOLATIONS:

Between February 20, 2018 and March 7, 2018 **Old School Tire & Wheels** either transported or allowed the transportation of at least six loads of 10 or more waste or used tires while not holding a valid 2018 Waste Tire Hauler Registration issued by CalRecycle.

Pursuant to PRC §42951(a), every person who engages in the transportation of waste or used tires shall hold a valid waste tire hauler registration, unless exempted as specified in Section 42954.

DATE(S) OF VIOLATION: February 20, 2018; February 25, 2018; February 26, 2018; February 28, 2018;
March 7, 2018 (2 counts).

STIPULATION DUE DATE: 15 DAYS FROM THE DATE OF SERVICE

TOTAL MONETARY PENALTY: \$3,000 to be fulfilled by one of the following two ways:

Penalty Option 1—\$3,000

RESPONDENT, shall remit to CalRecycle payment in the amount of \$3,000 within 15 days of this letter. By signing this Order, RESPONDENT agrees to Penalty Option 1 unless RESPONDENT affirmatively checks the box for Penalty Option 2 below.

Penalty Option 2—\$1,500

RESPONDENT, shall remit to CalRecycle payment in the amount of \$1,500 within 15 days of this letter. RESPONDENT further agrees to submit CTLs electronically to CalRecycle for each load of waste or used tires RESPONDENT hauls that would require a manifest, for the 12-month period beginning on the date CalRecycle signs this Order. Additionally, RESPONDENT will have to file all his subsequent Waste Tire Hauler registration renewals online. If RESPONDENT fails to fulfill any of these provisions, the full amount of \$3,000, less any amount already paid, will become immediately due and payable. If RESPONDENT signs this Order, but does not affirmatively check the box for Option 2, RESPONDENT agrees to be bound by Penalty Option 1.

pd 7/10/18 confirmation # 004253 online

FOR ACCOUNTING USE ONLY

Amount:

Date Paid:

ROC#

FURTHER STATEMENT BY RESPONDENT(S):

I acknowledge that the violation(s) of the Public Resources Code and/or Title 14, California Code of Regulations (CCR) described above and on Exhibit 1 attached, have occurred and request that the California Department of Resources Recycling and Recovery resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* at the bottom of this form and voluntarily waive any and all procedural rights to contest this matter in an Administrative Hearing. I have enclosed a check or money order made payable to the California Department of Resources Recycling and Recovery in the amount of the penalty described above. I understand that if there are not sufficient funds in my bank account when the check is deposited, CalRecycle has the discretion to determine that this agreement is null and void, and can prosecute this allegation as if no agreement has been executed.

RESPONDENT has freely and voluntarily entered into this Stipulation, Decision, and Order (hereinafter "Stipulation"), and has been afforded the opportunity to consult with counsel prior to entering into this Stipulation. It is expressly understood and agreed that no representations or promises of any kind, other than as contained herein, have been made by any party to induce any other party to enter into this Stipulation, and that said Stipulation may not be altered, amended, modified, or otherwise changed except by a writing executed by each of the parties hereto.

This Stipulation constitutes the entire understanding of the parties concerning the settlement of this proceeding. There are no restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly set forth herein or contained in separate written documents delivered or to be delivered pursuant hereto, and each party expressly acknowledges that it has not relied upon any restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly contained herein.

If necessary, this Stipulation may be executed in counterparts, each of which shall be an original, and all together shall form one agreement. In addition, for purposes of this Stipulation, facsimile signatures will be treated as originals until the applicable page(s) bearing non-facsimile signatures have been received by the parties.

The effective date of this Stipulation, Decision, and Order, is the date that the Department Director signs it.

I, as RESPONDENT, hereby select and agree to be bound by:

☐

Penalty Option 1*

☒

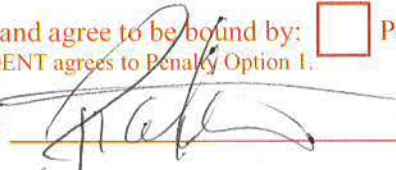
Penalty Option 2

* By failing to check either box, RESPONDENT agrees to Penalty Option 1.

Dated:

7/10/18

Signature:



Printed Name:

Ray Walters

Job Title:

Owner

Name and Address of Business Entity:

13978 OLD 215 Frontage Road #B

Any DBAs:

OLD SCHOOL TIRES & WHEELS

For California Department of Resources Recycling and Recovery Use Only

STATEMENT BY DIRECTOR:

The foregoing stipulation has been adopted by the California Department of Resources Recycling and Recovery as its final decision and order and is effective upon execution below by the Director of the California Department of Resources Recycling and Recovery.

IT IS SO ORDERED:

Dated:

8/17/18

Mark de Bie, Deputy Director

Waste Permitting, Compliance and Mitigation Division

California Department of Resources Recycling and Recovery