



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 1471

November 7, 2018

Tire Depot
2134 MacDonald Ave
Richmond, CA 94801-3311
Attn: Muhammad Musa

TPID: 1701696

RE: STIPULATED, DECISION, AND ORDER

Dear Muhammad:

The Department of Resources Recycling and Recovery (CalRecycle) is in receipt of the CalRecycle Stipulation, Decision, and Order, 2018-000674-PEN which you have signed and returned. We appreciate your payment of \$950.00, 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", is written over a faint circular stamp.

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: 2018-000674-PEN

RESPONDENT: Tire Depot
2134 MacDonald Avenue
Richmond, CA 94801-3311

RECEIVED
OCT 22 2018
BY ACCOUNTING

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

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

DESCRIPTION OF VIOLATIONS:

Between November 24, 2017 and April 14, 2018, **Tire Depot** either transported or allowed the transportation of at least five loads of 10 or more waste or used tires while not holding a valid 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: November 24, 2017; December 30, 2017; February 24, 2018; March 10, 2018; and April 14, 2018.

STIPULATION DUE DATE: 15 DAYS FROM THE DATE OF SERVICE

TOTAL MONETARY PENALTY: \$950

NUMBER OF COUNTS: 5

FOR ACCOUNTING USE ONLY		
Amount: <u>950.00</u>	Date Paid: <u>10/23/18</u>	ROC# <u>1800168</u>

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.

Dated: 10-15-18 **Signature:** 

Printed Name: MUHAMMAD MUSA

Job Title: OWNER

Name and Address of Business Entity: 2134 MACDONALD AVE RICHMOND CA 94801

Any DBAs: _____

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: 11/7/18


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