

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

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

5 The Los Angeles County Waste Tire Grantee inspected this site on March 31, 2011 and
6 determined that 5,000 or more waste tires were being stored on site;

7 The Los Angeles County Waste Tire Grantee issued a Notice of Violation to you as the
8 Property Owner/Operator on March 31, 2011, as documented in Inspection Report
9 I1-1117091, which is attached hereto and incorporated herein by reference as Appendix A-2,
10 requiring the tires to be removed by April 30, 2011;

11 The Los Angeles County Waste Tire Grantee inspected this site on June 2, 2011 as
12 documented in Inspection Report I1-1166290, which is attached hereto and incorporated by
13 reference as Appendix A-2 and determined that 5,000 or more waste tires remained on site;

14 The Los Angeles County Waste Tire Grantee inspected this site on July 28, 2011 as
15 documented in Inspection Report I1-1165653, which is attached hereto and incorporated by
16 reference as Appendix A-2 and determined that 5,000 or more waste tires remained on site;

17 The Los Angeles County Waste Tire Grantee inspected this site on January 23, 2012 as
18 documented in Inspection Report I1-1219816, which is attached hereto and incorporated by
19 reference as Appendix A-2 and determined that 5,000 or more waste tires remained on site;

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

21 You are in violation of PRC section 42824 for accepting and storing 5,000 or more
22 waste tires on this site without obtaining a "Major 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 who are in violation of the
7 aforementioned law to clean up waste tire piles, abate the effects thereof, or otherwise remedy
8 a case of threatened pollution or nuisance, pursuant to PRC section 42845(a);

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

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

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

- 18 1. Reduce and maintain the number of waste tires onsite to 499 or less, in
19 accordance with the following:
- 20 2. Remove all waste tires in excess of 499 from the premises within 15 days from
21 the date of service of this Cleanup and Abatement Order (CAO), in accordance
22 with the following waste tire removal schedule:
 - 23 a. Waste Tire Removal Schedule
 - 24 i. Waste tires shall be removed from the premises. CalRecycle must
25 approve the destinations of the tires to ensure that a registered waste
26 tire hauler legally transports them to an approved facility.
 - 27 b. All waste tires (whole and/or passenger tire equivalents, pursuant to Title 14
28 of the CCR, section 17225.770) shall be removed by a registered waste tire

1 hauler, as prescribed by PRC section 42950 et seq., within 15 days from the
2 date of service of this CAO. A completed Comprehensive Trip Log (CTL),
3 CalRecycle 203, manifest form must accompany each load and a copy of
4 each completed CTL form must be submitted to CalRecycle within 30 days
5 from the date of service of this CAO. Failure to comply with this provision
6 may result in penalties, pursuant to PRC sections 42961.5 and 42962.

7 b. At no time may you accept additional waste tires at this site unless there are less
8 than 499 onsite and the acceptance of additional waste tires will not result in more than
9 499 waste tire being onsite.

10
11 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTIONS 42845, 42850**
12 **and 42850.1:**

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

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

23 You have ten (10) days from the date of service of this order to file a petition with
24 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will
25 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.
26 Regardless of whether you file a petition, you must complete the above actions ordered
27 pursuant to PRC section 42845;

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

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

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

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

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

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

23 This CAO may only be amended in writing by an authorized CalRecycle representative.
24
25
26
27
28

1 If you have any questions about this CAO, you may contact Steve Dolan of my staff at
2 (951) 782-3221.

3
4 Dated this 23 day of March 2012



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

APPENDIX - A1
PROPERTY PROFILE

OWNER INFORMATION

Situs Address: 9100 NORWALK BLVD Q
SANTA FE SPRINGS, CA 90670

Mailing Address: 60 STATE ST 1200 Q
BOSTON, MA 02109

Owner: AMB SGP CALIFORNIA LLC

Additional Name: AMB SGP CALIFORNIA LLC

Owner Corporate Indicator: CORPORATE OWNER

Owner Ownership Rights Code: LIMITED PARTNERSHIP

Absentee Owner: ABSENTEE (MAIL AND SITUS NOT=)

PROPERTY INFORMATION

FIPS Code: LOS ANGELES

FIPS Sub Code: 000

FIPS State Code: CALIFORNIA

APN Sequence Number: 1

Unformatted APN: 8168001034

Formatted APN: 8168-001-034

Original APN: 8168001034

Property Indicator: INDUSTRIAL LIGHT

Land Use: LIGHT INDUSTRIAL

Zoning: SSM2*

Land Square Footage: 106171

Acres: 2.4374

Legal Description: CF 157 FOR DESC SEE ASSESSOR'S MAPS POR OF ASC DE PALLORENO 371 ACS

OWNER INFORMATION

Mailing Address: 60 STATE ST 1200 a
BOSTON, MA 02109

Owner: AMB SGP CALIFORNIA LLC

Additional Name: AMB SGP CALIFORNIA LLC

Owner Corporate Indicator: CORPORATE OWNER

Owner Ownership Rights Code: LIMITED PARTNERSHIP

PROPERTY INFORMATION

FIPS Code: LOS ANGELES

FIPS Sub Code: 000

FIPS State Code: CALIFORNIA

APN Sequence Number: 1

Unformatted APN: 8168001027

Formatted APN: 8168-001-027

Original APN: 8168001027

Property Indicator: VACANT

Land Use: INDUSTRIAL LOT

Zoning: SSM2*

Land Square Footage: 14905

Acres: 0.3422

Legal Description: PARCEL MAP AS PER BK 189 P 49-52 OF PM THAT POR IN TRA 6141 OF LOT 3

Subdivision Tract Number: 6141

Lot Number: 3

OWNER INFORMATION

Situs Address: 9100 NORWALK BLVD Q
SANTA FE SPRINGS, CA 90670

Mailing Address: 60 STATE ST TE120 Q
BOSTON, MA 02109

Owner: AMB SGP CALIFORNIA LLC

Additional Name: AMB SGP CALIFORNIA LLC

Owner Corporate Indicator: CORPORATE OWNER

Owner Ownership Rights Code: LIMITED PARTNERSHIP

Absentee Owner: . ABSENTEE (MAIL AND SITUS NOT=)

PROPERTY INFORMATION

FIPS Code: LOS ANGELES

FIPS Sub Code: 000

FIPS State Code: CALIFORNIA

APN Sequence Number: 1

Unformatted APN: 8168001028

Formatted APN: 8168-001-028

Original APN: 8168001028

Property Indicator: INDUSTRIAL LIGHT

Land Use: LIGHT INDUSTRIAL

Zoning: SSM2*

Land Square Footage: 356191

Acres: 8.1770

Search Type: Real Property
Reference:

AMB SGP CALIFORNIA LLC
5 records aggregated.

Record 1 out of 5 (Tax roll)

OWNER INFORMATION

Situs Address: 9100 NORWALK BLVD
SANTA FE SPRINGS, CA 90670



Owner: AMB SGP CALIFORNIA LLC
Additional Name: AMB SGP CALIFORNIA LLC
Owner Corporate Indicator: CORPORATE OWNER
Owner Ownership Rights Code: LIMITED PARTNERSHIP
Absentee Owner: ABSENTEE (MAIL AND SITUS NOT=)

Mailing Address: 60 STATE ST TEL20
BOSTON, MA 02109



PROPERTY INFORMATION

FIPS Code: LOS ANGELES

FIPS Sub Code: 000

FIPS State Code: CALIFORNIA

APN Sequence Number: 1

Unformatted APN: 8168001028

Formatted APN: 8168-001-028

Original APN: 8168001028

Property Indicator: INDUSTRIAL LIGHT

Land Use: LIGHT INDUSTRIAL

Zoning: SSM2*

Land Square Footage: 356191

Acres: 8.1770

Legal Description: PARCEL MAP AS PER BK 189 P 49-52 OF PM THAT POR IN
TRA 5925 OF LOT 3

Subdivision Tract
Number: 5925

Lot Number: 3

TAX ASSESSOR INFORMATION

APPENDIX - A2
INSPECTION REPORTS AND PHOTOS

**LOS ANGELES COUNTY WASTE TIRE GRANTEE INSPECTION
REPORT 3/31/11**

**LOS ANGELES COUNTY WASTE TIRE GRANTEE INSPECTION
REPORT 6/2/11**

**LOS ANGELES COUNTY WASTE TIRE GRANTEE INSPECTION
REPORT 7/28/11**

**LOS ANGELES COUNTY WASTE TIRE GRANTEE INSPECTION
REPORT 1/23/12**

Waste Tire Survey & Inspection Report

Survey Form - Page 1

11145050056
Inspection Report Number

11 - 1117091

Part A - Survey

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix: <u>1612658-01</u>	Local Identifier: <u>19-TF-8902</u>	Inspection Type (Fill one) <input checked="" type="radio"/> Routine <input type="radio"/> Re-Inspection <input type="radio"/> Referral <input type="radio"/> Observation If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input type="radio"/> CIWMB <input type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other	
Business or Facility Name <u>AZTECA INTERNATIONAL, INC.</u>		Inspected By: <u>19-101 H. SOWE</u>	Inspector: <u>H. SOWE</u>
Physical Address <u>9138 NORWALK BLVD.</u>		Inspection Date: <u>03/31/11</u>	Time In: <u>11:00</u> <input type="radio"/> AM <input type="radio"/> PM
City: <u>SANTA FE SPRINGS, CA 90670</u>		Time Out: <u>12:00</u> <input type="radio"/> AM <input checked="" type="radio"/> PM	Operational Status (Fill one only) <input checked="" type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input type="radio"/> Planned
Business Rep: <u>OSCAR PALENCA Title OWNER</u> <u>NANCY GONZALEZ MGR.</u>		Tire Type (Fill all that apply) <input checked="" type="radio"/> Passenger <input type="radio"/> Altered <input checked="" type="radio"/> Truck <input type="radio"/> OTR	Business Role (Fill all that apply) <input checked="" type="radio"/> Generator <input checked="" type="radio"/> Hauler <input type="radio"/> End-Use
Tire Count (Whole/PTE) <u>21/2,000</u>		Storage Type (Fill all that apply) <input type="radio"/> Outdoor <input checked="" type="radio"/> Indoor <input type="radio"/> Container	
GPS Latitude: _____ Longitude: _____		Business Type (Fill all that apply) <input checked="" type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Retreader <input type="radio"/> Dismantler <input type="radio"/> Tire Derived Fuel <input checked="" type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input checked="" type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input type="radio"/> Other	

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

Y	A	FOULING AND MANIFEST REQUIREMENTS
<input type="radio"/>	<input type="radio"/>	PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
<input type="radio"/>	<input type="radio"/>	PRC § 42953 - Contracts with Registered Waste Tire Haulers.
<input type="radio"/>	<input type="radio"/>	PRC § 42956 - Registration/Decal in Vehicle
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.1 - Tire Program ID Number from CIWMB
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
<input type="radio"/>	<input type="radio"/>	14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
<input type="radio"/>	<input type="radio"/>	14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
<input type="radio"/>	<input type="radio"/>	14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
<input checked="" type="radio"/>	<input type="radio"/>	Other: <u>PRC 42824 & 42834</u>

ENFORCEMENT STATUS	
<input checked="" type="radio"/>	Notice Of Violation
<input type="radio"/>	Extension
Date: <u>04/30/11</u>	
<i>(Required for every violation)</i>	
<input type="radio"/>	Referral to CIWMB - Enforcement
<input type="radio"/>	In Compliance - No Violations

Comments: At the time of my visit, it was determined that more than 500 waste/used tires were being stored on site, observed approximately 1,200 used/waste tires (SEE ATTACHED) according to owner, Mr. Palencia.

Inspection Form Included: Business Rep. Signature: [Signature] Phone Number: (562) 99-0100
 Comments Included: Inspector's Signature: Herb Sowe Phone Number: (626) 430-5540

INSTRUCTIONS ON BACK

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





Waste Tire Survey & Inspection Report

Survey Form - Page 1

11292040207
Inspection Report Number
11 - 1166290

Part A - Survey

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID Site Suffix: 1612658-01	Local Identifier: 19-TF-8902	Inspection Type (Fill one) <input type="radio"/> Routine <input checked="" type="radio"/> Re-inspection <input type="radio"/> Referral <input type="radio"/> Observation If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input type="radio"/> CalRecycle <input type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other	
Business or Facility Name: AZTECA INTERNATIONAL, INC.		Inspected By: 19-101	Inspector: H. SOWE
Physical Address: 9138 NORWALK BLVD.		Inspection Date: 06/02/11	
City: SANTA FE SPRINGS, CA State: CA ZIP Code: 90670		Time In: 1:30 <input type="radio"/> AM <input checked="" type="radio"/> PM	Time Out: 3:00 <input type="radio"/> AM <input checked="" type="radio"/> PM
Business Rep: OSCAR PALENCIA	Title: OWNER	Operational Status (Fill one only): <input checked="" type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input type="radio"/> Planned	Tire Type (Fill all that apply): <input checked="" type="radio"/> Passenger <input type="radio"/> Altered <input checked="" type="radio"/> Truck <input type="radio"/> OTR
Tire Count (Whole/PTE): 28,000		Business Role (Fill all that apply): <input checked="" type="radio"/> Generator <input checked="" type="radio"/> Hauler <input type="radio"/> End-Use	Storage Type (Fill all that apply): <input checked="" type="radio"/> Outdoor <input type="radio"/> Indoor <input type="radio"/> Container
GPS Latitude: _____ Longitude: _____		Business-Type (Fill all that apply): <input checked="" type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Retreader <input type="radio"/> Dismantler <input type="radio"/> Tire Derivoid-Fuel <input checked="" type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input checked="" type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input type="radio"/> Other	

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

V.	A	HAULING AND MANIFEST REQUIREMENTS
<input type="radio"/>	<input type="radio"/>	PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
<input type="radio"/>	<input type="radio"/>	PRC § 42953 - Contracts with Registered Waste Tire Haulers
<input type="radio"/>	<input type="radio"/>	PRC § 42956 - Registration/Decal in Vehicle
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
<input type="radio"/>	<input type="radio"/>	14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3-years
<input type="radio"/>	<input type="radio"/>	14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
<input type="radio"/>	<input type="radio"/>	14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
<input type="radio"/>	<input type="radio"/>	14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
<input checked="" type="radio"/>	<input type="radio"/>	Other: MAJOR W.T.F.P. - PRC 42924

ENFORCEMENT STATUS	
<input type="radio"/> Notice Of Violation	<input checked="" type="radio"/> Extension
Compliance Deadline	
Date: <input type="text"/> / <input type="text"/> / <input type="text"/>	
(Required for NOV or EXT)	
<input type="radio"/> Referred / CalRecycle Enforcement	
<input type="radio"/> In Compliance - No Violations	

Comments: *Mr. Palencia has obtained W.T.F. Permit Application from Martin Perez to commence the process for a Major W.T.F. Permit. Martin & Oscar will keep me informed of the progress. Also, Oscar has retained Terry Leveille & Associates as consultant for the application of a M.W.T.F. Permit (Terry's ph. #916-709-7566).*

Inspection Form Included: <input checked="" type="checkbox"/>	Comments Included: <input checked="" type="checkbox"/>
Business Rep's Signature: <i>[Signature]</i>	Inspector's Signature: <i>Harb Sowe</i>
Phone Number: (562) 699-0100	Phone Number: (626) 430-5540

INSTRUCTIONS ON BACK

Correct: Incorrect:

EXAMPLE 1 2 3

62081

White Copy: CalRecycle

Yellow Copy: Operator

Pink Copy: LEA

2011-06-07 09:53:31

CA 110109

Waste Tire Survey & Inspection Report
Survey Form - Page 1 Inspection Report Number **11 - 1219816**
 BLUE OR BLACK INK PEN

Part A - Survey

Business Profile		Inspection Details	
TPID - Site Suffix: 1.612658.01	Local Identifier: 19-TF-8902	Inspection Type (Fill one) <input type="radio"/> Routine <input type="radio"/> Re-Inspection <input checked="" type="radio"/> Referral <input type="radio"/> Observation If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input type="radio"/> CalRecycle <input checked="" type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other	
Business or Facility Name: AZTECA INTERNATIONAL, INC.		Inspected by: 19-101 Inspector: SOWE	
Physical Address: 9138 NORWALK BLVD. SANTA FE SPRINGS CA 90670		Inspection Date: 01/23/12	
Business Rep: OSCAR PALENCA	Title: OWNER	Time In: 8:30 <input checked="" type="radio"/> AM <input type="radio"/> PM	Time Out: 10:00 <input type="radio"/> AM <input checked="" type="radio"/> PM
Tire Count (Whole/PTE): 30,000	Operational Status (Fill one only): <input checked="" type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input type="radio"/> Planned	Tire Type (Fill all that apply): <input checked="" type="radio"/> Passenger <input checked="" type="radio"/> Altered <input checked="" type="radio"/> Truck <input type="radio"/> OTR	Business Role (Fill all that apply): <input checked="" type="radio"/> Generator <input checked="" type="radio"/> Hauler <input type="radio"/> End-Use
GPS Latitude: .	GPS Longitude: .	Storage Type (Fill all that apply): <input type="radio"/> Outdoor <input checked="" type="radio"/> Indoor <input checked="" type="radio"/> Container	
Business Type (Fill all that apply): <input checked="" type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Refresher <input type="radio"/> Dismantler <input type="radio"/> Tire Derived Fuel <input checked="" type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input checked="" type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input type="radio"/> 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 § 42955 - Registration/Decal in Vehicle
 - 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
 - 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
 - 14 CCR § 18459.2.1 - Submission of Comprehensive Trip Logs within 90 days
 - 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 5 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: **EXCEEDING STORAGE LIMITS.**

ENFORCEMENT STATUS

None of Violation Violation

Compliance Deadline:

Date: / /

Penalty:

Pending Closed

Other:

Comments: **AN INSPECTION WAS CONDUCTED ON THIS DATE FOR THE ABOVE REFERENCED SITE (SEE ATTACHED).**

Inspection Form Included: **Herb Sowe** (626) 430-5540

Comments Included:

Business Rep's Signature: *[Signature]* Phone Number: **(626) 644-0100**

Inspector's Signature: *[Signature]* Phone Number: **(626) 430-5540**



Waste Tire Survey & Inspection Report Comments Form

State of California
DMR 143 (Rev 04/94)
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix:	1612658-01	Inspection Report Number:	I 1 - 1219816 <small>inspection Number on the associated Survey form (Page 1)</small>

Comments

UPON ENTRY TO THE FACILITY CONTACT WAS MADE WITH DIANA PALOUERA TO SEE IF TIRES ARE BEING Baled AND SHIPPED TO CHINA. OBSERVED APPROXIMATELY 30,000 USED/WASTE TIRES. THERE WAS/ARE Baling OPERATIONS BEING CONDUCTED ON SITE.

THE FOLLOWING VIOLATIONS OF DIVISION 30, PRC AND TITLE 14 CCR 17351, 17352, 17353(a), 17354 & 18423 WERE DOCUMENTED. PUBLIC RESOURCES CODE SECTION 42834 REQUIRES OBTAINING A MINOR WASTE TIRE FACILITY PERMIT FOR STORING UP TO 4,999 USED/WASTE TIRES AND PRC 42824 REQUIRES OBTAINING A MAJOR WASTE TIRE FACILITY PERMIT FOR STORING MORE THAN 5,000 USED/WASTE TIRES.

OPERATOR WAS DIRECTED TO DISCONTINUE ACCEPTING TIRES BEYOND THE 500 TIRES LIMIT ALLOWED UNTIL HE RECEIVES HIS MAJOR/MINOR WASTE TIRE FACILITY PERMIT. AN NOV WAS ISSUED AND A REINSPECTION WILL BE CONDUCTED IN 30 DAYS FOR COMPLIANCE.

EXAMPLE 123

42408



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

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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.

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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.

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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.

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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.

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(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.

DECLARATION OF SERVICE BY CERTIFIED MAIL

1
2 Case Name: In the Matter of: AZTECA INTERNACIONAL, INC.

3 TPID NO: 1612658, AGENCY NO: 2012-011010-CAO

4 I declare:

5 I am employed by the Waste Evaluation and Enforcement Branch of the Compliance and
6 Enforcement Division of the Department of Resources Recycling & Recovery (CalRecycle). I
7 am 18 years of age or older and not a party to this matter. I am familiar with the business
8 practices of CalRecycle for collection and processing of correspondence for mailing with the
9 United States Postal Service. In accordance with that practice, correspondence placed in the
10 internal mail collection system at the Compliance and Enforcement Division of CalRecycle is
11 deposited with the United States Postal Service that same day in the ordinary course of
12 business. On March 23, 2012, I served the attached **CLEAN UP AND ABATEMENT ORDER**,
13 by placing a copy in a sealed envelope with certified mail delivery postage thereon to be fully
14 prepaid, in the internal mail collection system at the CalRecycle, addressed as follows:

15 CSC-Lawyers Incorporating Service, Agent for Service of Process for:

16 AMB SGP CALIFORNIA, LLC, PROPERTY OWNER

17 2730 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

Certified Mail Tracking Number
7004 1160 0002 0466 1024

18 OSCAR PALENCIA, Agent for Service of Process for:

19 AZTECA INTERNACIONAL, INC., OPERATOR

9138 Norwalk Blvd.
Santa Fe Springs, CA 90670

Certified Mail Tracking Number
7004 1160 0002 0466 1031

20 PROLOGIS, PROPERTY MANAGER

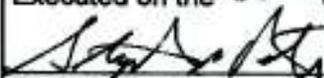
21 Attn: Maribel Castro

17777 Center Court Drive N., Suite 100
Cerritos, CA 90703

Certified Mail Tracking Number
7004 1160 0002 0466 1062

23 I declare under penalty of perjury under the laws of the State of California that the foregoing is
24 true and correct.

25 Executed on the *23rd* day of *March*, *2012*, at Sacramento, California.



Stephen Petty
Declarant