CIWMB
WASTE TIRE ENFORCEMENT PROGRAM

Major Waste Tire Facility - 5,000 or more waste tires

PRC 42824. 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.

PRC 42825. (a) Any person who accepts waste tires at a major waste tire facility that has not been issued a permit or an authorization to operate from the board, or who knowingly directs, transports, or abandons waste tires to or at a major waste tire facility that has not been issued a permit or an authorization to operate from the board shall, upon conviction, be punished by a fine of not less than one thousand dollars ($1,000) or more than ten thousand dollars ($10,000) for each day of violation, by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

PC 374.3. (h) (1) Any person who places, deposits, or dumps, or causes to be placed, deposited, or dumped, waste matter in violation of this section in commercial quantities shall be guilty of a Misdemeanor punishable by imprisonment in a county jail for not more than six months and by a fine. The fine is mandatory and shall amount to not less than five hundred dollars ($500) nor more than one thousand five hundred dollars ($1,500) upon a first conviction, not less than one thousand five hundred dollars ($1,500) nor more than three thousand dollars ($3,000) upon a second conviction, and not less than two thousand seven hundred fifty dollars ($2,750) nor more than four thousand dollars ($4,000) upon a third or subsequent conviction.

(2) "Commercial quantities" means an amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard (note: 1 cubic yard is equivalent to 10 passenger tires or 3 truck tires).This subdivision does not apply to the dumping of household waste at a person's residence.

BUZZARD'S ROOST

SUNSET

CEN-CAL, BLANCO ROAD

OLD WOMAN'S SPRING ROAD

Minor Waste Tire Facility- 500 to 4,999 waste tires

PRC 42834. 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 minor waste tire facility permit

PRC 42835. (a) Any person who accepts waste tires at a minor waste tire facility that has not been issued a permit or an authorization to operate from the board, or who knowingly directs, transports, or abandons waste tires to or at a minor waste tire facility that has not been issued a permit or an authorization to operate from the board shall, upon conviction, be punished by a fine of not less than five hundred dollars ($500) or more than five thousand dollars ($5,000) for each day of violation, by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

CEN-CAL, POTTER RANCH

WEST FLORAL

SOUTH FRUIT

History of CIWMB Tire Program

- Implemented in 1994
- Funding was from 25 cents tire
- Provided approximately $3 million per year for market development, enforcement and clean up
- Tried several times to get increased funding to get money to remove existing “LEGACY Tire Piles”
- In 1999 two large tire fires occurred
- The Royster pile in Tracey had 3 to 5 million tires that burned
- Royster Pile was one of the first enforcement actions started by the CIWMB

EAST FOUNTAIN #1

EAST FOUNTAIN #2

Waste Tire Hauler – 10 or more waste and/or used tires

PRC 42951. (a) Every person who engages in the transportation of waste or used tires shall hold a valid waste and used tire hauler registration, unless exempt as specified in Section 42954.

VC 31560. (a) Any person operating a vehicle, or combination of vehicles, in the transportation of waste tires, as defined in Section 42950 of the Public Resources Code, shall be registered with the California Integrated Waste Management Board, unless specifically exempted, as provided in Chapter 19 (commencing with Section 42950) of Part 3 of Division 30 of the Public Resources Code and in regulations adopted by the board to implement that chapter. (b) It is unlawful and constitutes an infraction for any person engaged in the transportation of waste tires to violate any provision of this article or Section 42951 of the Public Resources Code.

Waste Tire Hauler Exemptions

PRC 42954. (a) A person who hauls waste or used tires is exempt from registration under this chapter if at least one of the following conditions is met:

(1) The person transports fewer than 10 waste or used tires at any one time.

(2) The person is, or hauls used and waste tires in a vehicle owned and operated by, the United States, the State of California, or any county, city, town, or municipality in the state, except when vehicles the public agency owns or operates are used as a waste and used tire carrier for hire.

(3) The waste or used tires were inadvertently mixed or commingled with solid waste, and it is not economical or safe to remove or recover them.

(4) The vehicle originated outside the boundaries of the state and is destined for a point outside the boundaries of the state, if no waste or used tires are loaded or unloaded within the boundaries of the state.

(5) The person is hauling waste or used tires for agricultural purposes. However, notwithstanding Section 42961.5, a person hauling waste or used tires for agricultural purposes shall carry a manifest from the generator in the vehicle during transportation, which may be destroyed after delivery.

Waste Tire Hauler Exemptions- (Continued)

(6) The waste or used tires were hauled by a common carrier who transported something other than waste or used tires to an original destination point and then transported waste or used tires on the return part of the trip, and the revenue derived from the waste or used tires is incidental when compared to the revenue earned by the carrier.

(7) The person, who is not a waste tire generating business, is transporting waste or used tires to an amnesty day event or to a location as defined in subdivision (b) of Section 42951, and has received written authorization, which includes specific conditions and dates, from the local enforcement agency. The local enforcement agency shall provide copies of any written authorizations to the board within 30 days of their issuance.

(8) The person complies with any additional conditions for exemption, as approved by the board.

(b) Any person who transports tires in violation of subdivision (b) of Section 42951 shall not be exempt pursuant to subdivision (a).

WASTE TIRE HAULER DECAL to be permanently affixed (from the inside of the windshield) at the lower right hand corner of windshield

WASTE TIRE HAULER REGISTRATION CERTIFICATE to be carried inside vehicle at all times

WASTE TIRE MANIFEST and WASTE TIRE TRIP LOG forms to accompany all loads.

S. CHAVEZ
PRODUCE
I.A.C.A

THE END

Royster Fire Pictures

Filbin Tire Pile: Westley, CA

- Later in 1999 a lighting bolt ignited the Filbin Piles: 8 million tires

AB876

- After the fires AB876 was enacted which provides $1 fee for each new tire sold
- Currently funding is approximately $40 million
- Provided funding for Waste Tire Enforcement grants
- Required manifesting program to track waste and used tires

CIWMB TERMS

Major Waste Tire Facility
- 5,000 or more waste tires

Minor Waste Tire Facility
- 500 to 4,999 waste tires

Waste Tire Hauler
- 10 or more waste and/or used tires

CIWMB
Enforcement Procedures

- **Inspection**
- **"Letter of Violation"**
  - Issued to the operator and property owner
  - Cites authority and penalty
  - Establishes a removal date for the waste tires
- **Clean Up & Abatement Order**
  - Issued to the operator and property owner
  - Cites authority and penalty
  - Establishes a removal date for the waste tires

CIWMB Enforcement Procedures (continued)

- Administrative Complaint
  - Referral to the Office of Administrative Hearings
- Criminal Report of Investigation
  - Referral to the District Attorney

LAW ENFORCEMENT

What can you do?