

BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING ABATEMENT PETITION REFUND FOR R0071215

Resolution 2014-222

BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Petitions for Abatement or Refund of Taxes, as approved by the Adams County Assessor, are hereby confirmed.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry \_\_\_\_\_ Aye

Tedesco \_\_\_\_\_ Aye

Hansen \_\_\_\_\_ Aye

Commissioners

STATE OF COLORADO )

County of Adams )

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 12<sup>th</sup> day of May, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners  
Karen Long:



By:



Deputy

**List of Abatement/Refunds APPROVED by the County Assessor to be heard by the  
Board of County Commissioners under the date of:**

Account No.	Parcel No.	Name	Reason	Actual Value	Refund Abatement Amount
R0071215	0172101000012	Rodriguez Gabriel and Maria Sara	Land Attribute was removed and quality of the residential structures adjusted from "Good" to "Average"	\$1,152,414 (2013) Original Value	\$24,455.21 (2013) Original Tax
				\$638,110 (2013) Adjusted Value	\$13,541.71 (2013) Adjusted Tax
				\$514,304 (2013) Value to be abated	\$10,913.49 (2013) Tax to be abated or refunded

**RECEIVED**  
MAY 01 2014  
Adams County  
Commissioners' Office

# PETITION FOR ABATEMENT OR REFUND OF TAXES

County: \_\_\_\_\_

Date Received \_\_\_\_\_  
(Use Assessor's or \_\_\_\_\_)

**Section I: Petitioner, please complete Section I only.**

Date: 2-11-14  
Month Day Year

Res

Petitioner's Name: Gabriel Rodriguez  
 Petitioner's Mailing Address: 12381 E. 112<sup>th</sup> Ave AD  
Henderson CO 8061  
 City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)	PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
<u>R0071315</u>	_____
<u>0172101000012</u>	_____

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for property tax year(s) \_\_\_\_\_ and \_\_\_\_\_ are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error or overvaluation. Attach additional sheets if necessary.)

Petitioner's estimate of value: \$ \_\_\_\_\_ (2013) and \$ \_\_\_\_\_  
 Value Year Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct, and complete.

Gabriel Rodriguez  
 Petitioner's Signature

Daytime Phone Number 303 941 0710

By \_\_\_\_\_  
 Agent's Signature\*

Daytime Phone Number ( \_\_\_\_\_ )

\*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

**Section II: Assessor's Recommendation**  
(For Assessor's Use Only)

	Tax Year <u>2013</u>			Tax Year _____		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original	<u>1152414</u>	<u>256850</u>	<u>\$ 24455.21</u>	_____	_____	_____
Corrected	<u>638110</u>	<u>142230</u>	<u>\$ 13541.71</u>	_____	_____	_____
Abate/Refund	<u>514304</u>	<u>114620</u>	<u>\$ 10913.49</u>	_____	_____	_____

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2013 Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Tax year: \_\_\_\_\_ Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

\_\_\_\_\_  
 Assessor's or Deputy Assessor's Signature

**FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY**

(Section III or Section IV must be completed)

Every petition for abatement or refund filed pursuant to section 39-10-114 shall be acted upon pursuant to the provisions of this section by the board of county commissioners or the assessor, as appropriate, within six months of the date of filing such petition, § 39-1-113(1.7), C.R.S.

**Section III:**

**Written Mutual Agreement of Assessor and Petitioner**

(Only for abatements up to \$1,000)

The commissioners of \_\_\_\_\_ County authorize the assessor by Resolution No. \_\_\_\_\_ to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of one thousand dollars or less per tract, parcel, or lot of land or per schedule f personal property, in accordance with § 39-1-113(1.5), C.R.S.

The assessor and petitioner mutually agree to the values and tax abatement/refund of:

	Tax Year _____					
	<b>Actual</b>	<b>Assessed</b>	<b>Tax</b>	<b>Actual</b>	<b>Assessed</b>	<b>Tax</b>
Original	_____	_____	_____	_____	_____	_____
Corrected	_____	_____	_____	_____	_____	_____
Abate/Refund	_____	_____	_____	_____	_____	_____

Note: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the county treasurer for full payment information.

\_\_\_\_\_  
Petitioner's Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Assessor's or Deputy Assessor's Signature \_\_\_\_\_  
Date

**Section IV:**

**Decision of the County Commissioners**

(Must be completed if Section III does not apply)

WHEREAS, The County Commissioners of Adams County, State of Colorado, at a duly and lawfully called regular meeting held on 5/12/14, at which meeting there were present the following members:

Month 5 Day 12 Year 14  
Chaz Tedesco, Erik Hanson, Eva Henry

with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and Assessor Gil Reyes (being present ~~not present~~) and petitioner Rodriguez-Gabriel and Maria (being present ~~not present~~), and WHEREAS, The said

County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (agrees ~~does not agree~~) with the recommendation of the assessor and the petition be (approved ~~approved in part~~ ~~denied~~) with an abatement/refund as follows:

<u>2013</u>	<u>\$638,110</u>	<u>\$10,913.49</u>	_____	_____	_____
Year	Assessed Value	Taxes Abate/Refund	Year	Assessed Value	Taxes Abate/Refund

\_\_\_\_\_  
Chairperson of the Board of County Commissioners' Signature

I, Karen Long County Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County

this 19th day of May, 2014.  
Month Year

\_\_\_\_\_  
County Clerk's or Deputy County Clerk's Signature



Note: Abatements greater than \$1,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

**Section V:**

**Action of the Property Tax Administrator**

(For all abatements greater than \$1,000)

The action of the Board of County Commissioners, relative to the within petition, is hereby

- Approved  Approved in part \$ \_\_\_\_\_  Denied for the following reason(s):

\_\_\_\_\_  
Secretary's Signature \_\_\_\_\_  
Property Tax Administrator's Signature \_\_\_\_\_  
Date

**ASSESSOR'S RECOMMENDATION FOR ABATEMENT**

Denial  
Adjustment   
Partial Adj.

SUBJECT: ABATEMENT FOR YEAR 2013

OWNER'S NAME: Gabriel Rodriguez  
REPRESENTATIVE/AGENT:

PARCEL NUMBER: 01721-01-0-00-012

PROPERTY LOCATION: 12381 E. 112th Ave.

ASSESSMENT RATIO: 22.2879972% (Mixed Res/Comm) MILL LEVY: 0.095212

APPRAISER'S RECOMMENDED VALUE: \$638,110

	ACTUAL VALUE	ASSESSED VALUE	TAX AMOUNT
PETITIONER'S TOTAL VALUE		\$0	\$0.00
PETITIONER'S IMPROVEMENT VALUE	\$0	\$0	
PETITIONER'S LAND VALUE	\$0	\$0.00	
ASSESSOR'S TOTAL VALUE	\$1,152,414	\$256,850	\$24,455.20
ASSESSOR'S IMPROVEMENT VALUE	\$232,510	\$51,830	
ASSESSOR'S LAND VALUE	\$919,751	\$205,020.80	
RECOMMENDED VALUE	\$638,110	\$142,227	\$13,541.71
RECOMMENDED IMPROVEMENT VALUE	\$178,235	\$39,730	
RECOMMENDED LAND VALUE	\$459,875	\$102,496.93	
TOTAL ADJUSTMENT:	\$514,304	\$114,623	\$10,913.49

SITUATION: The property had an attribute on the land value from when it was valued only as a residential property. Due to the attribute, when the classification changed from 100% residential to 90% Commercial and 10% residential, the value was overstated significantly for that LEA. Also, the residential improvements were "Good" for quality/condition. Those were adjusted to "Average" with help of the area's residential appraiser based on photos and an exterior inspection. The property still appears to be using the commercial portion of the land as a trucking company.

ACTION:

SUPERVISOR APPROVAL *[Signature]*  
2-18-14

APPRAISER: Trevor Hammers  
DATE: 2/18/2014

\_\_\_\_\_  
Adams County Assessor

DATE: \_\_\_\_\_

**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

February 7, 2013

Mr. Nick Boudreau  
Environmental Protection Specialist  
Solid Waste and Materials Management Unit  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
Mail Code: HMWMD-CP-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Dear Mr. Boudreau:

Please be advised that I am in receipt of the Compliance Order issued by Charles Johnson and Scott Shultz, dated January 24, 2013 (No. 13-1-24-01) regarding the property owned by Gabriel Rodriguez located at 12381 E. 112th Ave., Henderson, CO 80642 (Rodriguez Property). I am providing hereunder a "Waste Tire Removal Plan and Schedule," in accordance with paragraph 44 of such Compliance Order. Please also be advised, however that, by my doing so, I am not admitting to the veracity of any of the claimed allegations of fact or law contained in the Compliance Order nor waiving any of my appellate rights concerning same.

**WASTE TIRE REMOVAL PLAN AND SCHEDULE.**

1. **Waste Tires.** All waste tires on the Rodriguez Property that were the personal property of my businesses, Colorado Tire Recycling, LLC, and/or American Tire and TDF, LLC (CTR/ATT), have been and were removed from such property prior to the issuance of the Compliance Order. These waste tires were transported to the current location of my businesses, 5101 Columbine St., Denver, CO 80216 (Columbine Site), and have as of this date already been recycled or processed into tire-derived product for end use, as defined under the Strategies for Motor Vehicle Waste Tires Act (Act), §§ 25-17-201, *et seq.*, C.R.S., as amended, and 6 CCR 1007-2, Parts 1 and 4 (Regulations, the versions of which that were in effect as of the dates of the violations alleged in the Compliance Order).
2. **Sacks of Shredded Tire Product.** All sacks of shredded tire product (STP) that were existent on the Rodriguez Property as of September 2011 will be removed by CTR/ATT from such property and transported to the Columbine Site by no later than February 28, 2013.
3. **Partially Processed Tire Bales.** All bales of waste tires located on the Rodriguez Property that are the personal property of CTR/ATT, which are, in fact, only partially processed bales of waste tires, will be removed by CTR/ATT from such property and transported to the Columbine Site by no later than February 28, 2013.



**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

4. **Tractor-trailers.** All tractor-trailers and/or other equipment located on the Rodriguez Property that are the personal property of CTR/ATT will be removed from such property by no later than February 28, 2013.

5. **Force Majeure.** It is the intention of CTR/ATT to fully comply with the Waste Tire Removal Plan and Schedule as specified above, but it must be noted that the completion dates cited above may be affected by forces majeure, such as Mr. Rodriguez denying CTR/ATT access to the Rodriguez Property, weather conditions, or other acts of God and/or events beyond my control. If any such events should occur, I will immediately, i.e. within twenty-four (24) hours of my obtaining actual knowledge thereof, inform the CDPHE.

Sincerely,



Teresa Immel  
Manager of CTR and ATT

c: Patricia A. Fredrick, LLC  
David Bañas, Assistant Attorney General  
Jason Bradford, City of Brighton, CO  
Gabriel Rodriguez

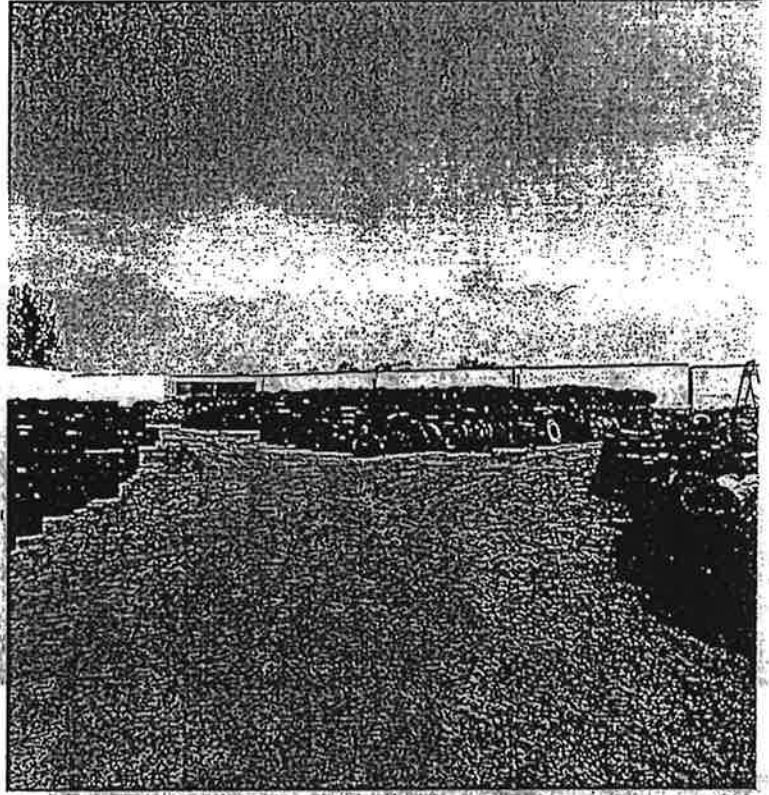


Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
Photographic Log for Inspection Conducted under CRS 30-20-113  
12381 E. 112<sup>th</sup> Avenue, Henderson, CO, Site Inspection  
September 19, 2012

**Photo 1:** Linear stacks of whole tires and tire bales.  
Northwestern property boundary; facing northwest.



**Photo 2:** Stacks of whole tires and tire bales on the  
northern portion of the property. Facing northeast.

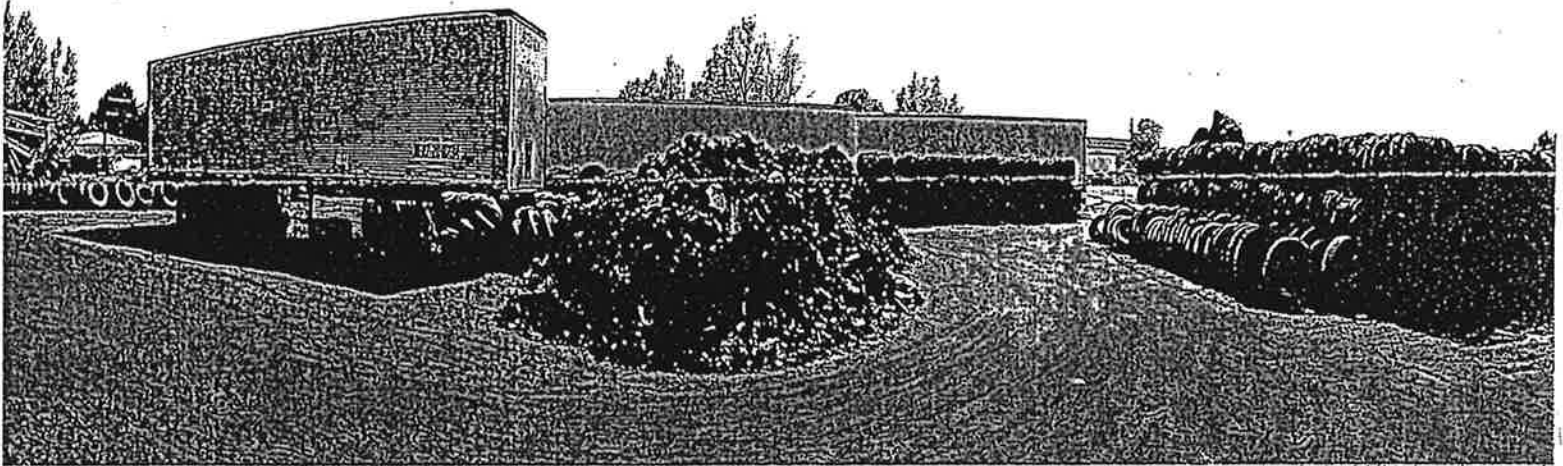


**Photo 3:** Stacks of whole tires and tire bales on the  
northern portion of the property. Facing northeast.



Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
Photographic Log for Inspection Conducted under CRS 30-20-113  
12381 E. 112<sup>th</sup> Avenue, Henderson, CO, Site Inspection  
September 19, 2012

**Photo 8**: Tractor trailers located on the subject property. Tires shreds, whole tires and tire bales. Facing south.



**Photo 9**: Stockpile of whole tires. Facing southeast.



**American Tire & TDF, LLC  
POB 12129  
Denver, Colorado 80212  
Phone: 303-853-0789  
Fax: 303-286-7264**

September 15, 2011

Gabriel Rodriguez  
12381 E. 112<sup>th</sup> Ave.  
Henderson, Colorado 80647

Re: Month to Month lease of part of 12381 E. 112<sup>th</sup> Ave ("Property").

Dear Gabriel:

Pursuant to our discussion Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire and TDF, LLC ("AT&T") the (Lessee's) herein agree to rent part of the Property on a month to month basis until such time as either CTR or AT&T are able to obtain permitting and zoning approval from either Adams County or the City of Brighton to use the Property as a tire recycling facility.

In addition to the monthly rental fee discussed, as additional consideration for using the Property to park semi-trailers and equipment on prior to obtaining any local permitting or zoning approval to use the site as a tire recycling facility, CTR and AT&T herein agree to commit to clean up and remove all of the waste tires stored on the site as well as any shredded tire product (STP) material as soon as possible.

It is the intent and understanding between Gabriel Rodriguez (the "Property Owner") and CTR and AT&T (the "Lessee") that either CTR or AT&T will use their best efforts to recycle 100% of the waste tires or STP material stored on the Property rather than landfill these waste tires and STP material. Both the Property Owner and the Lessee shall agree that the Property shall be deemed a "Cleanup site" and be given top priority to remove any waste tires or STP material stored on the Property.

The cost of recycling and removing the waste tires and STP material on the Property shall be the responsibility of the Lessee's as consideration for leasing the Property for their business operations.

Sincerely  
Colorado Tire Recycling, LLC

  
Teresa Immel, Manager

Agreed to this 15<sup>th</sup> day of September 2011  
Property Owner

Gabriel Rodriguez

**"Colorado's Premier Tire Recycling Company"**

# SOLID WASTE INSPECTION WORKSHEET

Agency: Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division

Date: September 19, 2012 Times: 1:00 – 2:00 PM

Subject Property: 12381 E. 112<sup>th</sup> Avenue  
Henderson, Colorado 80640

Inspector: Nick Boudreau, HMWMD

Subject Property Representative: Gabriel Rodriguez, Owner

File Code: SW/ADM/12381/3.9.3

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On September 19, 2012, Department inspector Nick Boudreau responded to a complaint submitted by Gabriel Rodriguez, the property owner of 12381 E. 112<sup>th</sup> Avenue, Henderson, CO. This Inspection Report summarizes the information that led to the complaint and corresponding subject property inspection, and details the information learned during the inspection.

Upon arriving at the subject property Gabriel Rodriguez explained to Mr. Boudreau the nature of the complaint focused on Dwain Immel, Teresa Immel and Jalal Kacimi who through Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire & TDF, LLC ("AT&T") hauled waste tires, stored waste tires and processed waste tires into tire bales at the subject property and were currently in the process of being evicted by him for failure to pay approximately ten months worth of past due rent during the time period of November 2010 to September 30, 2012. Mr. Rodriguez was concerned that the waste tires, semi trailers containing waste tires and tire bales located on the property that had accumulated from November 2010 to September 19, 2012, would be left behind by Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T.

When Mr. Rodriguez failed to recoup the past due rent he indicated his lawyer advised him to provide an eviction notice to Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T. Mr. Rodriguez approached Teresa Immel to discuss payment of the past due rent and eviction notice and she replied that she was leaving him with all the tires.

Mr. Boudreau inspected the property and photographed the site conditions as they existed. The photos taken during the August 25, 2011, and January 7, 2012, inspections were then compared to the photos taken during the September 19, 2012, inspection. This comparison of photos spanning thirteen months appears to demonstrate ongoing waste tire related activities at the subject property. Photos 1-9 in the accompanying photo log appear to provide a visual affirmation of the ongoing waste tire related activities at the subject property. Mr. Rodriguez informed Mr. Boudreau that Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T had for the past ten months baled the waste tires at the subject property in two shifts, both day and night, Monday through Saturday.

At the conclusion of the inspection Mr. Rodriguez indicated the best case scenario would be for him to receive his past due rent and for Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T to remove all of the waste tires, semi trailers containing waste tires and tires bales located on his property. Mr. Rodriguez informed Mr. Boudreau during a follow up visit on September 26, 2012, that Jalal Kacimi informed Mr. Rodriguez of his desire to remove the tire bales from the subject property but that Mr.



--Findings--

Dwain Immel, Teresa Immel, Jamal Kacimi, CTR and AT&T appear to have violated and appear to continue to violate the Act and the Regulations. Specific violations are noted below.

**Deficiency 1 – for hauling waste tires to the 12381 Property:** According to conversations with Mr. Rodriguez; Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T began transporting waste tires to the 12381 property in November 2010 and continued transporting waste tires to the 12381 Property until as recently as September 15, 2012, and were hauling waste tires off of the subject property on October 4, 2012. This location is not a registered waste tire collection facility, registered waste tire monofill, registered end user of waste tires or registered waste tire processing facility. Additionally, the subject property is not a municipal or privately owned solid waste landfill site or an approved beneficial user of waste tires. Section 25-17-204, C.R.S. and Section 10.3.1 of the Regulations state that a person may only transport waste tires to one of the above types of locations. Therefore the activity noted above violates section 25-17-204, C.R.S. and 6 CCR 1007-2, Section 10.3.1.

**Requested Action 1:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately cease transporting waste tires to the 12381 Property.

**Deficiency 2 – for disposing of waste tires at the 12381 Property:** By hauling waste tires to the 12381 Property, Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T illegally disposed of solid waste, in violation of section 30-20-102(2) and 6 CCR 1007-2, Section 1.3.3.

**Requested Action 2:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately schedule a registered waste tire hauler to remove the waste tires from the 12381 Property.

**Deficiency 3 – for processing waste tires at the 12381 Property:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T processed waste tires at the 12381 Property. According to Gabriel Rodriguez, Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T were baling waste tires, a form of processing waste tires, at the subject property as recently as Saturday, September, 15, 2012. This location is not registered with the Department as a waste tire processing facility. Section 10.6.3 states that no person shall operate a Waste Tire Processor or End-User facility without having received a Certificate of Registration from the Department. Additionally, it is a violation of City of Brighton zoning ordinances to process waste tires at this address. Therefore the activity noted above is in violation of 6 CCR 1007-2, Section 10.6.3 and Section 10.2.1.

**Requested Action 3:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately cease processing waste tires at the 12381 Property and remove all tire bales, scraps and shreds from the property.

**Deficiency 4 – for hauling waste tires without financial assurance:** Section 10.3.5 of the Regulations requires a person who hauls ten (10) or more waste tires to acquire and maintain a surety bond in the amount of \$10,000. Platte River Insurance Company informed the Department in their September 1, 2012, "Notice of Cancellation" letter that it has canceled the Colorado Tire Recycling LLC Waste Tire Hauler bond in the amount of \$10,000. According to conversations with Mr. Rodriguez; Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T were transporting waste tires to the 12381 Property as recently as September 15, 2012, and were hauling waste tires off of the subject property on October 4, 2012. This constitutes a violation of Section 10.3.5.

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Christopher E. Urbina, MD, MPH  
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.      Laboratory Services Division  
Denver, Colorado 80246-1530      8100 Lowry Blvd.  
Phone (303) 692-2000      Denver, Colorado 80230-6928  
Located in Glendale, Colorado      (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department  
of Public Health  
and Environment

CERTIFIED MAIL# 7011 2000000134650446  
Return Receipt Requested

October 26, 2012

Dwain Immel, Teresa Immel, Jalal Kacimi,  
Colorado Tire Recycling, LLC and American Tire & TDF, LLC  
P.O. Box 12129  
Denver, CO 80212

RE: Compliance Advisory Related to Information Learned by the Department during an Inspection Conducted on September 19, 2012, at the Gabriel Rodriguez Property Located at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460.

Dear Mr. Immel, Ms. Immel and Mr. Kacimi:

This Compliance Advisory provides notice related to information learned during an inspection conducted on September 19, 2012 at 12381 E. 112<sup>th</sup> by the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Department"). The purpose of this was to evaluate compliance with the Solid Wastes Disposal Sites and Facilities Act, CRS 30-20-100.5 *et. seq.* (the Act), and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, Part 1 ("the Regulations"). The Department advises you that the information gained during this inspection indicates that you may have violated Colorado's solid waste laws. Department personnel will review the facts established, and this notice may be revised to include additions or clarifications as a result of that review.

Please be aware that you are responsible for complying with the State solid waste regulations and that there are civil penalties for failing to do so. The issuance of this Compliance Advisory does not limit or preclude the Department from pursuing its enforcement options concerning this inspection including issuance of a Compliance Order and/or seeking an assessment of civil penalties. Also, this Compliance Advisory does not constitute a bar to enforcement action for conditions that are not addressed in this Compliance Advisory, or conditions found during future file reviews or inspections of your property. The Department will take into consideration your response to the requested actions listed below for each cited deficiency in its consideration of enforcement options.

The field inspection is the result of a complaint submitted by Gabriel Rodriguez that focused on Dwain Immel, Teresa Immel and Jalal Kacimi who through Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire & TDF, LLC ("AT&T") hauled waste tires, stored waste tires and processed waste tires into tire bales at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO. Gabriel Rodriguez is the property owner of 12381 E. 112<sup>th</sup> Avenue, Henderson, CO.



Note: Requirements set forth herein shall not supercede, or absolve the facility from complying with, local county, municipality and fire district requirements.

To facilitate resolution of the issues noted in this Compliance Advisory, we encourage you to contact this office by November 9, 2012, at one of the numbers listed below and, where necessary, schedule a meeting:

- A. To discuss the Compliance Advisory and answer any questions that you may have;
- B. To develop an alternate schedule for correcting the deficiencies noted above; or
- C. To submit information necessary to show that the deficiencies are not a violation of Colorado's solid waste laws.

A copy of the inspection report associated with the information learned by the Department during the inspection conducted on September 19, 2012, at the Gabriel Rodriguez Property located at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460 is enclosed with this Compliance Advisory.

You may contact me at 303.692.3459 or Charles Johnson at 303.692.3348 concerning the deficiencies detailed under this Compliance Advisory and/or to set a meeting to discuss this Compliance Advisory.

Sincerely,



Nick Boudreau, Environmental Protection Specialist  
Solid Waste and Materials Management Group  
Solid Waste and Materials Management Program



Charles G. Johnson, Manager  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Program

Enclosures

cc: Jason Bradford, City of Brighton Community Development, 500 S. 4<sup>th</sup> Avenue, Brighton, CO 80601  
Gabriel Rodriguez, 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460  
Randy Perila, HMWMD  
Brian Gaboriau, DEHS  
David Banas, Attorney General's Office  
Solid Waste Tracking

File: SW/ADM/12381/3.9.3

**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

February 7, 2013

Mr. Nick Boudreau  
Environmental Protection Specialist  
Solid Waste and Materials Management Unit  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
Mail Code: HMWMD-CP-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Dear Mr. Boudreau:

Please be advised that I am in receipt of the Compliance Order issued by Charles Johnson and Scott Shultz, dated January 24, 2013 (No. 13-1-24-01) regarding the property owned by Gabriel Rodriguez located at 12381 E. 112th Ave., Henderson, CO 80642 (Rodriguez Property). I am providing hereunder a "Waste Tire Removal Plan and Schedule," in accordance with paragraph 44 of such Compliance Order. Please also be advised, however that, by my doing so, I am not admitting to the veracity of any of the claimed allegations of fact or law contained in the Compliance Order nor waiving any of my appellate rights concerning same.

**WASTE TIRE REMOVAL PLAN AND SCHEDULE.**

1. **Waste Tires.** All waste tires on the Rodriguez Property that were the personal property of my businesses, Colorado Tire Recycling, LLC, and/or American Tire and TDF, LLC (CTR/ATT), have been and were removed from such property prior to the issuance of the Compliance Order. These waste tires were transported to the current location of my businesses, 5101 Columbine St., Denver, CO 80216 (Columbine Site), and have as of this date already been recycled or processed into tire-derived product for end use, as defined under the Strategies for Motor Vehicle Waste Tires Act (Act), §§ 25-17-201, *et seq.*, C.R.S., as amended, and 6 CCR 1007-2, Parts 1 and 4 (Regulations, the versions of which that were in effect as of the dates of the violations alleged in the Compliance Order).

2. **Sacks of Shredded Tire Product.** All sacks of shredded tire product (STP) that were existent on the Rodriguez Property as of September 2011 will be removed by CTR/ATT from such property and transported to the Columbine Site by no later than February 28, 2013.

3. **Partially Processed Tire Bales.** All bales of waste tires located on the Rodriguez Property that are the personal property of CTR/ATT, which are, in fact, only partially processed bales of waste tires, will be removed by CTR/ATT from such property and transported to the Columbine Site by no later than February 28, 2013.

**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

4. **Tractor-trailers.** All tractor-trailers and/or other equipment located on the Rodriguez Property that are the personal property of CTR/ATT will be removed from such property by no later than February 28, 2013.

5. **Force Majeure.** It is the intention of CTR/ATT to fully comply with the Waste Tire Removal Plan and Schedule as specified above, but it must be noted that the completion dates cited above may be affected by forces majeure, such as Mr. Rodriguez denying CTR/ATT access to the Rodriguez Property, weather conditions, or other acts of God and/or events beyond my control. If any such events should occur, I will immediately, i.e. within twenty-four (24) hours of my obtaining actual knowledge thereof, inform the CDPHE.

Sincerely,



Teresa Immel  
Manager of CTR and ATT

c: Patricia A. Fredrick, LLC  
David Bañas, Assistant Attorney General  
Jason Bradford, City of Brighton, CO  
Gabriel Rodriguez

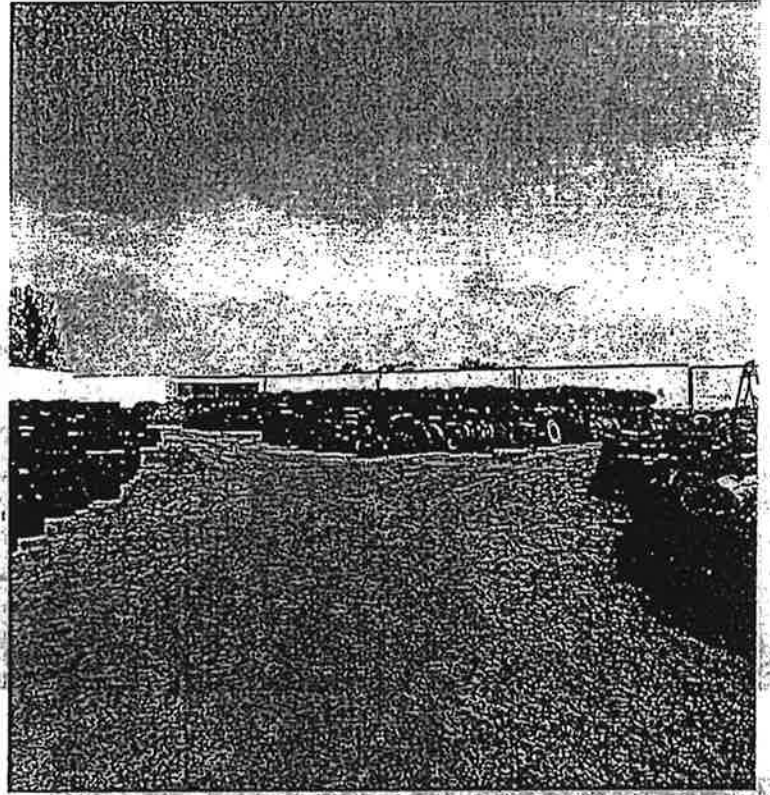


Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
Photographic Log for Inspection Conducted under CRS 30-20-113  
12381 E. 112<sup>th</sup> Avenue, Henderson, CO, Site Inspection  
September 19, 2012

**Photo 1:** Linear stacks of whole tires and tire bales.  
Northwestern property boundary; facing northwest.



**Photo 2:** Stacks of whole tires and tire bales on the  
northern portion of the property. Facing northeast.

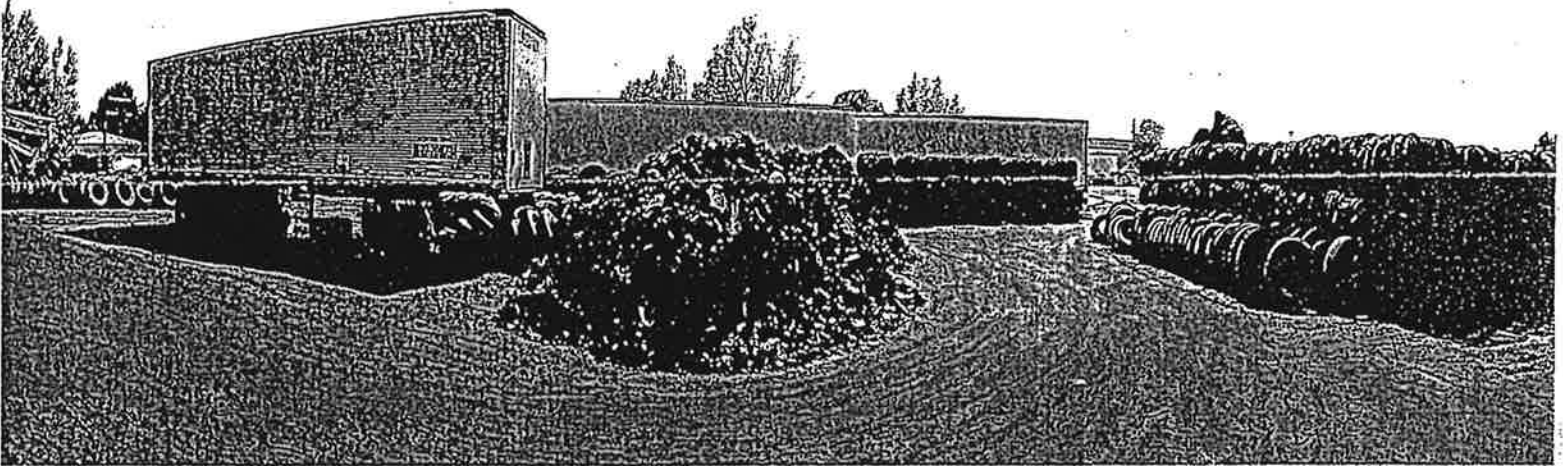


**Photo 3:** Stacks of whole tires and tire bales on the  
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Colorado Department of Public Health and Environment  
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**Photo 8:** Tractor trailers located on the subject property. Tires shreds, whole tires and tire bales. Facing south.



**Photo 9:** Stockpile of whole tires. Facing southeast.



**PETITION FOR ABATEMENT OR REFUND OF TAXES**

County: \_\_\_\_\_

Date Received \_\_\_\_\_  
 (Use Assessor's or County Commissioner's Stamp)

**RECEIVED**

**Section I: Petitioner, please complete Section I only.**

**FEB 11 2014**

Date: 2-11-14  
Month Day Year

Petitioner's Name: Gabriel Rodriguez  
 Petitioner's Mailing Address: 12381 E. 112<sup>th</sup> Ave  
Henderson CO  
City or Town State

Res

**ISSOR**

SCHEDULE OR PARCEL NUMBER(S)	PROPERTY ADDRESS OR
<u>R0071315</u>	_____
_____	_____
_____	_____

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for property tax year(s) \_\_\_\_\_ and \_\_\_\_\_ are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error or overvaluation. Attach additional sheets if necessary.)

Petitioner's estimate of value: \$ \_\_\_\_\_ (2013) and \$ \_\_\_\_\_  
Value Year Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct, and complete.

Gabriel Rodriguez Daytime Phone Number 303-941-0710  
Petitioner's Signature

By \_\_\_\_\_ Daytime Phone Number (\_\_\_\_\_) \_\_\_\_\_  
Agent's Signature\*

\*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

<b>Section II: Assessor's Recommendation</b> (For Assessor's Use Only)						
	Tax Year _____			Tax Year _____		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	_____	_____	_____	_____	_____	_____
Corrected	_____	_____	_____	_____	_____	_____
Abate/Refund	_____	_____	_____	_____	_____	_____

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(I)(D), C.R.S.

Tax year: \_\_\_\_\_ Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Tax year: \_\_\_\_\_ Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

\_\_\_\_\_  
 Assessor's or Deputy Assessor's Signature



**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

February 7, 2013

Mr. Nick Boudreau  
Environmental Protection Specialist  
Solid Waste and Materials Management Unit  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
Mail Code: HMWMD-CP-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

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5101 COLUMBINE ST.  
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Sincerely,



Teresa Immel  
Manager of CTR and ATT

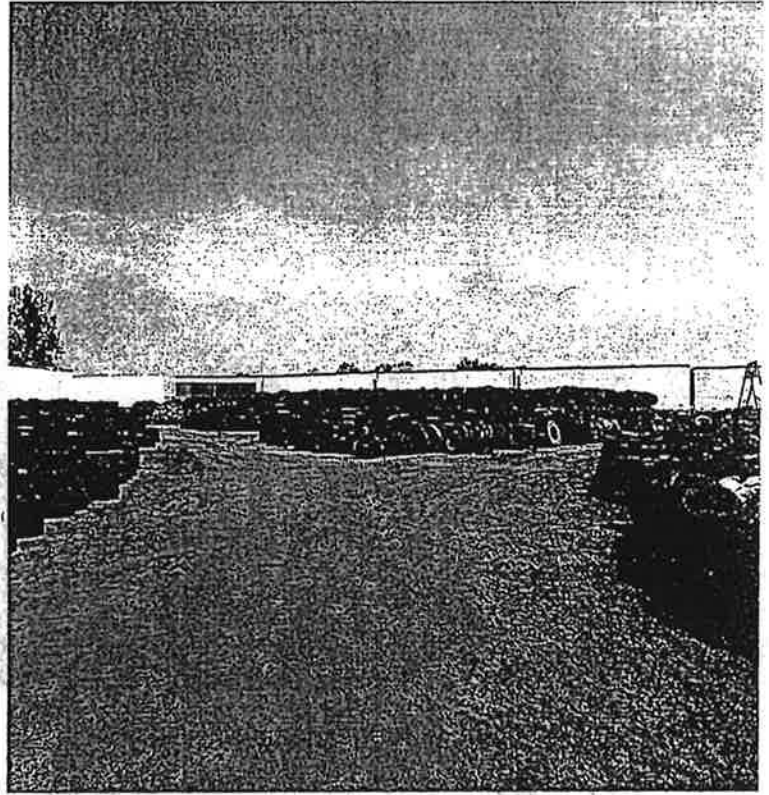
c: Patricia A. Fredrick, LLC  
David Banas, Assistant Attorney General  
Jason Bradford, City of Brighton, CO  
Gabriel Rodriguez

Colorado Department of Public Health and Environment  
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Photographic Log for Inspection Conducted under CRS 30-20-113  
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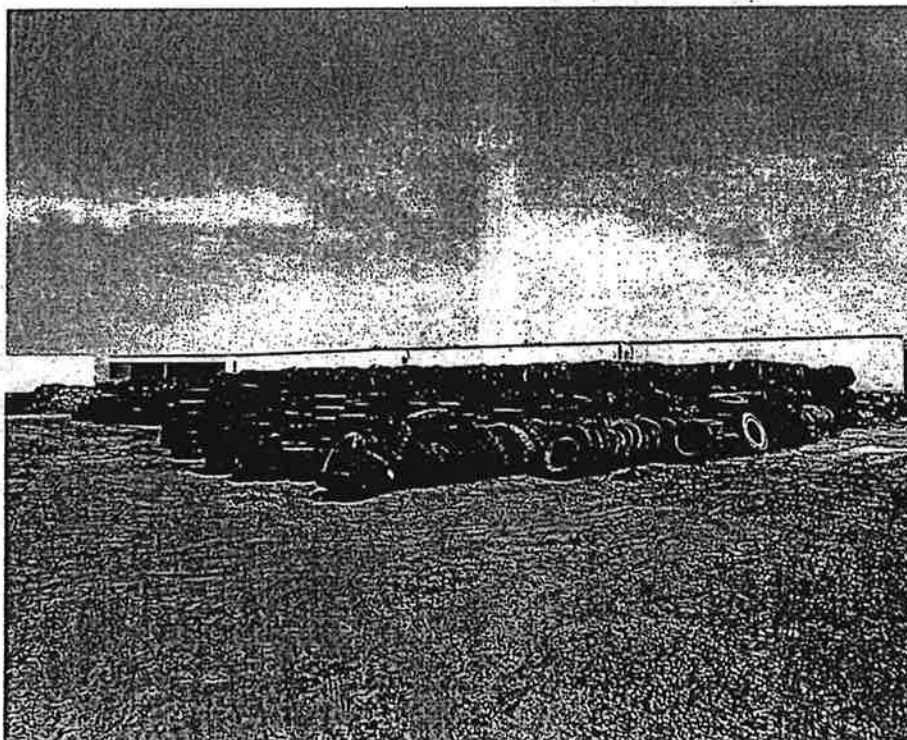
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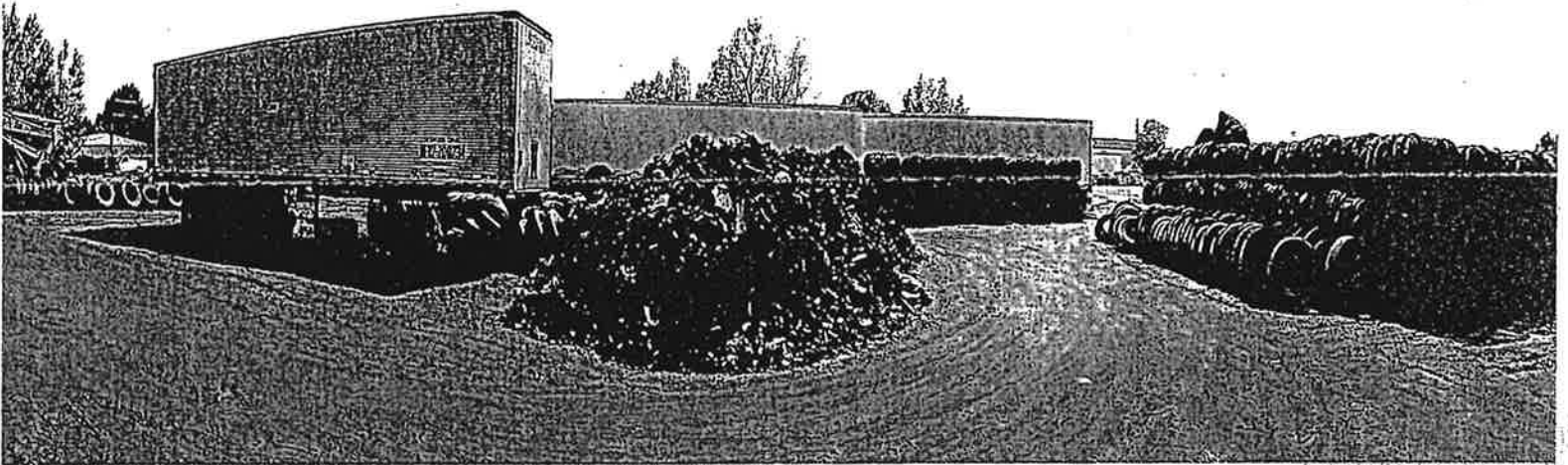
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**American Tire & TDF, LLC**  
**POB 12129**  
**Denver, Colorado 80212**  
**Phone: 303-853-0789**  
**Fax: 303-286-7264**

September 15, 2011

Gabriel Rodriguez  
12381 E. 112<sup>th</sup> Ave.  
Henderson, Colorado 80647

Re: Month to Month lease of part of 12381 E. 112<sup>th</sup> Ave ("Property").

Dear Gabriel:

Pursuant to our discussion Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire and TDF, LLC ("AT&T") the (Lessee's) herein agree to rent part of the Property on a month to month basis until such time as either CTR or AT&T are able to obtain permitting and zoning approval from either Adams County or the City of Brighton to use the Property as a tire recycling facility.

In addition to the monthly rental fee discussed, as additional consideration for using the Property to park semi-trailers and equipment on prior to obtaining any local permitting or zoning approval to use the site as a tire recycling facility, CTR and AT&T herein agree to commit to clean up and remove all of the waste tires stored on the site as well as any shredded tire product (STP) material as soon as possible.

It is the intent and understanding between Gabriel Rodriguez (the "Property Owner") and CTR and AT&T (the "Lessee") that either CTR or AT&T will use their best efforts to recycle 100% of the waste tires or STP material stored on the Property rather than landfill these waste tires and STP material. Both the Property Owner and the Lessee shall agree that the Property shall be deemed a "Cleanup site" and be given top priority to remove any waste tires or STP material stored on the Property.

The cost of recycling and removing the waste tires and STP material on the Property shall be the responsibility of the Lessee's as consideration for leasing the Property for their business operations.

Sincerely  
Colorado Tire Recycling, LLC

  
Teresa Immel, Manager

Agreed to this 15<sup>th</sup> day of September 2011  
Property Owner

Gabriel Rodriguez

**"Colorado's Premier Tire Recycling Company"**

# SOLID WASTE INSPECTION WORKSHEET

Agency: Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division

Date: September 19, 2012 Times: 1:00 – 2:00 PM

Subject Property: 12381 E. 112<sup>th</sup> Avenue  
Henderson, Colorado 80640

Inspector: Nick Boudreau, HMWMD

Subject Property Representative: Gabriel Rodriguez, Owner

File Code: SW/ADM/12381/3.9.3

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On September 19, 2012, Department inspector Nick Boudreau responded to a complaint submitted by Gabriel Rodriguez, the property owner of 12381 E. 112<sup>th</sup> Avenue, Henderson, CO. This Inspection Report summarizes the information that led to the complaint and corresponding subject property inspection, and details the information learned during the inspection.

Upon arriving at the subject property Gabriel Rodriguez explained to Mr. Boudreau the nature of the complaint focused on Dwain Immel, Teresa Immel and Jalal Kacimi who through Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire & TDF, LLC ("AT&T") hauled waste tires, stored waste tires and processed waste tires into tire bales at the subject property and were currently in the process of being evicted by him for failure to pay approximately ten months worth of past due rent during the time period of November 2010 to September 30, 2012. Mr. Rodriguez was concerned that the waste tires, semi trailers containing waste tires and tire bales located on the property that had accumulated from November 2010 to September 19, 2012, would be left behind by Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T.

When Mr. Rodriguez failed to recoup the past due rent he indicated his lawyer advised him to provide an eviction notice to Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T. Mr. Rodriguez approached Teresa Immel to discuss payment of the past due rent and eviction notice and she replied that she was leaving him with all the tires.

Mr. Boudreau inspected the property and photographed the site conditions as they existed. The photos taken during the August 25, 2011, and January 7, 2012, inspections were then compared to the photos taken during the September 19, 2012, inspection. This comparison of photos spanning thirteen months appears to demonstrate ongoing waste tire related activities at the subject property. Photos 1-9 in the accompanying photo log appear to provide a visual affirmation of the ongoing waste tire related activities at the subject property. Mr. Rodriguez informed Mr. Boudreau that Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T had for the past ten months baled the waste tires at the subject property in two shifts, both day and night, Monday through Saturday.

At the conclusion of the inspection Mr. Rodriguez indicated the best case scenario would be for him to receive his past due rent and for Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T to remove all of the waste tires, semi trailers containing waste tires and tires bales located on his property. Mr. Rodriguez informed Mr. Boudreau during a follow up visit on September 26, 2012, that Jalal Kacimi informed Mr. Rodriguez of his desire to remove the tire bales from the subject property but that Mr.



**--Findings--**

Dwain Immel, Teresa Immel, Jamal Kacimi, CTR and AT&T appear to have violated and appear to continue to violate the Act and the Regulations. Specific violations are noted below.

**Deficiency 1 – for hauling waste tires to the 12381 Property:** According to conversations with Mr. Rodriguez; Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T began transporting waste tires to the 12381 property in November 2010 and continued transporting waste tires to the 12381 Property until as recently as September 15, 2012, and were hauling waste tires off of the subject property on October 4, 2012. This location is not a registered waste tire collection facility, registered waste tire monofill, registered end user of waste tires or registered waste tire processing facility. Additionally, the subject property is not a municipal or privately owned solid waste landfill site or an approved beneficial user of waste tires. Section 25-17-204, C.R.S. and Section 10.3.1 of the Regulations state that a person may only transport waste tires to one of the above types of locations. Therefore the activity noted above violates section 25-17-204, C.R.S. and 6 CCR 1007-2, Section 10.3.1.

**Requested Action 1:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately cease transporting waste tires to the 12381 Property.

**Deficiency 2 – for disposing of waste tires at the 12381 Property:** By hauling waste tires to the 12381 Property, Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T illegally disposed of solid waste, in violation of section 30-20-102(2) and 6 CCR 1007-2, Section 1.3.3.

**Requested Action 2:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately schedule a registered waste tire hauler to remove the waste tires from the 12381 Property.

**Deficiency 3 – for processing waste tires at the 12381 Property:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T processed waste tires at the 12381 Property. According to Gabriel Rodriguez, Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T were baling waste tires, a form of processing waste tires, at the subject property as recently as Saturday, September, 15, 2012. This location is not registered with the Department as a waste tire processing facility. Section 10.6.3 states that no person shall operate a Waste Tire Processor or End-User facility without having received a Certificate of Registration from the Department. Additionally, it is a violation of City of Brighton zoning ordinances to process waste tires at this address. Therefore the activity noted above is in violation of 6 CCR 1007-2, Section 10.6.3 and Section 10.2.1.

**Requested Action 3:** Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T should immediately cease processing waste tires at the 12381 Property and remove all tire bales, scraps and shreds from the property.

**Deficiency 4 – for hauling waste tires without financial assurance:** Section 10.3.5 of the Regulations requires a person who hauls ten (10) or more waste tires to acquire and maintain a surety bond in the amount of \$10,000. Platte River Insurance Company informed the Department in their September 1, 2012, "Notice of Cancellation" letter that it has canceled the Colorado Tire Recycling LLC Waste Tire Hauler bond in the amount of \$10,000. According to conversations with Mr. Rodriguez; Dwain Immel, Teresa Immel, Jalal Kacimi, CTR and AT&T were transporting waste tires to the 12381 Property as recently as September 15, 2012, and were hauling waste tires off of the subject property on October 4, 2012. This constitutes a violation of Section 10.3.5.

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Christopher E. Urbina, MD, MPH  
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.      Laboratory Services Division  
Denver, Colorado 80246-1530      8100 Lowry Blvd.  
Phone (303) 692-2000      Denver, Colorado 80230-6928  
Located in Glendale, Colorado      (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department  
of Public Health  
and Environment

CERTIFIED MAIL# 7011 2000000134650446  
Return Receipt Requested

October 26, 2012

Dwain Immel, Teresa Immel, Jalal Kacimi,  
Colorado Tire Recycling, LLC and American Tire & TDF, LLC  
P.O. Box 12129  
Denver, CO 80212

RE: Compliance Advisory Related to Information Learned by the Department during an Inspection Conducted on September 19, 2012, at the Gabriel Rodriguez Property Located at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460.

Dear Mr. Immel, Ms. Immel and Mr. Kacimi:

This Compliance Advisory provides notice related to information learned during an inspection conducted on September 19, 2012 at 12381 E. 112<sup>th</sup> by the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Department"). The purpose of this was to evaluate compliance with the Solid Wastes Disposal Sites and Facilities Act, CRS 30-20-100.5 *et. seq.* (the Act), and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, Part 1 ("the Regulations"). The Department advises you that the information gained during this inspection indicates that you may have violated Colorado's solid waste laws. Department personnel will review the facts established, and this notice may be revised to include additions or clarifications as a result of that review.

Please be aware that you are responsible for complying with the State solid waste regulations and that there are civil penalties for failing to do so. The issuance of this Compliance Advisory does not limit or preclude the Department from pursuing its enforcement options concerning this inspection including issuance of a Compliance Order and/or seeking an assessment of civil penalties. Also, this Compliance Advisory does not constitute a bar to enforcement action for conditions that are not addressed in this Compliance Advisory, or conditions found during future file reviews or inspections of your property. The Department will take into consideration your response to the requested actions listed below for each cited deficiency in its consideration of enforcement options.

The field inspection is the result of a complaint submitted by Gabriel Rodriguez that focused on Dwain Immel, Teresa Immel and Jalal Kacimi who through Colorado Tire Recycling, LLC ("CTR") and its affiliate American Tire & TDF, LLC ("AT&T") hauled waste tires, stored waste tires and processed waste tires into tire bales at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO. Gabriel Rodriguez is the property owner of 12381 E. 112<sup>th</sup> Avenue, Henderson, CO.

Note: Requirements set forth herein shall not supercede, or absolve the facility from complying with, local county, municipality and fire district requirements.

To facilitate resolution of the issues noted in this Compliance Advisory, we encourage you to contact this office by November 9, 2012, at one of the numbers listed below and, where necessary, schedule a meeting:

- A. To discuss the Compliance Advisory and answer any questions that you may have;
- B. To develop an alternate schedule for correcting the deficiencies noted above; or
- C. To submit information necessary to show that the deficiencies are not a violation of Colorado's solid waste laws.

A copy of the inspection report associated with the information learned by the Department during the inspection conducted on September 19, 2012, at the Gabriel Rodriguez Property located at 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460 is enclosed with this Compliance Advisory.

You may contact me at 303.692.3459 or Charles Johnson at 303.692.3348 concerning the deficiencies detailed under this Compliance Advisory and/or to set a meeting to discuss this Compliance Advisory.

Sincerely,



Nick Boudreau, Environmental Protection Specialist  
Solid Waste and Materials Management Group  
Solid Waste and Materials Management Program



Charles G. Johnson, Manager  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Program

Enclosures

cc: Jason Bradford, City of Brighton Community Development, 500 S. 4<sup>th</sup> Avenue, Brighton, CO 80601  
Gabriel Rodriguez, 12381 E. 112<sup>th</sup> Avenue, Henderson, CO 80460  
Randy Perila, HMWMD  
Brian Gaboriau, DEHS  
David Banas, Attorney General's Office  
Solid Waste Tracking

File: SW/ADM/12381/3.9.3

**COLORADO TIRE RECYCLING, LLC  
AMERICAN TIRE AND TDF, LLC  
5101 COLUMBINE ST.  
DENVER, CO 80216**

February 7, 2013

Mr. Nick Boudreau  
Environmental Protection Specialist  
Solid Waste and Materials Management Unit  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
Mail Code: HMWMD-CP-B2  
4300 Cherry Creek Drive South  
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Manager of CTR and ATT

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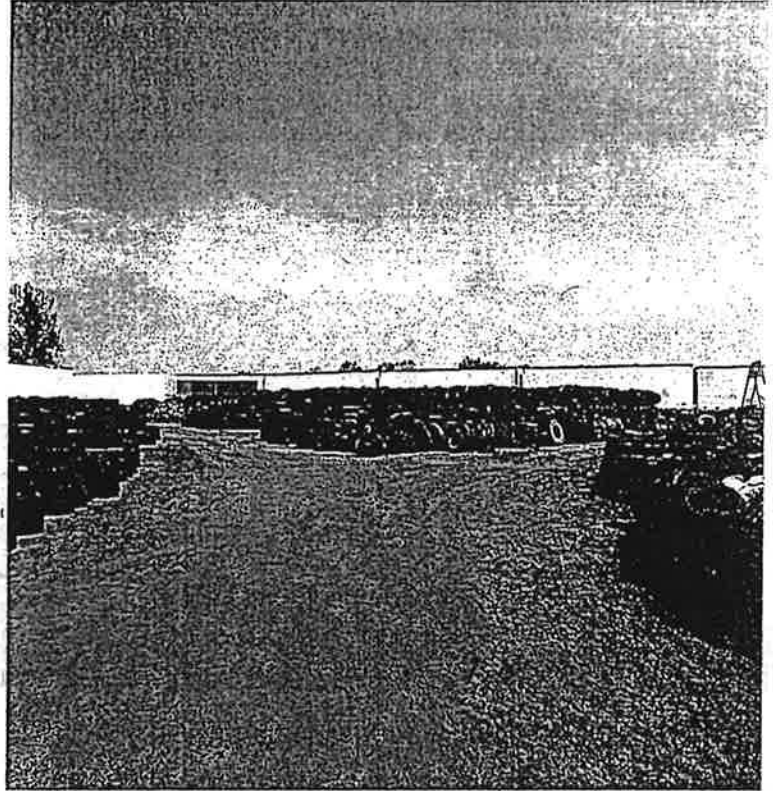


Colorado Department of Public Health and Environment  
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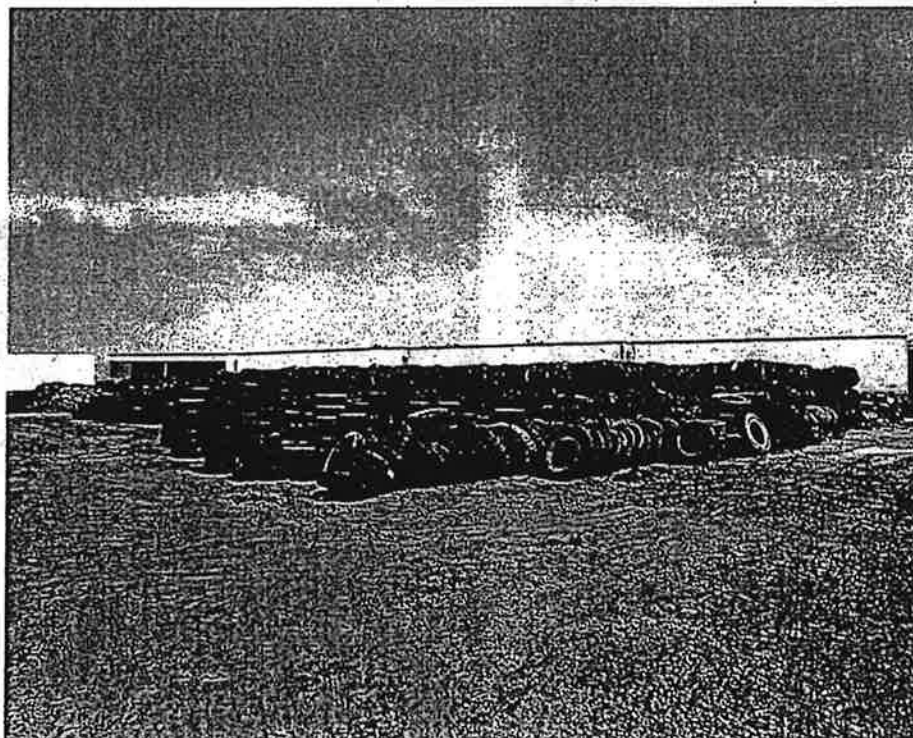
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**Photo 2:** Stacks of whole tires and tire bales on the  
northern portion of the property. Facing northeast.



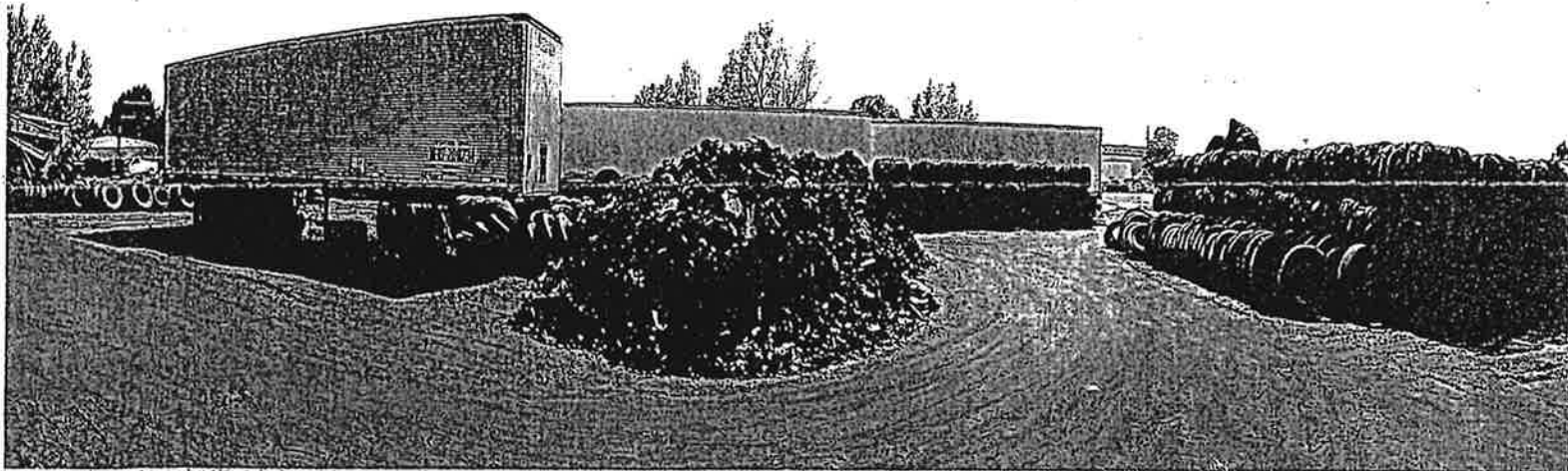
**Photo 3:** Stacks of whole tires and tire bales on the  
northern portion of the property. Facing northeast.





Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
Photographic Log for Inspection Conducted under CRS 30-20-113  
12381 E. 112<sup>th</sup> Avenue, Henderson, CO, Site Inspection  
September 19, 2012

**Photo 8:** Tractor trailers located on the subject property. Tires shreds, whole tires and tire bales. Facing south.



**Photo 9:** Stockpile of whole tires. Facing southeast.

