

Attachment A

LOCAL ENFORCEMENT AGENCY
PROCEDURES TO APPOINT A HEARING OFFICER

When, as a result of its acting as the Local Enforcement Agency (LEA), Environmental Health Services receives an appeal by an aggrieved individual/party subject to a permit or enforcement action by the LEA or alleging that the LEA failed to act as required by law or regulation, the LEA shall appoint a Hearing Officer to hear the appeal.

The following procedures are to be used when appointing a Hearing Officer:

1. The Director of Environmental Health Services will enter into a contract with the California Office of Administrative Hearings (OAH) to provide an Administrative Law Judge to act as the hearing officer for the appeal.
2. The LEA shall request assignment of an appropriately qualified Administrative Law Judge from the OAH to hear the appeal under the following circumstances:
 - a. Upon receipt of a written request for a hearing by a party subject to an enforcement or permit action by the LEA; or
 - b. Upon receipt of a written request for a hearing by a party alleging that the LEA failed to act as required by law or regulation; or
 - c. Upon receipt of a written request for a hearing by the Santa Barbara County Board of Supervisors prior to the assessment of administrative civil penalties against an owner/operator of a solid waste facility or operation.