

EXHIBIT B

SOLID WASTE LOCAL ENFORCEMENT AGENCY: HEARING OFFICER QUALIFICATIONS

In order to appoint a hearing officer to hear grievances of owners/operators or other aggrieved parties subject to an enforcement or permit action by the Local Enforcement Agency (LEA) or consider allegations that the LEA has failed to act as required by law or regulation, and to conduct hearings requested by the governing body prior to the assessment of administrative civil penalties against an owner/operator of a solid waste facility or operation, the LEA has established the following qualifications:

A hearing officer approved by the Board of Supervisors shall conduct all procedures in accordance with the applicable provisions set forth in the Public Resources Code. A qualified Hearing Officer is defined as an individual holding the following qualifications:

1. An Administrative Law Judge in good standing employed by, or under contract to the California State Office of Administrative Hearings; and
2. Demonstrated familiarity with administrative law procedures and possesses a judicial demeanor consistent with the impartial conduct of any proceedings; and
3. Demonstrated independence and no conflict of interest with the “operating unit” as defined in Section 18011 of Title 14 of the California Code of Regulations.
4. Demonstrated experience and familiarity with current California solid waste laws and regulations.