


10. The SCL LEA will establish a system which tracks public complaints and assures investigations of complaints are responded to within 24 hours (except weekends).
11. Nothing in this SCL LEA program shall be construed in any way to limit the authority of the City or the County of Los Angeles to enforce its land use or zoning permit. 

3.3 COMPLIANCE WITH APPLICABLE STANDARDS

The Sunshine Canyon Landfill LEA program will enforce all applicable federal, state codes, laws, regulations, and standards at the facility. For those conditions observed which are in another agency's jurisdiction and suspected to be problematic a referral will be made to that agency.

3.4 PROGRAM QUALITY ASSURANCE

The Board of Directors of the Sunshine Canyon Landfill LEA Program will ensure that proper program analysis, audits, and oversight are provided. This will be accomplished by a combined use of internal supervision (SCL LEA Site Managers) and contracts with external resources and expertise to provide a thorough technical and administrative review of the operational function of the enforcement program. This is an internal self-assessment program to insure that the personnel are current on their training, to insure that the SCL LEA has the adequate resources and tools needed to accomplish the tasks. The Board of Directors will have the responsibility to assure that all applicable federal, state, regional and local enactments are being enforced.

Quality assurance reviews will consist of a combination of audits, field visits, program reviews and interviews with periodic reports to the Board of Directors, and follow up to assure corrections. Qualified individuals at the supervisory level and staff level of the City LEA and the County LEA will be contracted for to provide this function as deemed necessary by the Board of Directors.

Section 4.0

ENABLING ORDINANCES AND RESOLUTIONS

4.1 SUNSHINE CANYON LANDFILL LOCAL ENFORCEMENT AGENCY PROGRAM

The City of Los Angeles and the County of Los Angeles entered into a Joint Exercise of Powers (JPA) Agreement for the creation of a new local enforcement agency for the creation and operation of the Sunshine Canyon Landfill Local Enforcement Agency (SCL LEA) in the County and City of Los Angeles.

The SCL LEA will only focus on the permitting, inspection and enforcement of state laws and regulations of the Sunshine Canyon Landfill, which is owned by Allied Waste, operating as Browning Ferris Industries, Incorporated.

A copy of the Joint Exercise of Powers Agreement is provided at the end of this section.

4.2 JURISDICTION

The City of Los Angeles City Council and the County of Los Angeles Board of Supervisors have adopted resolutions to withdraw their respective designation of the City LEA and County LEA as the enforcement agency to oversee the Sunshine Canyon Landfill; and have designated the SCL LEA as the enforcement agency for all certification types including the permitting, inspection and enforcement of regulations of solid waste disposal, materials recovery, recycling, composting, transformation and conversion technology operations which may occur at the Sunshine Canyon Facility.

Copies of the City of Los Angeles resolution and the County of Los Angeles resolution are provided at the end of this section.

4.3 CIWMB DESIGNATION, APPROVAL AND CERTIFICATION



On June 6, 2008, the Sunshine Canyon Landfill Local Enforcement Agency submitted the Designated Information Package (DIP) for the certification as the local enforcement agency for Sunshine Canyon Landfill. Full certification is expected upon Board approval of the completed Enforcement Program Plan (EPP).

4.4 PUBLIC RESOURCES CODE AND CALIFORNIA CODE OF REGULATIONS ENFORCED BY LOCAL ENFORCEMENT AGENCY

For the Sunshine Canyon Landfill located within the City of Los Angeles and the County of Los Angeles, the SCL LEA shall carry out and enforce the provisions of the statutes codified in the Public Resources Code (Division 30) and the promulgated regulations in the California Code of Regulations (Title 14 and Title 27).



C. 66.14.7.3

**JOINT EXERCISE OF POWERS AGREEMENT AND THE
SUNSHINE CANYON LANDFILL LOCAL ENFORCEMENT
AGENCY**

- (a) The City of Los Angeles' Environmental Affairs Department, City of Los Angeles Local Enforcement Agency shall provide the permitting, inspection/enforcement staff, administrative/management staff, equipment, closure/postclosure maintenance oversight staff, and any required technical support for the operations of the Sunshine Canyon Landfill Local Enforcement Agency that has been created by the "Joint Exercise of Powers Agreement between the City of Los Angeles and the County of Los Angeles for the creation of the Sunshine Canyon Landfill Local Enforcement Agency in the County and City of Los Angeles".
- (b) The Sunshine Canyon Landfill Local Enforcement Agency shall collect the funds from the Sunshine Canyon Landfill owner/operator in the amount necessary to cover the operational and administrative costs of inspections and program management.

CIWMB Letter, dated 6/16/08 - Item 9

This page is to be removed from the Section 5 of the SCL
LEA EPP

Section 7.0 TIME TASK ANALYSIS

7.1 TIME TASK ANALYSIS

SUNSHINE CANYON LANDFILL LOCAL ENFORCEMENT AGENCY TIME TASK ANALYSIS (ANNUAL HOURS)

No.	Task Description	Estimate Labor Hours	Full Time Equivalents	Percent of Total Budgeted Time
1	Inspections	5,599	3.04	49.80%
2	Complaints	438	0.24	3.90%
3	Transition Between Rotations	85	0.05	0.76%
4	Enforcement	328	0.18	2.92%
5	Permitting	308	0.17	2.74%
6	Corrective Action	64	0.03	0.57%
7	Training / Workshops	584	0.32	5.19%
8	Other (LEA Roundtable, etc.)	264	0.14	2.35%
9	Health and Safety	160	0.09	1.42%
10	LEA Certification	240	0.13	2.13%
11	Administration	1,312	0.71	11.67%
12	Internal Quality Assurance	134	0.07	1.19%
13	Community Meetings	260	0.14	2.31%
14	Contingency (15% of Above)	1,468	0.80	13.04%
15	TOTAL	11,244	6.11	100.00%

The guidelines used to create the time task analysis are based on a full time equivalent (FTE) is based on 1840 hours per year. A detailed table that describes the personnel and hours for each task function is provided in Section 8.

7.1.1 Inspection

Inspectional time consists of the time spent researching and learning the operation of the facilities including familiarizing themselves with the site history and past enforcement activity, the inspections of the facilities (including complaint investigations and inspections) and time spent traveling to the facilities from the off-site office. (An offsite SCL LEA office will be established near the landfill) An analysis will be performed after each inspection along with conducting exit interview with the operator of the facility. All inspectional activities will be documented including a written report of inspection activities which may include photo documentation.

There are two shifts (morning and afternoon/evening), each shift of nine (9) hours. The morning shift begins at 5:00 a.m. and ends at 2:00 p.m. The afternoon/evening shift starts at 12:30 p.m. and ends at 9:30 p.m. there is a one and a half (1.5 hour) hour overlap between the shifts to allow for coordination between the shifts so that the daily issues can be reviewed to allow for a smooth transition between the shifts. Inspection

Section 8.0

STAFF TECHNICAL EXPERTISE

- 8.1 SCL LEA PROGRAM STAFFING POLICY AND OBJECTIVES
- 8.2 DESCRIPTION OF PROGRAM STAFF RESPONSIBILITY AND TECHNICAL EXPERTISE
 - 8.2.1 SCL LEA Board of Directors
 - 8.2.2 SCL LEA Program Manager
 - 8.2.3 SCL LEA Supervisors
 - 8.2.4 SCL LEA Facility Inspectors
 - 8.2.5 Industrial Hygienist
 - 8.2.6 Time Keeping
- 8.3 DESCRIPTION OF SCL LEA PROGRAM CONTRACTORS
 - 8.3.1 Solid Waste Management
 - 8.3.2 CEQA, Geotechnical, Civil, and Environmental Engineering__
 - 8.3.3 Other Technical Support
- 8.4 SCL LEA PROGRAM STAFF RESUMES
 - 8.4.1 SCL LEA Permanent Program Staff Hiring
 - 8.4.2 Program Staff

SECTION 8.0

STAFF TECHNICAL EXPERTISE

8.1 SCL LEA PROGRAM STAFFING POLICY AND OBJECTIVES

The Sunshine Canyon Landfill Local Enforcement Agency (SLC-LEA) program shall, at all times, strive to utilize individuals of the highest professional competency with respect to knowledge and experience in the field of public health and safety, environmental protection, and regulatory affairs. Additionally, the program shall endeavor to meet the City and County's hiring goals and policies in affirmative action and equal opportunity.

In the event that specific technical competence is needed by the program and existing staff members cannot be utilized due to lack of qualification or experience, the program shall seek assistance from other agencies, or maintain contracts with qualified firms or individuals to provide the needed expertise for the program. It shall be the responsibility of program management to assure that no conflict of interest exists between a contract vendor and the regulated entity, the City or County of Los Angeles.

8.2 DESCRIPTION OF PROGRAM STAFF RESPONSIBILITY AND TECHNICAL EXPERTISE

8.2.1 SCL LEA Board of Directors

The SCL LEA shall be administered by a Board of Directors consisting of five (5) Directors. The County of Los Angeles LEA Director shall serve as one director for the SCL LEA. The City of Los Angeles LEA Director shall serve as the second director for the SCL LEA. The Los Angeles Board of Supervisors shall appoint a third director.

The Los Angeles City Council shall appoint a fourth director. The City LEA Director and the County LEA Director shall mutually nominate a member of the public (hereinafter "Public Director") to be the fifth director subject to unanimous approval by the other directors of the SCL LEA Board of Directors. . The Public Director shall be a registered civil engineer licensed in California with professional experience dealing with public policy, legal/regulatory matters, and environmental issues related to waste disposal and landfill management.

Meetings of the Board may be called by the Chairperson or any two (2) Directors. The Board shall hold at least one regular meeting each year at which time the Board will review and evaluate the activities of the SCL LEA and resolve any issues agendized for the meeting.

The Board of Directors' primary functions are to appoint the Program Manager, provide overall policy guidance and budgetary review, ensure that SCL LEA complies with all legal and statutory requirements, and act as liaison to CIWMB,

Council and to Board of Supervisors and local community. Board of Directors also participates in reviewing the internal quality assurance of the overall program and may accompany SCL LEA staff on inspections as part of the quality assurance review. Board of Directors may also participate in LEA training, workshops, CIWMB sponsored events (e.g., LEA Roundtable), or industry forum, including health/safety training as part of their overall management function.

8.2.2 SCL LEA Program Manager

The SCL LEA Program Manager will be the single point of contact for the SCL LEA Board of Directors, all state, regional and local agencies, SCL LEA staff, the operator and/or the public. The Manager will provide direction, supervision and assistance to program subordinates in the areas of conducting inspections, permitting and enforcement; review field inspection activities and recommend and implement changes for improvement; clarify SCL LEA program and CIWMB policies for staff; oversee all permitting activity, including signing the SCL LEA permit; coordinate and approve staff inspectional duty schedules; provide for staff training in compliance with the EPP and needs as identified by the Program Manager; coordinate and approve purchases, including contracting for consulting or other technical support services; oversees the maintenance of all facility record keeping systems. The SCL LEA Program Manager will have at least 5 years experience in the solid waste local enforcement agency, and will rotate every twelve months as part of a permanent schedule approved by vote of the SCL-EA Board of Directors.

The SCL LEA Program Manager will be responsible for general regulatory oversight of the site. Duties would include providing and/or maintaining the following:

1. LEA certification
2. Annual updates of Enforcement Program Plan
3. Coordinating all permitting activity and Five-year Permit Reviews
4. Coordination and approval of all inspectional duty schedules
5. Inspection oversight and regulatory enforcement
6. Administrative reviews
7. Public relations
8. Community meetings facilitation
9. Closure and post-closure planning and activities
10. Financial planning and budgeting
11. Coordination of staff training
12. Reporting to the Board of Directors, CIWMB, City Council, or County Board of Supervisors
13. Public participation
14. Coordinating and organizing the Independent Hearing Panel procedures and hearings

The SCL LEA Program Manager must have a good understanding of the principles and practices of solid waste facility operations management, including aspects of solid waste permitting, regulatory requirements of landfills, transfer facilities, materials recovery facilities, green waste processing facilities, and composting operations; inspection and

enforcement procedures; supervision of inspectional and enforcement staff; familiarity with operational procedures of the City, County and State prosecutorial agencies; familiarity with regional, state and federal solid waste and environmental protection organizations; public health and safety issues concerning solid waste facilities and SCL LEA program staff.

The LEA Program Manager will be appointed on an annual (12-month) rotational basis. The LEA Program Manager will interact with both the Board of Directors and Independent Hearing Panel in carrying out their policies and decisions, and has primary responsibility to manage the overall administrative and operational activities of SCL LEA Program. It is the responsibility of the outgoing Program Manager to coordinate one or more briefings for the incoming Program Manager to effectively use the transition time provided in the Time Task Analysis to enable consistent management and an ongoing seamless transition for each rotation.

The LEA Program Manager is the single point of contact, the responsible party, to whom the Board of Directors, the CIWMB, the operator, other state agencies or other offices, the public, and the operator can report complaints, or request SCL LEA services.

8.2.3 SCL LEA Supervisors



The SCL LEA Supervisors (Supervisors) will be in charge of coordinating the Inspection staff and their day-to-day activities including inspection, permitting, health and safety and administrative. The SCL LEA will have two supervisors assigned to the program that will report directly to the SCL LEA Program Manager. In order to keep a clear chain of command, each of the SCL LEA Inspectors will be assigned to one of the two supervisors. The SCL LEA inspectional staff will report for duty to their respective supervisors in accord with management/union collective bargaining requirements.

The Supervisors must have a good understanding of the principles and practices of solid waste facility operations management, including aspects of solid waste permitting, regulatory requirements of landfills, transfer facilities, materials recovery facilities, green waste processing facilities, and composting operations; inspection and enforcement procedures; familiarity with operational procedures of the City, County and State prosecutorial agencies; familiarity with regional, state and federal solid waste and environmental protection organizations; public health and safety issues concerning solid waste facilities and SCL LEA program staff.

The SCL LEA Supervisor will have at least 2 years experience in the solid waste local enforcement agency. The supervisors will serve continuously and will not rotate with the SCL LEA Program Manager.

8.2.4 SCL LEA Field Inspection Staff

The SCL LEA Facility Inspectors will conduct inspections, complaint investigations,

monitor permit conditions and initiate enforcement actions on the permitted landfill; maintain all facility record keeping systems; observe hazardous waste loadchecks, perform twice-a-day surveys of the surrounding neighborhoods and environs and provide daily enforcement oversight to ensure compliance with State Minimum Standards; attend and complete all required training deemed required by program management; works in compliance with the function and operation of all federal, state, regional and local environmental protection, permitting, and prosecutorial agencies.

The SCL LEA Facility Inspectors must have a good understanding of the principles and practices of solid waste facility operations management, including aspects of solid waste permitting, regulatory requirements of landfills, transfer facilities, materials recovery facilities, green waste processing facilities, and composting operations; inspection and enforcement procedures; familiarity with operational procedures of the City, County and State prosecutorial agencies; familiarity with regional, state and federal solid waste and environmental protection organizations; public health and safety issues concerning solid waste facilities and SCL LEA program staff.

Field staff would be retained from the City LEA and County LEA personnel, as both LEAs currently have experienced staff that also hold the public's trust and maintain established relationships with community groups and the site operator.

The SCL LEA Program will be staffed by a total of 20 personnel. Of the 20 personnel, two Supervisors, will report to the LEA Program Manager. The Supervisors will in turn manage the staff and their day-to-day activities including inspection, permitting, health and safety and administrative.

In order to cover the entire operating day at the landfill, two inspectors (and others as-needed staff) will be assigned to the site each day. While assigned to Sunshine Canyon Landfill, the field inspectors will report to the supervisors. The SCL LEA Program Manager will have the ultimate approval responsibility on issuance of violations and other regulatory decisions relating to the combined landfill.

There are a total of 18 field inspectors to cover the entire operating day at the landfill, 2 field inspectors will be assigned to the site each day. The inspection will be conducted 6 days a week, from Monday to Saturday, and 52 weeks a year. The field inspectors will be on a 9-hours shift (morning and afternoon/evening) with the first inspector working from 5:00 am to 2:00 pm and the 2nd inspector working from 12:30 pm to 9:30 pm. This will give each inspector one and half hours to coordinate important issues and ensure smooth transition between shifts. In addition, there will also be 18 visits per year, 4 hours each visit, to check for unauthorized activities on closed days. In the event that no landfiling or maintenance activity is occurring, the Program Manager can release field staff from active duty.

Each month, the inspectors will alternate between morning and afternoon/evening shifts. For example, for one month, an inspector will be working the morning shift, and for the next month, the same inspector will be working in the afternoon/evening shift. This schedule will be approved by the SCL LEA Program Manager every 6 months and will be made available to the inspectors.

In addition to field inspection, the staff's other major responsibilities include investigating and resolving complaints, and take corrective actions if necessary; conduct permit activities, facility enforcement, training, periodic internal assurance; assist in LEA certification; and perform administrative related activities such as attend community meeting, prepare documentation and reporting.

8.2.5 Industrial Hygienist

The Industrial Hygienist will provide expertise to program management in the areas of health protection of the community, and SCL LEA program personnel,. develop and maintain a program injury and illness prevention plan; provide training to program personnel in worker health and safety practices; develop, with the assistance of program management, a community health risk communications plan for solid waste facilities; investigation of community and worker complaints regarding solid waste facilities; oversee the specification, purchase, maintenance, training and use of program health and safety instrumentation. The industrial hygienist will assist in the development and implementation of training programs to insure that the appropriate health and safety aspects of training are integrated into each training topic.

The Industrial Hygienist must have a good understanding of the identification, evaluation and control measures of chemical, biological and physical hazards of the working environment; regulations concerning the worker and community protection of hazardous and nuisance conditions including landfill gases, dusts, vapors, mists, and noise; training requirements under Federal OSHA and Cal-OSHA.

8.2.6 Time Keeping

A detailed tracking system will be developed to track daily activities from each personnel. All personnel will be required to keep a timesheet with a breakdown of their daily activities. They will also utilize logs and checklist to document their daily activities such as results of field inspection, complaints received and corrective actions taken, and steps taken in the permitting efforts.

The tracking system will also be utilized to manage the status of various activities such as personnel needed in the field, permitting progress, community meetings, regulatory and other public agencies meetings, computer equipment and landfill equipment upgrades and maintenance. The daily logs will be used to refine the Time-Task Analysis each year. In addition annual reports will be generated for the Board of Directors.

8.3 DESCRIPTION OF SCL LEA PROGRAM CONTRACTORS

As needed and authorized by the Board of Directors, the SCL LEA Program Manager has the overall responsibility to utilize and contract for qualified independent contractors/firms, law firms, and other departments within the City and the County to provide technical and legal support services. The technical services can range from solid waste, air quality, CEQA, geotechnical, civil and environmental engineering

evaluation. The LEA Program Manager will be responsible of managing these support services entities and update the Board of Directors.

SCL LEA will utilize contracts with qualified firms on an as-needed basis to provide technical expertise when determined to be needed by program management. Los Angeles County Department of Public Works and the City of Los Angeles Building Department will also be providing assistance on an as-needed basis on issues related to specialized engineering purposes such as geology, geotechnical analysis, grading and drainage infrastructure, as well as engineering surveying, methane protection requirements, building and safety requirements related to the any proposed structures to be built at the Sunshine Canyon Landfill.

Independent counsel for the SCL LEA will also be retained if the Board of Directors so request or if there is a conflict of interest with the existing legal support provided by the City of Los Angeles City Attorney's Office, and/or by the County of Los Angeles, County Counsels Office. There is no line item expense for independent counsel in the budget but should the Board of Directors so request these services or should Counsel recommend such services, the SCL LEA will contract with an independent law firm to represent the SCL LEA and this item will be added to the budget.

8.4 LEA PROGRAM STAFF RESUMES

8.4.1 LEA Program Permanent Staff Hiring

This listing describes the staff and their experience. These personnel are utilized by the SCL LEA to carry out the inspectional and enforcement duties as required. When the personnel are assigned to Sunshine Canyon Landfill, their sole responsibility will be to the SCL LEA.

8.4.2 Program Staff

<u>Staff Experience</u>				
<u>Name and Function</u>	<u>REHS</u>	<u>Job Title</u>	<u>Years in Environmental Health</u>	<u>Years in Solid Waste</u>
Wayne Tsuda (LEA Program Manager)	X	Env. Affairs Officer	32 years	16 years
Ken Murray (LEA Program Manager, Alternate)	X	EHS Chief	19 years	8 years
Gerry Villalobos (Supervisor / Inspector)	X	EHS IV	13 years	5 years
Mark Como (Inspector)	X	EHS III	16 years	5 years
Michael Edenedo (Inspector)	X	EHS III	12 years	12 years
Regina Fee (Inspector)	X	EHS III	16 years	3 years
Hung Vo (Inspector)	X	EHS III	20 years	13 years
Chris Mastro	X	EHS IV	15 years	10 years
Kelvin Kasai (Inspector)	X	EHS III	9 years	9 years
Nelly Castellanos (Inspector)	X	EHS III	16 years	8 years
Roosevelt Davis III (Inspector)	X	EHS III	16 years	10 years
Daniel J. Shelley (Inspector)	X	EHS III	10 years	5 years
Ziba Atai (Inspector)	X	EHS III	17 years	17 years
David Thompson (Supervisor / Inspector)	X	Env. Supervisor II	16 years	16 years
Kim Yapp (Inspector)	X	Env. Supervisor I	18 years	10 years
Martin Rosen (Inspector)		ES III	15 years	15 years
Michael Mercado (Inspector)		ES II	24 years	6 years
David Porter (Inspector)		ES II	2 years	2 years
Ronald Roque (Inspector)		ES II	15 years	5 years
Andy Kao (Inspector / Industrial Hygiene)		IH	6 years	6 years

EHS – Environmental Health Specialist (County Job Classification)

ES – Environmental Specialist (City Job Classification)

IH – Industrial Hygienist

The Manager may request assistance from either LEA and/or their associated consultative services as needed

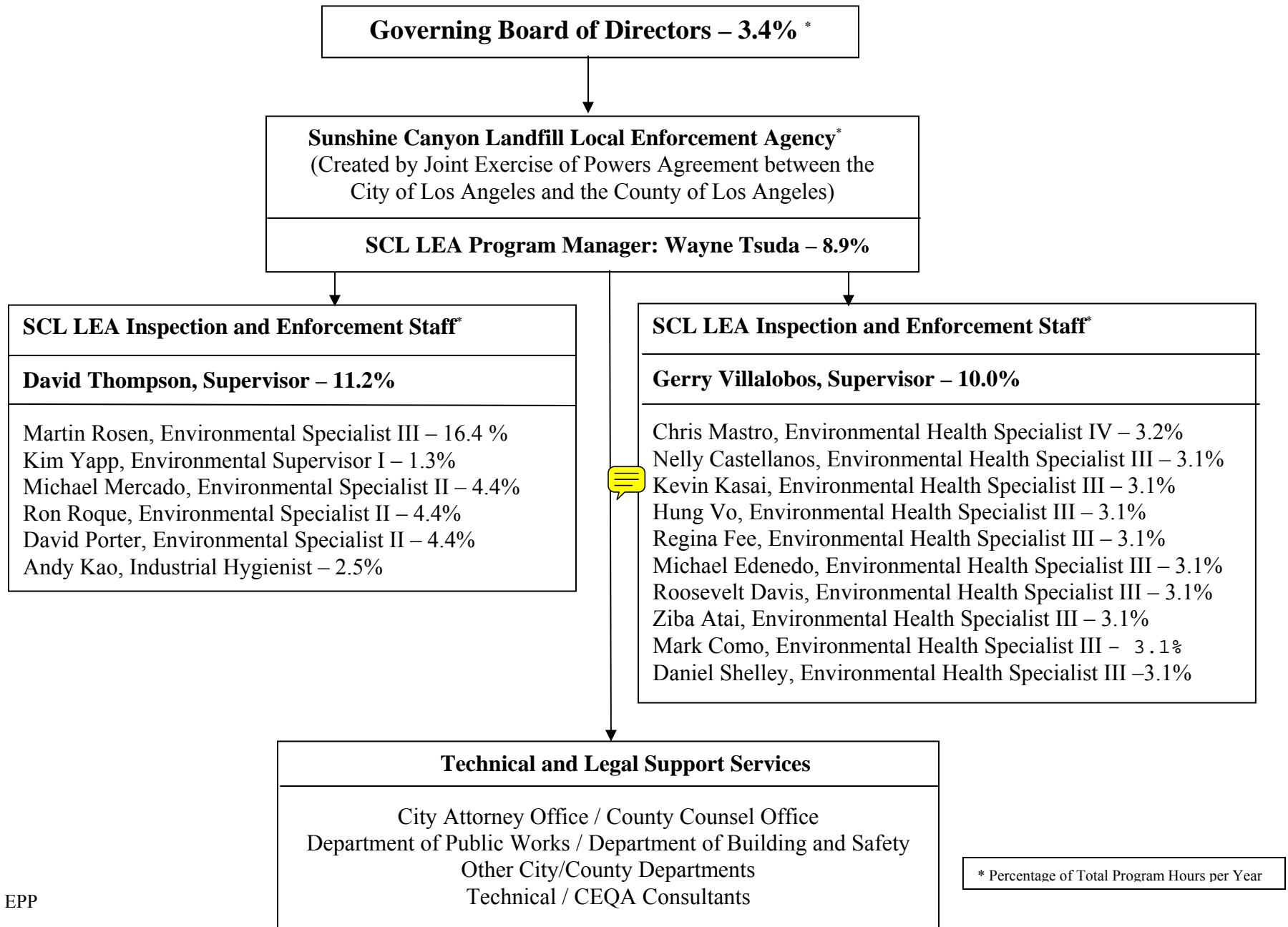
8.4.3 LEA Program Manager Rotation Schedule

The LEA Program Manager is Wayne Tsuda. This position will be rotated according to the schedule below, and will continue until amended in writing.

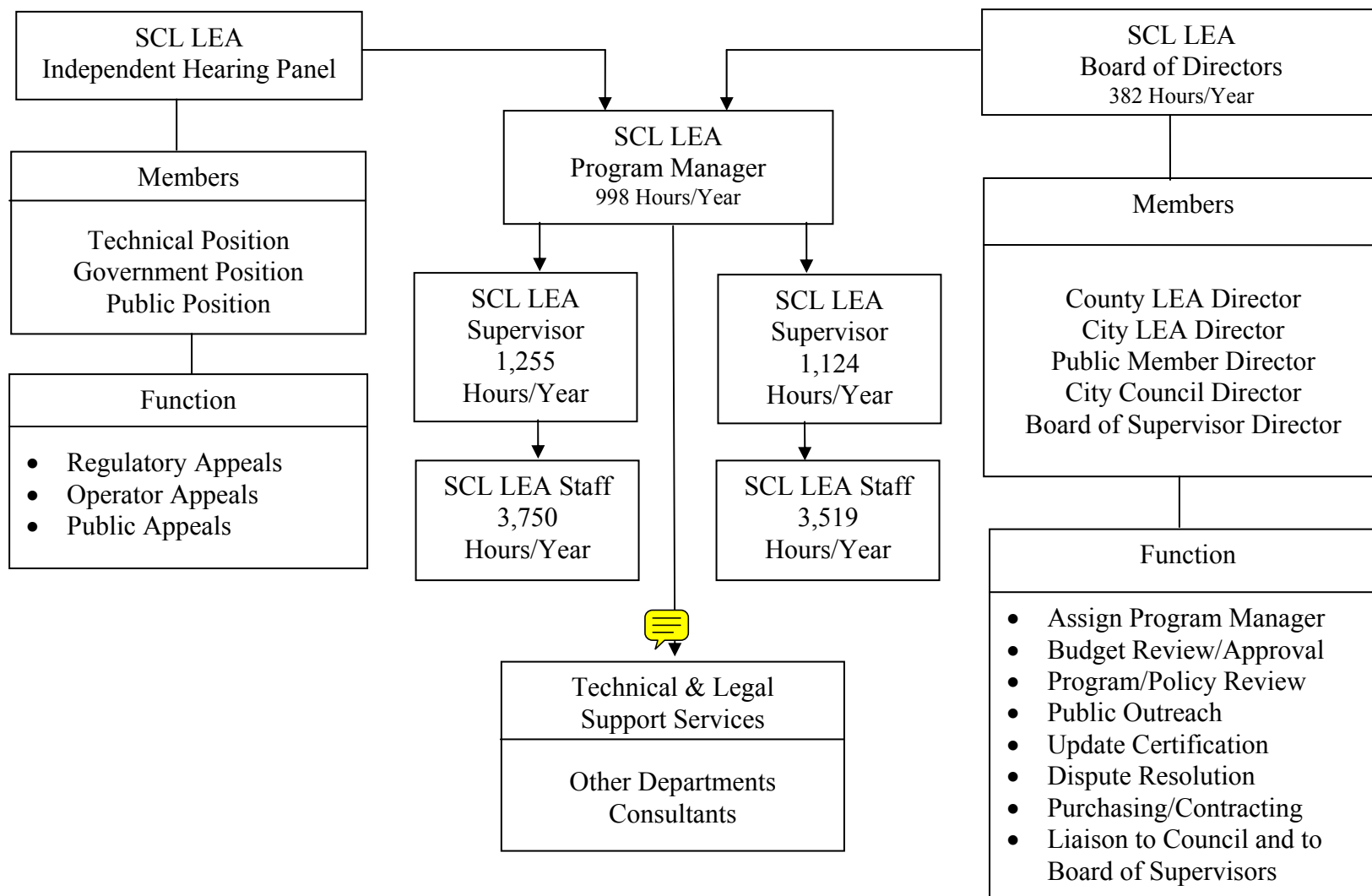
LEA PROGRAM MANAGER ROTATION SCHEDULE	
Year Months	LEA Program Manager
May 2008 to June 2009	Wayne Tsuda
July 2009 to June 2010	Ken Murray
July 2010 to June 2011	Wayne Tsuda
July 2011 to June 2012	Ken Murray
July 2012 to June 2013	Wayne Tsuda
July 2013 to June 2014	Ken Murray
July 2014 to June 2015	Wayne Tsuda
Note: Rotation to continue, changes will be in writing, and EPP updated	

The LEA Program Manager is the single point of contact, the responsible party, to whom the State, the public, and the operator can report complaints, LEA performance issues and resolve disputes. The time task analysis allows budgeted time for transitioning between the rotations. Transition time is used for bringing the incoming LEA Program Manager to be brought up to speed on the current ongoing issues and to allow for consistent management and an ongoing seamless transition for each rotation.

Sunshine Canyon Landfill Local Enforcement Agency Organization Chart



Sunshine Canyon Landfill – Local Enforcement Agency (SCL LEA) Organization Structure / Reporting Function



Estimated Hours Per Year for Sunshine Canyon Landfill Local Enforcement Agency Staff by Task

Estimated Hours Per Year for Sunshine Canyon Landfill Local Enforcement Agency															
Name	Inspections	Complaints	Transition Between Rotations	Enforcement	Permitting	Corrective Action	Training / Workshops	Other (LEA Roundtable, etc.)	Health and Safety	LEA Certification	Administration	Internal Quality Assurance	Community Meetings	Contingency (15%)	Total Hours per Year
Wayne Tsuda	48	80	20	40	40	24	24	32	16	60	440	20	24	130	998
Ken Murray	0	0	20	0	40	0	24	0	0	20	40	20	24	28	216
David Thompson	356	40	15	24	40	12	24	32	4	60	416	20	48	164	1,255
Gerry Villalobos	237	40	20	24	40	12	24	32	4	60	416	20	48	147	1,124
Martin Rosen	1312	128	10	40	28	8	48	16	0	0	0	4	8	240	1,842
Kim Yapp	56	10	0	16	8	0	24	8	0	0	0	2	4	19	147
Michael Mercado	356	10	0	16	8	0	24	8	0	0	0	2	4	64	492
Ron Roque	356	10	0	16	8	0	24	8	0	0	0	2	4	64	492
David Porter	356	10	0	16	8	0	24	8	0	0	0	2	4	64	492
Andy Kao	56	10	0	16	8	0	24	8	120	0	0	2	4	37	285
Chris Mastro	237	10	0	12	8	8	24	8	0	0	0	2	4	47	360
Nelly Castellanos	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Kevin Kasai	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Hung Vo	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Regina Fee	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Michael Edenedo	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Roosevelt Davis	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Ziba Atai	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Mark Como	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Daniel Shelley	237	10	0	12	8	0	24	8	0	0	0	2	4	46	351
Board of Directors	96	0	0	0	0	0	80	32	16	40	0	20	48	50	382
Total Hours	5,599	438	85	328	308	64	584	264	160	240	1,312	134	260	1,468	11,244

B. Length of Term of the Hearing Panel Members



Hearing Panel members serve for a term of four years, pursuant to PRC § 44308. Members may serve two consecutive full terms.

D. Reimbursement of the Hearing Panel Members

Members may receive per diem and mileage reimbursement.

E. Duties of the Hearing Panel Members

The Hearing Panel Chairperson will be selected by the members of the Hearing Panel. It is the responsibility of the Chairperson to preside at the hearings; to control the Hearing Panel's calendar; to assign tasks to other Hearing Panel members, such as the liaison between the Hearing Panel and SCL LEA staff; and to sign letters from the Hearing Panel. The Chairperson is responsible for ensuring that each hearing proceeds according to protocol.

F. The Secretary of the Hearing Panel and their Duties

Among the duties of the secretary (a SCL LEA staff person assigned to assist in the administrative tasks) are the following:

- ◆ Scheduling the hearings and meetings
- ◆ Accepting petitions and filing them for public review
- ◆ Sending out Notice of Hearings
- ◆ Preparing and posting announcements: Agenda, Notice of Adjournment, Notice of Continuance.
- ◆ Draft findings for the Hearing Panel

III. TYPES OF CASES INVOLVING THE LEA AND/OR HEARING PANEL

A. Introduction

Division 30 of the PRC deals with Solid Waste Facilities. The division sets forth the types of cases which involve the SCL LEA and/or Hearing Panel. This chapter provides enforcement authority to the SCL LEA regarding denial, suspension or revocation of permits. It also provides for review of SCL LEA actions by the Hearing Panel. Administrative enforcement is also covered in this division.

Hearings including SCL LEA enforcement activities, or lack thereof, are authorized by PRC § 44307. A Hearing Panel is convened to examine the case and issue a decision within 5 days from the conclusion date of any hearing. Unless otherwise provided by statute, all such orders and determinations are effective immediately.

B. Denial of a Solid Waste Facilities Permit

Permit denial is outlined in the PRC § 44300, and is initiated by SCL LEA. If a permit is to be denied, the Hearing Panel shall be convened prior to denial, to hear the reasons and decide if the permit denial is warranted. The statute sets forth five conditions for denying a permit:

1. The application is incomplete or otherwise inadequate..
2. The applicant has not complied with Division 13, commencing with Section 21000.
3. The applicant has failed to demonstrate that the facility will meet minimum regulatory standards..
4. The application contains significant false or misleading information or significant misrepresentations.
5. The SCL LEA determines the applicant has, during the previous three years, been convicted of, or been issued a final order for, one or more violations of the PRC, or regulations or violations of the terms and conditions of a Solid Waste Facilities Permit. The violation meets both of the following criteria:
 - I. The violation demonstrates a chronic recurring pattern of noncompliance that has posed, or may pose, a significant risk to public health and safety or to the environment.
 - II. The violation has not been corrected or reasonable progress toward correction has not been achieved.

C. Revocation of a Solid Waste Facilities Permit

The criteria and procedure for revocation of a Solid Waste Facilities Permit are outlined in PRC § 44306. The Permit may be revoked if the application for the permit materially misrepresented the facts or failed to disclose relevant factual information, or if the operator has been determined to be in violation of, or has been issued a final order for, violations of the regulations, or the PRC, or violations of the terms and conditions of a Solid Waste Facilities Permit. The violations must be recurring and not corrected. The chart on the following page illustrates the necessary procedure to revoke a Solid Waste Facilities Permit.