



Health & Human Services Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: June 29, 2021

Public Hearing Required	Yes
Scheduled Public Hearing w/Clerk	Yes
Published Notice Required	Yes
Advertised Published Notice	Yes
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Nilsa Gonzalez PHONE: 559-624-8000

SUBJECT: Appointment of Local Enforcement Agency Independent Hearing Officer

REQUEST(S):
That the Board of Supervisors:

Appoint Allison Shuklian as the Local Enforcement Agency Hearing officer for a term of four years, beginning July 1, 2021, as stipulated by regulation.

SUMMARY:

In 1992, the California Integrated Waste Management Board (currently CalRecycle) certified the Tulare County Environmental Health Department as the Local Enforcement Agency (LEA) for Tulare County. The LEA enforces California state solid waste laws and regulations pertaining to permitting and enforcement at solid waste facilities.

The California Public Resource Code and California Code of Regulations require the LEA to have an independent hearing panel or a hearing officer. (Public Resource Code § 44308; California Code of Regulations Title 14, § 18060). The hearing officer acts as the local appeals body for solid waste permitting and enforcement issues, such as denial, suspension, or revocation of a permit, challenges to recommended permit conditions, enforcement actions against unpermitted facilities and/or other enforcement actions, as well as the LEA's failure to act. The hearing officer holds hearings upon request made by the person subject to the action or by a person alleging that the LEA failed to act, and decides whether to grant or deny relief. Decisions of the hearing officer may then be appealed to the State Board (California Department of Resources Recycling and Recovery, "CalRecycle").

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The current term of the LEA Independent Hearing Officer expires on July 1, 2021. Mark Bairstow has served as Tulare County's LEA Independent Hearing Officer for the past eight (8) years.

FISCAL IMPACT/FINANCING:

LEA Independent Hearing Officers serve in a voluntary capacity. There is no net county cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life Initiative to promote public health and welfare. The Hearing Officer will allow Tulare County Health & Human Services Agency to continue to provide valuable services to our community members through our regulatory and consultative activities.

ADMINISTRATIVE SIGN-OFF:

/s/Karen Elliott
Karen Elliott
Public Health Director

Cc: County Administrative Office

Attachments: Application