

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

314
A



FROM: Community Health Agency/Department of Environmental Health

SUBMITTAL DATE:
June 8, 2004

SUBJECT: Appointment to the Independent Hearing Panel for Solid Waste Facility Enforcement Activities:

RECOMMENDED MOTION:

That the Board of Supervisors:

1. Appoint Mr. Damon DeFrates as the alternate technical expert with knowledge of solid waste management methods and technology to complete the term vacated by Ms. Rosalie Mulé.

BACKGROUND:

On August 1, 1991, the California Integrated Waste Management Board adopted new regulations governing the designation and certification of Local Solid Waste Management Enforcement Agencies (LEAs). Section 18060 "Appointment of Hearing Panel," requires existing LEAs to submit, as part of their designation/certification package, certified copies of the appointment of a hearing panel to include the member's names and mailing addresses. The duties, procedures, and makeup of the panel are prescribed in Public Resources Code, Article 3, Section 44308 through 44310.

(Continued)

Departmental Concurrence

Gary Root

Gary Root, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

FORM APPROVED
COUNTY COUNSEL

JUN 17 2004

County Executive Office Signature

Dan Martiny

Dan Martiny

BY *Lee A. Jordan*

Lee A. Jordan

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 9/23/03, 2.10

District: all

Agenda Number:

2.10

Submittal Date: June 8, 2004

The purpose of the hearing panel is to conduct the required public hearings pursuant to Public Resources Code Section 44300 and Sections 44305 through 44310. The LEA may request the Hearing Panel convene to hold a public hearing to consider their denial to issue a solid waste facility permit or to suspend or revoke an existing solid waste facility's permit for violations of State laws and regulations. Any person aggrieved by such action(s) by the LEA may similarly request a hearing. The LEA may also be petitioned to review before the Hearing Panel an alleged failure of the Agency to act as required by law or regulation (Sections 45030-45033).

The Independent Hearing Panel must consist of three members. Not more than one can be a member or representative of the local governing body. At least one must be a technical expert with knowledge of solid waste management methods and technology and the remaining member must be a representative of the public at large. Terms for any one member may not exceed 2 consecutive 2-year terms.

Ms. Mulé resigned her position as alternate member, technical expert, May 12, 2004 to accept an appointment to the California Integrated Waste Management Board (Attachment 1). She will be replaced by Mr. DeFrates who will serve out the remainder of the unexpired term ending September 30, 2005. With today's recommended action, the Independent Hearing Panel will consist of the following members.

Member	Term No.	Position	Term Ending
Supervisor Jim Venable	2	Member of Governing Body	Sep. 23, 2005
Ken Graff	2	Alt. Member of Governing Body	Sep. 23, 2005
Gary Johnson	1	Member, Technical	Apr. 30, 2006
Damon DeFrates	1	Alt. Member, Technical	Sep. 23, 2005
Katie Barrows	1	Member, Public at Large	Apr. 30, 2006
John Krick	1	Alt. Member, Public at Large	Apr. 30, 2006

Supervisor Venable - Member, Governing Body	Ken Graff - Alternate Member Governing Body
Riverside County Board of Supervisors	Riverside County Board of Supervisors
P.O. Box 1645	P.O. Box 1645
Riverside, CA 92502-1645	Riverside, CA 92502-1645
(909) 955-1030	(909) 955-1030
Gary Johnson - Technical Expert	Damon DeFrates - Alternate, Technical Expert
Senior Project Manager	Market Area general Manager,
Granite Construction Company	Waste Management Inland Empire
38000 Monroe Ave.	800 South Temescal Street
Indio CA 92203	Corona, CA 92879
(760) 775-7500	(909) 817-2400

Submittal Date: June 8, 2004

Katie Barrows - Member, Public at Large	John Krick - Alternate, Public at Large
53298 Avenida Montezuma	La Sierra High School
La Quinta, CA 92260	4145 La Sierra Ave., Riverside CA 92505
(760) 564-2413	(909) 351-2166

FINANCIAL:

The recommended action will have no fiscal impact to the County.