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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 22@ Enforcement, Inspections, and Informant Rewards

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Article 1@ Inspection Authority, Designation of Enforcement Authority, and Awards

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Section 66272.10@ Designation of Enforcement Authority

66272.10 Designation of Enforcement Authority

(a)

The Department may designate a local public officer to enforce the standards and regulations adopted by the Department pursuant to section 25150 of the Health and Safety Code if it is demonstrated to the satisfaction of the Department that: (1) the prospective designee has appropriate jurisdiction and competency, facilities and personnel to perform the functions specified by the Department; and (2) other activities of the governmental entity which the prospective designee represents will not compromise the designee's ability to enforce those regulations equitably and effectively.

(1)

the prospective designee has appropriate jurisdiction and competency, facilities and personnel to perform the functions specified by the Department; and

(2)

other activities of the governmental entity which the prospective designee represents will not compromise the designee's ability to enforce those regulations equitably and effectively.

(b)

The Department may designate a local public officer to enforce all requirements of this division if it is demonstrated to the satisfaction of the Department that: (1) the prospective designee can meet the requirements cited in (a) above; (2) the

prospective designee has countywide jurisdiction; (3) the governmental entity which the prospective designee represents does not operate a hazardous waste facility; (4) the prospective designee's personnel are qualified to the satisfaction of the Department; (5) the prospective designee's laboratory support is adequate to determine whether wastes contain hazardous materials; (6) the prospective designee's personnel will be able to provide adequate reviews, inspections, and monitoring of hazardous waste and enforcement of the requirements of this division.

(1)

the prospective designee can meet the requirements cited in (a) above;

(2)

the prospective designee has countywide jurisdiction;

(3)

the governmental entity which the prospective designee represents does not operate a hazardous waste facility;

(4)

the prospective designee's personnel are qualified to the satisfaction of the Department;

(5)

the prospective designee's laboratory support is adequate to determine whether wastes contain hazardous materials;

(6)

the prospective designee's personnel will be able to provide adequate reviews, inspections, and monitoring of hazardous waste and enforcement of the requirements of this division.

(c)

The Department shall not authorize a local public officer to enforce any requirement of this division if such person does not meet the requirements specified in (a) above.

(d)

The Department shall not authorize a local public officer to enforce all requirements of this division if such person does not meet the requirements specified in (b) above.