

Procedure to Access Administrative Law Judge

Cal/EPA has entered into a contract for fiscal years 2014/2015 and 2015/2016 with the Department of General Services, Office of Administrative Hearings (OAH) to fund requested hearings on Administrative Enforcement Orders (AEOs) issued by Unified Program Agencies (UPAs) (See the Administrative Orders Guidance document for details on hearings). The following is the procedure for UPAs to access this contract:

1. OAH agrees to provide administrative law judges, clerical support, and arrange for hearing reporters as may be needed to conduct hearings for Unified Program Agencies.
2. The hearings will be conducted as requested to resolve AEOs issued pursuant to HSC Section 25404.1.1. (a) by UPAs for violations of Chapter 6.5 (commencing with Section 25100); Chapter 6.7 (commencing with Section 25280); Article 1 (commencing with Section 25500) of Chapter 6.95; Article 2 (commencing with Section 25531) of Chapter 6.95; and Section 25270.5. Hearings on AEOs will be conducted pursuant to HSC, Section 25404.1.1 and Government Code, Section 11400 et seq.
3. The UPA calls OAH to schedule a hearing. The OAH phone numbers are:

Sacramento Office: (916) 263-0550
Los Angeles Office: (213) 576-7200
Oakland Office: (510) 622-1042
San Diego: (619) 525-4475

3. The UPA asks for the OAH Calendar Office. Inform the OAH Calendar Office that services are to be provided under Interagency Agreement, Contract Number 14-001. The OAH Calendar Office will schedule the hearing at a place and time that is mutually agreeable to OAH and the UPA.
5. The UPA will provide OAH with a copy of the administrative order and the notice of defense. Please send the order and notice of defense to the OAH office that you accessed. The addresses are as follows:

Sacramento Office:
2349 Gateway Oaks Drive, Suite 200
Sacramento, Ca. 95833

Los Angeles Office: (located in The Serra Building)
320 West Fourth Street, Suite 630
Los Angeles, Ca. 90013

Oakland Office:
1515 Clay Street, Suite 206
Oakland, CA 94612

San Diego Office: (located in The San Diego State Building)
1350 Front Street, Suite 3005
San Diego, Ca. 92101

Procedure to Access Administrative Law Judge

6. The UPA will provide notices of scheduled hearings to all applicable parties according to pertinent law. A copy of the notice of scheduled hearing shall also be mailed to Loretta Sylve of the California Environmental Protection Agency (Cal/EPA) at the address listed under item #10.
7. OAH will provide the UPA with a proposed decision containing findings of fact, conclusions of law and a final deposition regarding each issue contested.
8. The UPA can choose to adopt OAH's proposed decision; or adopt portions of the proposed decision while revising other portions; or reject the proposed decision.
9. The UPA will issue the final order to the respondent and provide copies by mail to OAH and to:

California Environmental Protection Agency
Unified Program Section
Attention: Loretta Sylve
1001 "I" Street
Sacramento, California 95812
10. A copy of the case files shall be retained by OAH for a period of five (5) years.
11. OAH, the UPA and Cal/EPA will provide to each other the necessary documents, orientation and training or technical assistance as may be necessary for each to perform their roles in the hearing process.
12. Questions or problems encountered in using these procedures should be directed to Loretta Sylve at (916) 327-5097 or Loretta.sylve@calepa.ca.gov