

(Adopted: 8/1/75; Amended: 2/5/88; Amended: 10/21/97)

RULE 801

General

Notwithstanding Rule 501, this regulation shall apply to all hearings on orders for abatement before the Hearing Board of the Antelope Valley Air Pollution Control District.

[SIP: Deletion challenged U.S. 9th Cir. Case #97-71117; Deleted 6/27/97, 62 FR 34641, 40 CFR 52.220(c)(39)(iii)(F) and 40 CFR 52.220(c)(30)(x)(B); Approved 9/8/78, 43 FR 40011, 40 CFR 52.220(c)(39)(iii)(C); Approved 6/14/78, 43 FR 25684, 40 CFR 52.220 (c)(30)(x)(A)]

(Adopted: 8/1/75; Amended: 10/21/97)

RULE 802

Order For Abatement

In accordance with Health and Safety Code Section 42451, the Hearing Board, when petitioned as provided herein, is authorized and directed to notice and hold hearings for the purpose of issuing orders for abatement. The Hearing Board, in holding hearings on the issuance of orders for abatement, shall have all powers and duties conferred upon it by Health and Safety Code Division 26.

[SIP: Deletion challenged U.S. 9th Cir. Case #97-71117; Deleted 6/27/97, 62 FR 34641, 40 CFR 52.220(c)(39)(iii)(F) and 40 CFR 52.220(c)(32)(iv)(B); Approved 9/8/78, 43 FR 40011, 40 CFR 52.220(c)(39)(iii)(C); Approved 6/14/78, 43 FR 25684, 40 CFR 52.220 (c)(32)(iv)(A)]

(Adopted: 8/1/75; Amended: 2/5/88; Amended: 10/21/97)

RULE 803

Filing Petitions

Requests by the Air Pollution Control Officer (APCO) for a hearing on an order for abatement shall be initiated by the filing of the original and eight copies of the petition with the Clerk of the Hearing Board. One copy of the petition will then be served upon the person against whom the order for abatement is sought (the respondent). Service may be made in person or by mail, and service may be proved by written acknowledgment of the person served or by the affidavit of the person making the service.

[SIP: Deletion challenged U.S. 9th Cir. Case #97-71117; Deleted 6/27/97, 62 FR 34641, 40 CFR 52.220(c)(39)(iii)(F) and 40 CFR 52.220(c)(30)(x)(B); Approved 9/8/78, 43 FR 40011, 40 CFR 52.220(c)(39)(iii)(C); Approved 6/14/78, 43 FR 25684, 40 CFR 52.220 (c)(30)(x)(A)]