

LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT

**RULE 5:10 ABATEMENT ORDERS**

**Adopted 10/01/1971, Amended 03/13/2012**

1. **Specific Contents of Petition:** In addition to the requirements set forth in Rule 5:4 General Administrative Requirements, petitions for abatement orders shall state briefly:
  - 1.1 The Section, Rule, or Order, which is alleged to have been violated.
  - 1.2 A statement of the facts constituting the violation, or alleged violation, and a description of the potential impacts.
  - 1.3 Permit status and history of the source sought to be abated.
  - 1.4 The particular act or operation sought to be abated, together with conditions, if applicable.
  - 1.5 Facts showing that abatement are necessary to prevent future violations.
2. **Notice of Hearings:** Notice requirements set forth in Rule 5:4 General Administrative Requirements shall apply.
3. **Findings and Decision:** The Hearing Board may:
  - 3.1 Issue an abatement order if it finds that any person is constructing or operating any article, machine, equipment, or other contrivance without a permit required by DISTRICT Rule 2:0, Permit Requirements; or is in violation of HSC Section 41700 or 41701, or of any Rule, Regulation, or Order prohibiting or limiting the discharge of air contaminants into the atmosphere; or
  - 3.2 Pursuant to HSC Section 42451(b), issue an abatement order pursuant to the stipulation of the APCO and the person or persons accused of violations specified in Section 1. above. The stipulation shall set forth terms and conditions.