

## REGULATION V - PROCEDURE BEFORE THE HEARING BOARD

### **Rule 5.10 Orders for Abatement**

- A. The District Board or the Hearing Board may, after notice and a hearing, issue an Order for Abatement whenever it finds that any person is in violation of Section 41700 or 41701 of the California Health and Safety Code, or of any order, rule, or regulation prohibiting or limiting the discharge of air contaminants into the air. In holding such a hearing, the district board shall be vested with all the powers and duties of the Hearing Board.
  
- B. The order for abatement shall be framed in the manner of a writ of injunction requiring the respondent to refrain from a particular act. The order may be conditional and require a respondent to refrain from a particular act unless certain conditions are met. The order shall not have the effect of permitting a variance unless all the conditions for a variance, including limitation of time, are met.

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