

RULE 1050 ORDER OF ABATEMENT (Adopted June 18, 1992, Amended December 17, 1992)

1.0 Purpose

The purpose of this rule is to explain the procedures for issuing an order of abatement, the rules governing hearings on the issuance of orders of abatement, and the penalties for violating orders of abatement.

2.0 Applicability

This rule shall apply to any source operation which emits or may emit air contaminants.

3.0 Order of Abatement

The Air Pollution Control Board may, after notice and a hearing, issue or provide for the issuance by the Hearing Board, after notice and a hearing, an order of abatement whenever the District finds that any person is in violation of Sections 41700 or 41701 of the California Health and Safety Code, or of any rule or regulation prohibiting or limiting the discharge of air contaminants into the air.

4.0 Hearings

The Air Pollution Control Board in holding hearings on the issuance of orders for abatement shall have all powers and duties conferred upon the Hearing Board by Division 26, of the Health and Safety Code of the State of California. The Hearing Board in holding hearings on the issuance of orders for abatement shall have all powers and duties conferred upon it by Division 26, of the Health and Safety Code of the State of California.

5.0 Penalty

Any person who intentionally or negligently violates any order for abatement issued by any type of Air Pollution Control Board, Hearing Board or Air Pollution Control District, pursuant to Sections 42450 and 42451 or by the ARB, shall be liable for a civil penalty not to exceed \$25,000.00 for each day in which such violation occurs, pursuant to Section 42401.

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