

Proposed Addition to South Coast AQMD Hearing Board Rules

Hearing Board Rules, rule 4, section (c) shall be added and shall read:

(c) Procedures for Placing a Case on Consent Calendar

1. The Clerk of the Board shall provide each Board Member, either by e-mail or hard copy, each petition filed pursuant to the requirements of Rule 4 (a) and all the associated documentation with the request. The Clerk should include a deadline by which Board Members may request to the Chair or the Chair's designee as provided in subsection (2) below, that an item not be heard on the Consent Calendar, and a second deadline by which the Chair or the Chair's designee shall inform the Clerk whether an item will be heard on the Consent Calendar.
2. After receiving these materials, each Board Member may inform the Chair or the Chair's designee in writing before the deadline requested by the Clerk if he or she disagrees that the case may be heard on the Consent Calendar, and if so, shall specify the reason(s) why the case should not be heard on the Consent Calendar.
3. After the first deadline and before the second deadline set by the Clerk in Subsection (1) above, the Chair or the Chair's designee shall inform the Clerk whether an item will be heard on the Consent Calendar. If an item is to be heard on the Consent Calendar, the Clerk shall modify the Hearing Board calendar to indicate that the case will be heard on the Consent Calendar, and the Clerk shall communicate this to the Petitioner and Respondent. If an item is not to be heard on the Consent Calendar, the Clerk shall inform the Petitioner and Respondent that the matter will not be heard on Consent and will be heard on the scheduled hearing date.
4. If a Board Member decides at a hearing for which a matter has been placed on the Consent Calendar that he or she has substantive questions relating to that matter, or that he or she wishes to make substantive changes to a proposed order or conditions for that matter, then the Board Member may request to the Chair or the Chair's designee at the hearing that the matter be rescheduled for a later date and not heard as part of the Consent Calendar. The Chair or the Chair's designee shall have the discretion to move the item or to keep the item on the Consent Calendar.