

TO BE HEARD BY THE BOARD WITH RESPECT THERETO SHALL BE GIVEN TO THE PUBLIC; AND PROVIDED, FURTHER, THAT NO SUCH STANDARD, RULE, OR REGULATION AND NO AMENDMENT THERETO SHALL BECOME EFFECTIVE UNTIL SIXTY (60) DAYS AFTER THE ADOPTION THEREOF IN THE AFOREMENTIONED MANNER.

(C) IN THE FORMULATION OF ANY RULE OR REGULATION FOR ANY AREA OR AREAS WITHIN THE STATE, THERE SHALL BE CONSIDERED AMONG OTHER THINGS THE RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL NATURE OF THE AREA AFFECTED, ZONING, THE NATURE AND SOURCE OF VARIOUS KINDS OF AIR POLLUTION, THE PROBLEMS OF VARIOUS COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS THAT MAY BE AFFECTED BY SUCH RULE OR REGULATION, THE ENVIRONMENTAL CONDITIONS, POPULATION DENSITY AND TOPOGRAPHY OF ANY AREA CONCERNED OR WHICH MAY BE CONCERNED WITH SUCH RULE OR REGULATION.

(D) ISSUE ORDERS AS HEREINAFTER PROVIDED.

698. HEARINGS.

(A) WHENEVER THE DEPARTMENT SHALL DETERMINE THAT COMPLIANCE WITH ANY RULE OR REGULATION PROMULGATED BY THE BOARD HAS NOT BEEN OBTAINED FROM ANY PERSON, IT SHALL GIVE WRITTEN NOTICE TO SUCH PERSON SPECIFYING THE RULE OR REGULATION SAID TO BE VIOLATED AND THE MANNER AND EXTENT IN AND TO WHICH SUCH PERSON IS SAID TO VIOLATE THE SAME. SUCH NOTICE SHALL REQUIRE THAT THE MATTERS OF COMPLAINT BE CORRECTED WITHIN A REASONABLE PERIOD OF TIME SPECIFIED THEREIN OR THAT THE PERSON COMPLAINED AGAINST APPEAR BEFORE THE DEPARTMENT AT A TIME AND PLACE SPECIFIED IN THE NOTICE AND ANSWER THE CHARGES. THE NOTICE SHALL BE SERVED ON SUCH PERSON AS SUMMONSES ARE SERVED OR BY CERTIFIED MAIL NOT LESS THAN TWENTY (20) DAYS BEFORE THE TIME SET FOR THE HEARING.

(B) PRIOR TO THE HEARING THE PERSON COMPLAINED AGAINST SHALL BE GIVEN AN OPPORTUNITY TO EXAMINE ALL DOCUMENTS, PAPERS, AND TECHNICAL AND ANALYTICAL REPORTS REGARDING THE NATURE OF THE ALLEGED OFFENSE. AT THE HEARING, SUCH PERSON MAY BE REPRESENTED BY COUNSEL AND PRODUCE EVIDENCE IN HIS BEHALF IN ANSWER TO THE AFORESAID CHARGES. ON THE BASIS OF THE EVIDENCE PRODUCED AT THE HEARING, THE DEPARTMENT MAY RECOMMEND TO THE BOARD THAT IT GRANT AN EXCEPTION FROM SUCH RULE OR REGULATION UPON SUCH CONDITIONS AS THE BOARD MAY DETERMINE, OR MAY ENTER A SPECIAL ORDER OR ORDERS DIRECTING SUCH PERSON TO SECURE WITHIN SUCH REASONABLE TIME AS THE DEPARTMENT MAY SPECIFY SUCH OPERATING RESULTS AS ARE NECESSARY IN ORDER TO COMPLY