

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 4. RULES OF PRACTICE AND PROCEDURE [2002]
SUBCHAPTER 9. ADMINISTRATIVE PROCEEDINGS**

PART 5. AIR QUALITY ADVISORY COUNCIL HEARINGS

252:4-9-51. In general

The Air Quality Advisory Council is authorized to conduct individual proceedings ~~on enforcement matters and requests~~ for a variance from the Clean Air Act, 27A O.S. §§ 2-5-101 through 2-5-118, or the Air Pollution Control Rules, OAC 252:100.

252:4-9-52. Individual proceedings

Individual proceedings before the Air Quality Advisory Council will be conducted in accordance with the requirements in Part 3 of this Subchapter. ~~To be heard by the Council, the request for hearing in response to an Order must include a request that the Council conduct the hearing.~~ -The Council may designate an Administrative Law Judge for individual proceedings to be held before the Council. ~~The Council or its designee may perform Administrative Law Judge functions described in Part 3 of this Subchapter.~~

252:4-9-53. Variance

It is within the discretion of the Air Quality Advisory Council to decide whether or not an individual proceeding is necessary in granting a variance.

252:4-9-54. State implementation plan hearings

A state implementation plan (SIP) hearing may be initiated by an applicant for an alternative emissions reduction authorization under 252:100-11 by filing a request for a SIP hearing with the Administrative Law Clerk. A request that the hearing be conducted by the Air Quality Advisory Council must be included in the request for hearing. Additional requirements for a SIP hearing request are contained in 252:100-11-6.