

HEARING BOARD

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

HEARING PROCEDURES

The Hearing Board is an adjudicatory body created by the State Legislature in 1955 to hear variance applications, requests for orders for abatement, and certain permit disputes. It consists of five members:

1. Thomas M. Dailey, M.D. (Medical Profession category)
Chairperson
2. Christian Colline, P.E. (Registered Professional Engineer category)
Vice-Chairperson
3. Rolf Lindenhayn, Esq. (Attorney category)
4. Julio A. Magalhães, Ph.D. (Public Member category)
5. Terry Trumbull, Esq. (Public Member category)

Lisa Harper

Clerk of the Boards

Hearing Board proceedings are conducted in the following steps, which are similar to civil proceedings in Superior Court:

1. Announcement of pending matters
2. Appearances of parties
3. Small business determination (Variance hearings only)
4. Opening statement of moving party
5. Opening statement of responding party
6. Evidence produced by moving party
7. Evidence produced by responding party
8. Rebuttal evidence produced by moving party
9. Sur-rebuttal evidence produced by responding party
10. Public testimony*
11. Closing argument of moving party
12. Closing argument of responding party
13. Matter decided, taken under submission, or continued

***NOTE:** Pursuant to Health and Safety Code §40828, the Hearing Board shall allow interested members of the public a reasonable opportunity to testify with regard to the matter under consideration and the Hearing Board shall consider such testimony in making its determination, provided, however, that such testimony shall be relevant and material to the matter being heard by the Hearing Board.

A party may be represented by Counsel or may appear on its own behalf.