
40 C.F.R. § 53.13

Hearings.

(a)

(1) After granting a request for a hearing under § 53.12, the Administrator will designate a presiding officer for the hearing.

(2) If a time and place for the hearing have not been fixed by the Administrator, the hearing will be held as soon as practicable at a time and place fixed by the presiding officer, except that the hearing shall in no case be held sooner than 30 days after publication of a notice of hearing in the Federal Register.

(3) For purposes of the hearing, the parties shall include EPA, the applicant or interested person(s) who requested the hearing, and any person permitted to intervene in accordance with paragraph (c) of this section.

(4) The Deputy General Counsel or the Deputy General Counsel's representative will represent EPA in any hearing under this section.

(5) Each party other than EPA may be represented by counsel or by any other duly authorized representative.

(b)

(1) Upon appointment, the presiding officer will establish a hearing file. The file shall contain copies of the notices issued by the Administrator pursuant to § 53.11(b)(1), together with any accompanying material, the request for a hearing and supporting data submitted therewith, the notice of hearing published in accordance with paragraph (a)(2) of this section, and correspondence and other material data relevant to the hearing.

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