

40 C.F.R. § 173.7

Hearing and recommended decision.

(a) The Presiding Officer shall:

- (1) Conduct a fair and impartial hearing, without unnecessary delay;
- (2) Ensure that the facts are fully elicited; and
- (3) Consider all evidence, comment, and argument which is submitted by persons who will be affected by the outcome of the proceeding and which is not irrelevant, immaterial, unduly repetitious, or otherwise unreliable or of little probative value. The Presiding Officer may require any prospective witness to make available, in advance of the hearing, a brief summary of his or her testimony.

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