

40 C.F.R. § 78.14

Evidentiary hearing procedure.

- (a) If a request for an evidentiary hearing is granted, the Presiding Officer will conduct a fair and impartial hearing on the record, take action to avoid unnecessary delay in the disposition of the proceedings, and maintain order. For these purposes, the Presiding Officer may:
- (1) Administer oaths and affirmations.
 - (2) Regulate the course of the hearings and prehearing conferences and govern the conduct of participants.
 - (3) Examine witnesses.
 - (4) Identify and refer issues for interlocutory decision under § 78.19.
 - (5) Rule on, admit, exclude, or limit evidence.
 - (6) Establish the time for filing motions, testimony and other written evidence, and briefs and making other filings.
 - (7) Rule on motions and other pending procedural matters, including but not limited to motions for summary disposition in accordance with § 78.15.

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