**Section 200.940 Immediate Suspension or Revocation of License or Storage Certificate**

a) Whenever the Department finds, based upon a reasonable belief from on-site observation, record inspection by Department personnel, information received from law enforcement personnel, information received from the public, or information obtained in any other manner, that a licensee's or certificate holder's violation of the Act or this Part may cause or could be expected to cause death or serious injury to persons or damage to property, the Department may issue an order immediately suspending or revoking the explosives license, temporary explosives license or storage certificate.

b) The Department shall serve its order of immediate suspension or revocation of an explosives license, a temporary explosives license or a storage certificate under this Section either personally or by certified mail to the licensee's or certificate holder's last known address. The immediate suspension or revocation order shall be considered served when personally delivered or on the date that it was mailed.

c) The Department shall serve, with the order of immediate suspension or revocation, a notice containing the following information:

1) The specific grounds upon which the explosives license, temporary explosives license or storage certificate suspension or revocation is based;

2) The abatement action required, conditions or other disciplinary action imposed, including the assessment of fines pursuant to Section 200.920(a)(5);

3) A statement that the recipient may request a hearing to contest the suspension or revocation by filing a written request for hearing in accordance with Section 200.930(f) within 30 days after the notice is mailed;

4) A statement that the recipient's failure to make a written request for hearing within 30 days after the notice is mailed will constitute a waiver of the recipient's rights to contest the action. The suspension or revocation notice will then become the final administrative decision of the Department, affirming the Department's action.

d) The filing of a request for hearing shall not operate as a stay of the order of immediate suspension or revocation.

e) Any occurrence of a violation described in subsection (a) constitutes grounds for the immediate suspension or revocation of a license or certificate. A second or subsequent occurrence of such a violation within a one year period will require the Department to immediately suspend or revoke a license or certificate.

(Source: Added at 37 Ill. Reg. 14090, effective August 26, 2013)