**Section 107.338 Compliance Order For Immediate Compliance**

a) Notwithstanding Sections 107.333 through Section 107.337, the Director may issue a compliance order for immediate compliance, which is effective upon issuance, and until rescinded or suspended, if he finds:

1) There is strong probability that a violation is occurring or is about to occur;

2) The violation poses an unreasonable risk to health or to safety of life or property; and

3) The public interest requires the avoidance or amelioration of that unreasonable risk through immediate compliance and waiver of the procedures afforded under Section 107.333 through Section 107.337.

b) A compliance order for immediate compliance is served promptly upon the person against whom the order is issued by telex or telegram, with a copy served in the manner provided in Section 107.11. The copy contains a written statement of the relevant facts and the legal basis for the order, including the findings required by paragraph (a) of this Section.

c) The Director may rescind or suspend a compliance order for immediate compliance if it appears that the criteria set forth in paragraph (a) of this section are no longer satisfied. When appropriate, however, such a suspension or rescission may be accompanied by a notice of probable violation issued under Section 107.333.

d) If at any time in the course of a proceeding commenced by a notice of probable violation the criteria set forth in paragraph (a) of this section are satisfied, the Director may issue a compliance order for immediate compliance, even if the 30-day period for reply specified in Section 107.334(a) has not expired.

e) At any time after a compliance order for immediate compliance has become effective, the Secretary may request the Attorney General to bring an action for appropriate relief in accordance with Section 107.341.

f) The Director shall commence a compliance order proceeding as soon as practicable after the issuance of a compliance order for immediate compliance.

(Source: Amended at 6 Ill. Reg. 4287, effective April 16, 1982)