**Section 522.130 Review Procedures**

a) Proceedings

1) In response to the timely receipt of the permittee's reply requesting a review, the Department will notify the Director within 14 calendar days that a request for review has been received. The Department will also send a copy of the written notice to the permittee by certified mail.

2) Within 28 calendar days after the permittee's receipt of the Department's notice to the Director, the permittee shall submit to the Director in duplicate its written argument supporting its positions. The permittee shall also send a copy of its argument to the Department by certified mail.

3) Within 28 calendar days after the Department's receipt of the permittee's argument, the Department will submit to the Director in duplicate its written argument and response to the permittee's argument supporting its positions. The Department is responsible for assembling the record for review and will include the record for review with its argument to the Director. The Department will also send a copy of its argument and response and the record for review to the permittee by certified mail.

4) Within 14 calendar days after receipt of the Department's argument and response and the record for review, the permittee shall submit to the Director in duplicate its written rebuttal argument to the Department's argument and response. The permittee's rebuttal argument shall only address the Department's argument and response and shall not introduce new theories on the disputed matter. The permittee shall also send a copy of its rebuttal argument to the Department by certified mail.

5) The Director may hold a conference if it is necessary to adjudicate conflicting facts or to simplify relevant issues. Conferences may be held in person or by telephone.

6) Within 28 calendar days after receipt of arguments, rebuttal argument, exhibits and a conference, if one is held, the Director shall render the decision and promptly notify the Department and the permittee in writing by certified mail of the decision.

A) The decision will be based on the written arguments, rebuttal argument, the fact finding conference, and relevant exhibits.

B) All ex parte communications with the Director pertaining to the review will be promptly summarized and communicated in writing to the opposing parties.

7) Written arguments and written rebuttal arguments must contain proposed findings of fact and conclusions of law.

8) If the permittee fails to submit a written argument or does not submit it within the 28 calendar day period, the resultant decision will be that the allegation or allegations as set forth in the Notice of Intent to Revoke Permit are true, correct, and proven.

9) If the Department fails to submit a written argument or does not submit it within the 28 calendar day period, the resultant decision will be that the allegation or allegations as set forth in the Notice of Intent to Revoke Permit are unproven.

10) If the permittee fails to submit a written rebuttal argument within the 14 calendar day period, the rebuttal argument will not be considered.

11) The Director may extend deadlines prescribed in this Section upon a written request by either the permittee or the Department.

b) Departmental Action Following Review

1) If a sign has been found to be unlawful, the Department shall issue a "30 day letter" as provided in Section 522.140.

2) If a sign has been found to be in compliance with this Part, the permit will be considered lawful.

3) If the Director finds that insufficient information has been provided, he/she shall direct the parties to supply the needed information so that a decision can be rendered.

(Source: Amended at 35 Ill. Reg. 8523, effective May 17, 2011)