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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 55@ Safer Consumer Products

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Article 7@ 7. Dispute Resolution Processes

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Section 69507.2@ Appeal to the Director

69507.2 Appeal to the Director

(a)

Contents of Appeals. A responsible entity appealing the Department's decision following completion of the informal dispute resolution process shall submit information stating the basis for seeking further review, and the reasons why the decision does not comply with this chapter or is otherwise unreasonable. The responsible entity shall also provide: (1) The original statement of dispute; (2) Supporting information; and (3) Copies of responses prepared by the Department.

(1)

The original statement of dispute;

(2)

Supporting information; and

(3)

Copies of responses prepared by the Department.

(b)

Deadline for Filing an Appeal. A responsible entity appealing a Department decision shall file the appeal with the Department's Director within thirty (30) days after completion of the informal dispute resolution process under section 69507.1.

(c)

Decision on Appeal. The Director or designee shall issue a decision granting or denying the relief sought, in whole or in part, or a notice of ongoing review, within sixty (60) days after receipt of the request under this section. If the relief sought is denied, the decision by the Department must: (1) Contain a short and plain description of the basis for denial of the request for further administrative review; and (2) Specify the date by which the responsible entity must comply with the requirements of this chapter that were in dispute.

(1)

Contain a short and plain description of the basis for denial of the request for further administrative review; and

(2)

Specify the date by which the responsible entity must comply with the requirements of this chapter that were in dispute.

(d)

Finality of Decision. A decision issued under subsection (c) is the Department's final decision and is not subject to additional administrative dispute resolution.

(e)

Notice of Ongoing Review. The Department shall specify in a notice of ongoing review the estimated date by which the Department expects to issue a decision granting or denying the relief sought. The Department shall take into account its available resources and the complexity of the issues raised in the appeal in estimating the date for issuance of the final decision.