**Section 851.40 Responses to Requests**

a) The Department shall respond to a written request within seven working days after its receipt by the Freedom of Information Officer.

b) The Department shall provide the requestor with one of the following responses:

1) Require further identification of records. If the original request does not adequately identify the records sought, the requestor will be required to provide more detailed information in order to ascertain the identity of the records. The FOIA request will then be deemed to have been received on the date of the amended request, and the Department shall respond to the amended request within seven working days.

2) Give notice of an extension of time. The Department may give notice of an extension of time to respond which shall not exceed an additional seven working days. The requestor shall be advised, in writing, of the reason for the extension as enumerated in Section 3(d) of the FOIA. The requestor shall then be advised, in writing, within 14 working days of the Department's compliance with or denial of the request.

3) Approve all or part of the request.

A) If all or part of the request is approved, the Department may:

i) Provide the records immediately;

ii) Give notice that the materials shall be made available upon payment of the reproduction and/or certification costs; or

iii) Give notice of the time and place for inspection of records.

B) A partial denial will be processed in accordance with the procedures for denials as stated in paragraph (b)(4) of this Section.

4) Deny the request. Requested records may be denied by the Department in accordance with Section 3 (f) or 7 of the FOIA if the records are exempt because compliance with the request would create an undue burden on the Department or if the contents of the records are exempt from inspection and copying.

A) If the records are denied, the requestor shall be advised in writing of the specific exemption claimed, the names and titles of the employees who issued the denial, and of the requestor's right to appeal the denial to the Director.

B) Copies of all denials issued by the Department shall be available for public review.

C) If the Department does not respond to a written request within seven working days after its receipt, the requestor may consider the request to have been denied.