**Section 1076.210 Types of Department Responses**

a) The Department shall respond to a request for public records in one of three ways:

1) Approve the request.

2) Approve in part and deny in part.

3) Deny the request.

b) When a request for public records has been approved, the Department shall give notice that the requested material will be made available upon receipt of payment from the requestor for reproduction costs and postage charges, or give notice of the time and place for inspection of the requested material.

c) Requests for public records shall be denied only for the reasons stated in either Section 3(f) or Section 7 of the FOIA [5 ILCS 140/3 and 7]. A denial of a request shall be made in writing and shall provide the reasons for the denial, the names and titles of individuals responsible for the decision to deny the request, and a statement that the requestor may appeal the denial to the Department of Nuclear Safety.

d) Categorical requests creating an undue burden upon the Department shall be denied only after extending to the requestor an opportunity to narrow the request to manageable proportions in accordance with Section 3(f) of the FOIA [5 ILCS 140/3(f)].

e) Failure to respond to a written request within 7 working days may be considered by the requestor as a denial of the request. Such a denial may be appealed to the Director in accordance with Section 1076.230 of this Part.

(Source: Amended at 23 Ill. Reg. 6969, effective May 26, 1999)