**Section 528.80 Denial of a Permit**

a) If a landowner's application or recertification is denied, the landowner will be issued a Notice of Denial through U.S. mail. An affidavit of mailing shall be proof that the notice was received. Notification will contain the factual and legal reason for the denial and shall be sent by standard U.S. mail.

b) Any person who is denied a landowner permit shall have the right to appeal by filing 2 copies of a Petition for Hearing.

1) Both copies of the Petition for Hearing shall be mailed to or filed with:

Office of Legal Counsel

Illinois Department of Natural Resources

One Natural Resources Way

Springfield IL 62702-1271

2) Petitions must be sent to the Department and postmarked no later than 30 days after Notice of Denial was mailed for the petition to be considered.

c) If no petition is mailed within 30 days to the Office of Legal Counsel, the denial will be considered final without further notice.

d) The petition shall be styled "In Re the Landowner Permit Denial of (name), PETITION FOR HEARING". The petition shall contain sufficient facts in justification of a hearing and shall be signed by the Petitioner (person who was denied). The party filing the petition shall be designated the Petitioner. The Department shall be designated the Respondent.

e) Procedure of the hearing will be according to the Department's rules for contested hearing at 17 Ill. Adm. Code 2530.