**Section 505.80 Administrative Review and Hearings − Inspection Certificates**

This Section shall apply to all actions by the Agency for noncompliance with this Part that potentially could impact upon the issuance, suspension or revocation of an Inspection Certificate required by this Part.

a) When in any instance an Agency review reveals that an owner may not be in compliance with one or more requirements of this Part, the Agency will notify the owner in writing of those facts and circumstances known to the Agency that give rise to the inference that the owner is not in compliance. If the facts and circumstances giving rise to the inference involve only boilers and pressure vessels that the NRC has determined are not within NRC's jurisdictional authority, subsection (c) shall apply and subsection (b) shall not apply. If the facts and circumstances giving rise to the inference involve any other boiler, pressure vessel or nuclear power system, subsection (b) shall apply and subsection (c) shall not apply.

b) Simultaneously with the notification provided for in subsection (a), the Agency will notify the NRC in writing of those facts and circumstances known to the Agency that give rise to the inference that the owner is not in compliance. If the owner fails to demonstrate to the Agency that the owner is in compliance within 10 days after the notification, the Agency shall provide to the NRC a written request, pursuant to 10 CFR 2.200, that the NRC take appropriate action, e.g., pursuant to 10 CFR 2.206. The request will specify the NRC action or actions that the Agency is requesting.

c) If the owner fails to demonstrate to the Agency that the owner is in compliance within 10 days after the notification provided for in subsection (a), the Agency shall issue a Preliminary Order and Notice of Opportunity for Hearing in accordance with 32 Ill. Adm. Code 200.

1) If, after the hearing, the Director finds that the owner or organization was in compliance with the requirements of this Part, the Director shall issue to the owner an Order of Compliance or issue such other order as appropriate.

2) If, after the hearing or default, the Director finds that the owner is not in compliance with the requirements of this Part, the Director will render a final decision which may include denying an application for, or suspending or revoking, an affected Inspection Certificate.

d) All final administrative decisions of the Director under this Part shall be subject to the Administrative Review Law [735 ILCS 5/Art. III].

(Source: Amended at 45 Ill. Reg. 686, effective December 23, 2020)