**Section 615.230 Waiver of Requirements**

a) A certified local health department may apply to the Department for a temporary waiver of any requirement of this Part. The local health department shall submit a written application which describes and attests that:

1) the need for a waiver is due to conditions or circumstances beyond the reasonable control of the local health department; and

2) fulfilling the requirement at this time would jeopardize compliance with a higher priority activity needed to protect the health and safety of residents within the local health department's jurisdiction.

b) The Department may grant a waiver if its determines that the local health department meets the criteria specified in subsection (a) of this Section. The Department shall notify the local health department of its decision within 10 working days after receipt of the request.

1) If a waiver is granted, it shall be granted for a six-month period or until the conditions or circumstances referred to in subsection (a) of this Section are remedied, whichever is sooner.

2) The Department may extend a waiver for two additional six-month periods. All requests for extension of waiver shall be received by the Department at least 15 working days prior to the expiration of the waiver period.

A) The first extension of the waiver may be made if the Department determines, on the basis of a written explanation from the local health department, that reasonable progress has been made and the local health department can be expected to be in compliance with the waived requirement on or before the conclusion of the first extended waiver period.

B) The second extension of waiver may be made if the Department determines, on the basis of a written explanation from the local health department, that reasonable progress has been made and the local health department can be expected to be in compliance with the waived requirement on or before the conclusion of the second extended waiver period. The explanation shall include the expected dates for completion and the reasons why the local health department was unable to achieve compliance within the first extension period.

c) The Department may review the local health department for compliance upon the expiration of the waiver period or upon request of the local health department. Such review may include an on-site inspection.