**Section 300.249 Temporary Relief**

a) Pending the holding of a hearing or entry of a final administrative decision relating to a cessation order issued under Section 300.246, the operator affected by the Department's action may file a written request for temporary relief from the cessation order, together with a detailed statement giving reasons for granting such relief. The operator shall file the request for temporary relief within 14 days after service of the cessation order.

b) The Department shall commence a hearing within 5 days after receipt of a timely request for temporary relief and may grant such relief, under such conditions as it may prescribe, if the operator requesting temporary relief shows a substantial likelihood that the findings of the Department will be favorable to him and such relief will not adversely affect the health or safety of the public or cause significant environmental harm or significant damage to property.

c) All hearings under this Section shall be conducted by a hearing officer designated by the Director in accordance with the contested case provisions set forth in Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art 10]. All hearings under this Section shall be conducted in Springfield, Illinois.

d) The Department's hearing officer shall issue a final administrative decision granting or denying temporary relief from the cessation order within 7 days after the close of the administrative record.

e) Judicial Review. Following service of the Department's final administrative decision granting or denying temporary relief from the cessation order, the operator may request judicial review of that decision in accordance with the Administrative Review Law [735 ILCS 5/Art. III].