**Section 1840.17 Review of Decision Not to Inspect or Enforce**

a) Any person who is or may be adversely affected by a coal exploration operation or surface coal mining and reclamation operation may ask the Director or his or her designee to review informally an authorized representative's decision not to inspect or take appropriate enforcement action with respect to any violation alleged by that person in a request for State inspection under Section 1840.15. The request for review shall be in writing and include a statement of how the person is or may be adversely affected and why the decision merits review. The request for review must be submitted within thirty (30) days from the date the citizen is notified of the authorized representative's decision. Failure to file a request for informal review within this thirty (30) day time period shall result in a waiver of the right to such review.

b) The Director or his or her designee shall conduct the review and inform the person, in writing, of the results of the review within thirty (30) days of his or her receipt of the request. The person alleged to be in violation shall also be given a copy of the results of the review, except that the name of the citizen shall not be disclosed unless confidentiality has been waived or disclosure is required under State law.

c) Informal review under this Section shall not affect any right to formal review under 62 Ill. Adm. Code 1847.3 or to a citizen's suit under Section 8.05 of the State Act [225 ILCS 720/8.05].

(Source: Amended at 20 Ill. Reg. 1949, effective January 19, 1996)