**Section 1846.17 Procedure for assessment of individual civil penalty.**

a) Notice. The Department shall service on each individual to be assessed an individual civil penalty a notice of proposed individual civil penalty assessment, including a narrative explanation of the reasons for the penalty, the amount to be assessed, and a copy of any underlying notice of violation and cessation order.

b) Final order and opportunity for review. The notice of proposed individual civil penalty assessment shall become a final administrative decision of the Department 30 days after service upon the individual unless:

1) The individual files, within 30 days after service of the notice of proposed individual civil penalty assessment, a petition for review with the Department's Springfield office, in accordance with 62 Ill. Adm. Code 1847.8; or

2) The Department and the individual or responsible corporate permittee agree within 30 days after service of the notice of proposed individual civil penalty assessment to a schedule or plan for the abatement or correction of the violation, failure or refusal.

c) Service. For purposes of this Section, service is sufficient if it would satisfy the requirements of 62 Ill. Adm. Code 1843.14.

(Source: Amended at 26 Ill. Reg. 4219, effective March 6, 2002)