

7.5 (17A,455A) Commencement of cases.

A contested case commences when a notice of hearing is delivered to a party. A notice of hearing will be prepared and issued by the presiding officer when the department receives a notice of appeal from a person other than the department, or a petition from the department, as provided in this rule.

7.5(1) Notice of appeal. Any person appealing an action of the department shall file a written notice of appeal within 30 days of receipt of notice of the department's action, unless a shorter time period is specified by the particular rules or statutes governing the subject matter. The notice of appeal shall state the name and address of the appellant, identify the specific portion or portions of the action of the department that is being appealed, and include a short and plain statement of the reasons the specific action is being appealed.

7.5(2) Petition from the department. When the department seeks to suspend or revoke a permit or license, institute licensee disciplinary proceedings, or otherwise commence a contested case, it shall file a petition as described in 7.8(1).

561-7.5

EPA Rulemakings

CFR: 40 C.F.R. 70, Appendix A, Iowa (a)
FRM: 60 FR 45671 (9/1/95)
PRM: 60 FR 20465 (4/26/95)
State Submission: 11/10/93
State Proposal: N/A
State Final: IAC 9/7/88 (Effective 10/12/88)
APDB File: IA-36
Description: The EPA approved a new chapter "Rules of Practice in Contested Cases." This chapter governs procedures in contested cases generally including appeals of administrative orders, appeals of license or permit conditions, license or permit denials or suspensions. This chapter was approved in conjunction with Title V rules.

Difference Between the State and EPA-Approved Regulation

None.