

WAC 246-359-040 Appeals. (1) The department of health may deny, suspend, modify, or revoke a permit in any case in which it finds that there has been a failure or refusal to comply with the requirements of chapter 70.114A RCW or this chapter.

(2) The department of health's notice of a denial, suspension, modification, or revocation of a license will be consistent with RCW 43.70.115. An applicant or license holder has the right to an adjudicative proceeding to contest a decision.

(3) An applicant may request a hearing to contest the department of health permit decision. The request must meet the following requirements:

- (a) Be in writing;
- (b) State the basis for contesting the permit decision;
- (c) Include a copy of the department of health's notice of denial;
- (d) Be served on and received by the department within twenty-eight days of the applicant or operator receiving the denial; and
- (e) Be served in a manner which shows proof of receipt at the following address:

Adjudicative Clerk Office
310 Israel Rd. S.E.
Olympia, WA 98504-7879.

(4) The proceeding is governed by the Administrative Procedure Act, chapter 34.05 RCW, this chapter, and chapters 246-08 and 246-10 WAC. If a provision in this chapter conflicts with chapter 246-08 or 246-10 WAC, the provision in this chapter governs.

[Statutory Authority: Chapter 70.114A RCW and RCW 43.70.334 through 43.70.340. WSR 15-13-091, § 246-359-040, filed 6/15/15, effective 1/1/16. Statutory Authority: RCW 70.114A.081. WSR 99-03-065, § 246-359-040, filed 1/18/99, effective 2/18/99.]