

641—46.6(136D) Inspections, violations and injunctions.

46.6(1) *Access.* The director or an authorized agent has access to any tanning facility as authorized by Iowa Code section 136D.8.

46.6(2) *Civil penalty and enforcement.* The department may take legal action as provided in Iowa Code sections 136D.8(3) and 136D.9.

a. The department will take the following steps or use county ordinances or any other applicable ordinances, resolutions, rules or regulations when enforcement of these rules is necessary.

- (1) Cite each section of the Iowa Code or rules violated and any civil penalty imposed.
- (2) Specify the manner in which the owner or operator failed to comply.
- (3) Specify the steps required for correcting the violation.
- (4) Request a corrective action plan, including a time schedule for completion of the plan.
- (5) Set a reasonable time limit, not to exceed 30 days from the receipt of the notice, within which the permit holder must respond with the corrective action plan and, if applicable, any reasons why the civil penalty should not be imposed or to request a contested case hearing pursuant to 481—Chapter 9.

b. The department will review the corrective action plan and approve it or require that it be modified.
[ARC 7834C, IAB 4/17/24, effective 5/22/24]