

751—16.7(17A,ExecOrd11) Voiding or cancellation. A waiver or variance issued by the commission pursuant to this chapter may be withdrawn, canceled, modified, declared void or revoked if, after appropriate notice and hearing, the commission issues an order finding any of the following:

1. The petitioner or the person who was the subject of the waiver or variance order withheld or misrepresented material facts relevant to the propriety or desirability of granting the waiver or variance;
or

2. The alternative means for ensuring that the public health, safety and welfare will be adequately protected after issuance of the waiver order have been demonstrated to be insufficient; or

3. The subject of the waiver order has failed to comply with all conditions contained in the order;
or

4. The waiver or variance is contrary to the public health, safety and welfare in light of newly discovered evidence or changed circumstances.