

685—4.1(17A) Informal settlements. Informal settlements of controversies over rules of OSA that may culminate in contested case proceedings, are encouraged.

4.1(1) All such informal settlements or waivers shall be made by the director when possible and by the parties contesting the rule in question.

4.1(2) Both parties to a contested case proceeding may, by written stipulation representing an informed mutual consent, waive any provision of Iowa Code chapter 17A relating to proceedings on contested cases when the following rules are followed:

a. All waivers for settling a controversy over a rule of OSA are made by and between the director and by a representative of the party contesting the rule.

b. All such waiver action can be initiated by either the director or by the representative of the party contesting the rule in question.

c. If the rule, order or regulation over which the controversy was raised, is amended, or repealed as mutually agreed upon by the director and a representative of the party contesting the rule, the procedures of rule adoption pursuant to Iowa Code section 17A.4 are followed.

This rule is intended to implement Iowa Code section 17A.10.