

**561—6.7(17A) Consideration.** In lieu of the words “(designate agency)”, insert “department of natural resources”. Add the following new paragraphs:

An order, including a refusal to issue an order, issued by the director is final unless the issue is within the rule-making authority of one of the department’s commissions in which case the order or refusal is final unless appealed to the commission within ten days of receipt by the petitioner or reviewed by the commission on its own motion. On appeal or review, the commission may:

1. Approve the director’s ruling, in which case the order becomes the final declaratory order of the department, or
2. Reverse or modify the declaratory order, in which case the modified order becomes the final declaratory order of the department, or
3. Request additional information from the petitioner, or
4. Decline to issue an order, as specified in rule 6.5(17A).

The commission’s order or refusal to issue an order shall be made within a reasonable time and shall be sent by certified mail to the petitioner upon issuance.