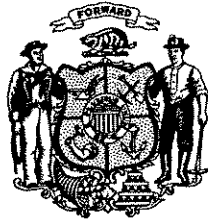


48-154 ATEP 50 - FARM MEAT/MEAT
LP GAS METERS/ FREEZER
MEAT - FOOD SERVICE PLANS

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 98-154

AN ORDER to repeal chapter ATCP 45 and ATCP 50.62 (7) (e) 6., 50.79 (5) (a) 7. and 50.96 (6) (c) 1.; to renumber chapter ATCP 2, ATCP 50.96 (6) (c) 4. and JUS 2.01 (title), (1), (2) (title), (intro.), (a) to (c) and (e) to (h) and (3), 2.02 (title), (intro.), (1) and (2) (intro.) and (a) and 2.04; to renumber and amend ATCP 50.96 (6) (c) 2. and 3., chapter JUS 2 (title) and JUS 2.01 (2) (d), 2.02 (2) (b) and 2.03; to amend ATCP 40.02 (1), (2) and Note, (3) and Note and (4) (a) and (b), 40.04 (5) (c), 42.06 (3), 42.16 (1) (b), 42.32 (2) (b), 42.40 (4) (b), 42.44 (6) (a), 42.54 (1) (a), 50.01 (15), 50.62 (7) (e) 2. and 3., 50.79 (5) (a) 4. and 5., 50.82 (5) (a) and Note, 50.84 (4) (b) 4., 50.90 (4) (a) 1., 50.94 (3) (a), 109.03 (4), 121.01 (4) and 161.01; to repeal and recreate Appendix A to chapter ATCP 50 and ATCP 92.05 (4); and to create ATCP 50.54 (1) (zd), 50.64 (1) (w), 50.665, 50.76 (3) (a) 8., 50.95 (2) (ze) and (zf), 100.93 (title), 161.02 (4) and 161.03 (2) (i), relating to technical and remedial rule changes pertaining to farm mediation and arbitration, sustainable agriculture, agricultural development and diversification, commercial feed, soil and water resource management, LP gas meters, freezer meat and food service plans, referral selling plans and car rental notices.

Submitted by **DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

10-14-98 RECEIVED BY LEGISLATIVE COUNCIL.

11-11-98 REPORT SENT TO AGENCY.

RNS:RW:kjf;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

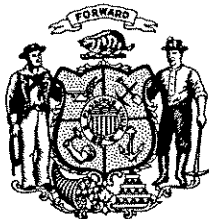
Comment Attached YES NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

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CLEARINGHOUSE RULE 98-154

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. In s. ATCP 40.02 (3), the term "AOAC" should be spelled out, not abbreviated, unless it is separately defined.

b. The titles created in SECTIONS 25 and 28 should be shown with only an initial capital letter and should not be underscored. [See s. 1.05 (2) (b), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The agency may wish to define or describe in its analysis the intended meaning of the term "crevice and sinkhole treatment" used in s. ATCP 50.95 (2) (zf).

b. The agency analysis should briefly describe the changes made in the recreated Appendix A to ch. ATCP 50.

**PROPOSED ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING, AMENDING OR REPEALING RULES**

1 The state of Wisconsin department of agriculture, trade and consumer protection proposes the
2 following order to repeal ch. ATCP 45, ATCP 50.62(7)(e)6., 50.79(5)(a)7. and
3 50.96(6)(c)1.; to renumber ch. ATCP 2, ATCP 50.96(6)(c)4., JUS 2.01(title), (1), (2)(title),
4 (intro.), (a) to (c) and (e) to (h), and (3), JUS 2.02(title), (intro.), (1) and (2)(intro.) and (a),
5 and JUS 2.04; to renumber and amend ATCP 50.96(6)(c)2. and 3., JUS 2(title), JUS
6 2.01(2)(d), JUS 2.02(2)(b), and JUS 2.03; to amend ATCP 40.02(1), (2), (2)(note), (3),
7 (3)(note) and (4)(a) and (b), 40.04(5)(c), 42.06(3), 42.16(1)(b), 42.32(2)(b), 42.40(4)(b),
8 42.44(6)(a), 42.54(1)(a), 50.01(15), 50.62(7)(e)2. and 3., 50.79(5)(a)4. and 5., 50.82(5)(a)
9 and (note), 50.84(4)(b)4., 50.90(4)(a)1., 50.94(3)(a), 109.03(4), 121.01(4) and 161.01; to
10 repeal and recreate Appendix A to ch. ATCP 50, and ATCP 92.05(4); and to create ATCP
11 50.54((1)(zd), 50.64(1)(w), 50.665, 50.76(3)(a)(8)., 50.95(2)(ze) and (zf), 100.93(title),
12 161.02(4) and 161.03(2)(i); relating to technical and remedial rule changes pertaining to farm
13 mediation and arbitration, sustainable agriculture, agricultural development and
14 diversification, commercial feed, soil and water resource management, LP gas meters,
15 freezer meat and food service plans, referral selling plans and car rental notices.

**Analysis Prepared By the Department of
Agriculture, Trade and Consumer Protection**

Statutory Authority: ss. 92.05(3)(c), 93.07(1), 93.47(2), 93.50(2)(f), 94.64(9), 94.65(9), 98.245(7)(a)1. and 344.576(3)(c), Stats.

Statutes Interpreted: ch. 92 and ss. 93.46, 93.47, 93.50, 94.64, 94.65, 98.245(7)(a) and 344.576(3), Stats.

This rule makes the following organizational and drafting changes to rules currently administered by the Department of Agriculture, Trade and Consumer Protection (DATCP):

- It renumbers ch. ATCP 2 (Farm Mediation and Arbitration Program) to ATCP 162. This reflects an organizational change in which the farm mediation and arbitration program was transferred from the secretary's office to the marketing division in DATCP.
- It repeals ch. ATCP 45 (Sustainable Agriculture Program), and incorporates the sustainable agriculture program as part of the agricultural development and diversification (ADD) grant program under ch. ATCP 161. This reflects an organizational change in which the sustainable agriculture program was transferred from the agricultural resource management division to the marketing division in DATCP. It also reflects budget legislation contained in 1997 Wis. Act 27, which merged the sustainable agriculture program with the ADD grant program.
- It updates technical standards currently incorporated by reference in ch. ATCP 40 (Fertilizer and Related Products), ATCP 42 (Commercial Feed) and ATCP 50 (Soil and Water Resource Management). It also expands some ATCP 50 technical standards for cost-shared conservation projects, to reflect new USDA technical standards. The department will request permission from the Attorney General and ~~Revisor~~ Revisor of Statutes to incorporate the updated technical standards by reference, as required under s. 227.21, Stats.
- It implements s. 98.245(7), Stats., which requires owners of liquid LP gas meters to register those meters with the department. The statute requires a one-time registration fee of \$25. This rule incorporates the statutory fee.
- It implements s. 98.245(4), Stats., which requires temperature compensation in all liquid measurement of LP gas deliveries. 1995 Wis. Act 183 eliminated an exemption for deliveries of less than 100 gallons made directly to mobile fuel tanks. This rule modifies current DATCP rules accordingly.

- It updates obsolete addresses and cross-references in ch. ATCP 109 (Freezer Meat and Food Service Plans) and ATCP 121 (Referral Selling Plans).
 - It renumbers and retitles ch. JUS 2 (Notice of Renter Liability; Rental of Passenger Vehicles) to ATCP 118 (Car Rentals; Notice of Renter Liability), and makes nonsubstantive drafting changes. The Legislature transferred responsibility for the car rental notice law under subch. V of ch. 344, Stats., from the Department of Justice to DATCP. This rule change reflects that transfer of responsibility.
-

1 **SECTION 1.** ATCP 2 is renumbered ATCP 162.

2 **SECTION 2.** ATCP 40.02(1), (2), (2)(note), (3), (3)(note) and (4)(a) and (b) are
3 amended to read:

4 ATCP 40.02(1) Names and definitions for fertilizer, fertilizer materials or soil or
5 plant additives are those adopted by the Association of American Plant Food Officials and
6 published in the Official Publication of the Association of American Plant Food Control
7 Officials, No. ~~40, 1987~~ 51, 1998.

8 (2) The methods of taking official fertilizer samples shall be the methods adopted by
9 the Association of American Plant Food Control Officials and published in the Inspectors
10 Manual of the Association of American Plant Food Control Officials, ~~Fourth Edition, 1984~~
11 sixth edition, 1998.

12 NOTE: Copies of the Official Publications noted in subs. (1) and (2) may be
13 obtained from the treasurer of the Association of American Plant Food Control
14 Officials, P.O. Box 1163, 1100 Bank St., Room 412, Richmond, VA 23209
15 North Carolina Department of Agriculture, 4000 Reedy Creek Rd., Raleigh,
16 NC 27607-6468. Copies are also on file at the Madison offices of the
17 Department of Agriculture, Trade and Consumer Protection, the Secretary of
18 State and the Revisor of Statutes.

19
20 (3) The methods of analysis for fertilizers shall be the methods adopted by the
21 ~~Association of Official Analytical Chemists~~ AOAC International and contained in the 1984

① edition or Edition? # or word for Ordinals

1 ~~Official Methods of Analysis, Fourteenth Edition, the methods found in the Association of~~
2 ~~Official Analytical Chemists Journals, Volumes 67 and 68, published by the Association of~~
3 ~~Official Analytical Chemists, 4th revision, 1998, of the 16th edition of the "Official Methods~~
4 ~~of Analysis of AOAC International," volume I; and the 1984 modified comprehensive~~
5 nitrogen method adopted by the department of agriculture, trade and consumer protection.

6 NOTE: Copies of the ~~Association of Official Analytical Chemists~~ AOAC methods
7 may be obtained from the ~~association at 1111 N. 19th St., Suite 210,~~
8 Arlington VA 22209 AOAC International at 481 N. Frederick Ave., Suite
9 500, Gaithersburg, MD 20877-2417.

10
11 (4)(a) Methods adopted by the Association of American Plant Food Control Officials
12 and published in the Inspectors Manual of the American Plant Food Control Officials, ~~Fourth~~
13 ~~Edition, 1984~~ sixth edition, 1998.

14 (4)(b) Methods adopted by the ~~Association of Official Analytical Chemists~~ AOAC
15 International and contained in the ~~1984 Official Methods of Analysis or in the Association of~~
16 ~~Official Analytical Chemists Journals, Volumes 67 and 68~~ 4th revision, 1998, of the 16th
17 edition of the "Official Methods of Analysis of AOAC International," volume I.

18 SECTION 3. ATCP 40.04(5)(c) is amended to read:

19 ATCP 40.04(5)(c) Except for microbiological products, each active or inert
20 ingredient's common name, if any, and chemical name, as listed in The Merck Index, ~~Tenth~~
21 ~~Edition, 1983~~ 12th edition, 1996, published by Merck & Co., Inc., shall be stated.

22 SECTION 4. ATCP 42.06(3), 42.16(1)(b), 42.32(2)(b), 42.40(4)(b), 42.44(6)(a) and
23 42.54(1)(a) are amended to read:

24 ATCP 42.06(3) SINGLE-INGREDIENT FEEDS. Product names for single-
25 ingredient feeds shall be consistent with the feed ingredient definitions specified in the 1996

1 1998 official publication of the association of American feed control officials.

2 ATCP 42.16(1)(b) Paragraph (a) does not apply to a commercial feed which is
3 defined as a single ingredient feed product by the ~~1996~~ 1998 official publication of the
4 association of American feed control officials.

*Note?
already
true.*

5 ATCP 42.32(2)(b) The official name of that ingredient as stated in the ~~1996~~ 1998
6 official publication of the association of American feed control officials.

7 ATCP 42.40(4)(b) By a testing procedure published in the ~~1996~~ 1998 official
8 publication of the association of American feed control officials.

9 ATCP 42.44(6)(a) The dog or cat food, when fed in recommended amounts, meets
10 all nutrient requirements established in applicable pet nutrient profiles specified in the ~~1996~~
11 1998 official publication of the association of American feed control officials.

12 ATCP 42.54(1)(a) The non-protein nitrogen ingredients are identified in the ~~1996~~
13 1998 official publication of the association of American feed control officials.

14 **SECTION 5.** Chapter ATCP 45 is repealed. *recreated?*

15 **SECTION 6.** ATCP 50.01(15) is amended to read:

16 ATCP 50.01(15) "Technical guide" means the natural resources conservation service
17 ✓ field office technical guide, published by the natural resources conservation service of the
18 United States department of agriculture, that is in effect on ~~December 1, 1996~~ [revisor
19 inserts effective date of this section].

20 **SECTION 7.** ATCP 50.54(1)(zd) is created to read:

21 ✓ ATCP 50.54(1)(zd) Animal trails and walkways 70

22 **SECTION 8.** ATCP 50.62(7)(e)2. and 3. are amended to read:

1 ✓ATCP 50.62(7)(e)2. Technical guide waste storage structure facility standard 313.

2 ✓(e)3. Technical guide waste manure transfer standard 358 634.

3 SECTION 9. ATCP 50.62(7)(e)6. is repealed.

4 SECTION 10. ATCP 50.64(1)(w) is created to read:

5 ATCP 50.64(1)(w) Animal trails and walkways under s. ATCP 50.665.

6 ✓SECTION 11. ATCP 50.665 is created to read:

7 ✓ATCP 50.665 ANIMAL TRAILS AND WALKWAYS. (1) DEFINITION. In

8 this section, "animal trail or walkway" means a travel lane to facilitate movement of
9 livestock.

10 (2) ELIGIBLE COSTS. A cost-share grant may reimburse the cost of establishing an
11 animal trail or walkway when necessary to meet resource protection goals.

12 (3) DESIGN, CONSTRUCTION AND MAINTENANCE STANDARDS. A cost-
13 share grant may not reimburse the cost of establishing an animal trail or walkway unless all
14 of the following conditions are met:

15 (a) The animal trail or walkway complies with all of the following that apply:

16 1. Technical guide animal trails and walkways standard 575.

17 2. Technical guide streambank and shoreline protection standard 580.

18 3. Technical guide fencing standard 382.

19 (b) The grant recipient agrees to maintain the animal trail or walkway for 10 years
20 unless farming operations on the affected land are discontinued.

21 SECTION 12. ATCP'50.76(3)(a)8. is created to read:

22 ATCP 50.76(3)(a)8. Technical guide animal trails and walkways standard 575.

1 **SECTION 13.** ATCP 50.79(5)(a)4. and 5. are amended to read:

2 ATCP 50.79(5)(a)4. Technical guide waste storage ~~structure~~ facility standard 313.

3 (a)5. Technical guide waste manure transfer standard ~~358~~ 634.

4 ✓ — **SECTION 14.** ATCP 50.79(5)(a)7. is repealed.

5 **SECTION 15.** ATCP 50.82(5)(a) and (note) are amended to read:

6 ATCP 50.82(5)(a) The roof complies with the american society of agricultural
7 engineers engineering practice number ~~288.4~~ 288.5, December 1992 edition.

8 NOTE: Copies of ASAE EP ~~288.4~~ 288.5 are on file with the department, the
9 secretary of state and the revisor of statutes. Copies can be obtained from the
10 department.

11 **SECTION 16.** ATCP 50.84(4)(b)4. is amended to read:

12 ATCP 50.84(4)(b)4. Technical guide waste manure transfer standard ~~358~~ 634.

13 **SECTION 17.** ATCP 50.90(4)(a)1. is amended to read:

14 ATCP 50.90(4)(a)1. Technical guide waste- manure transfer standard ~~358~~ 634.

15 **SECTION 18.** ATCP 50.94(3)(a) is amended to read:

16 ATCP 50.94(3)(a) The wetland development or restoration complies with technical
17 guide wetlands wetland development or restoration standard ~~690-657~~.

18 **SECTION 19.** ATCP 50.95(2)(ze) and (zf) are created to read:

19 ATCP 50.95(2)(ze) Animal trails and walkways.^{*}

20 (2)(zf) Crevice and sinkhole treatment.

21 **SECTION 20.** ATCP 50.96(6)(c)1. is repealed.

22 **SECTION 21.** ATCP ^{*}50.96(6)(c)2. and 3. are renumbered ATCP 50.96(6)(c)1. and

23 2. and amended to read:

1 ATCP 50.96(6)(c)1. Technical guide waste storage ~~structure~~ facility standard 313, if
2 desired.

3 (c)2. Technical guide waste manure transfer standard ~~358~~ 634, if desired.

4 **SECTION 22.** ATCP 50.96(6)(c)4. is renumbered ATCP 50.96(6)(c)3.

5 **SECTION 23.** Appendix A to chapter ATCP 50 is repealed and recreated to read:
6

**WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
AGRICULTURAL ENGINEERING PRACTITIONER; CERTIFICATION**

PRACTITIONER _____ OFFICE _____ Original Revised Revised
 (SIGNATURE) _____ TITLE _____ DATE _____
 CONCURRED BY _____ TITLE Supervisor DATE _____
 CERTIFIED BY _____ TITLE DATCP Agricultural Engineer DATE _____
 CONCURRED BY _____ TITLE _____ DATE _____

| STD. CODE | PRACTICE | SUB-PRACTICE | CONTROLLING FACTORS | UNITS | JOB CLASS | | | | | CERTIFICATION DESIGN | RATING CONST | |
|-----------|---|---|----------------------|--------|-----------|------|------|-----|-----|----------------------|--------------|--|
| | | | | | I | II | III | IV | V | | | |
| 560 | ACCESS ROAD | CULVERT | GRADE | % | 10 | ALL | | | | | | |
| | | LIVESTOCK AND EQUIPMENT STREAM-CROSSING | DRAINAGE AREA | ACRES | 10 | 20 | 40 | 160 | 640 | ALL | | |
| | | | VELOCITY | F.P.S. | 4 | 6 | 8 | 10 | ALL | | | |
| 575 | ANIMAL TRAILS AND WALKWAYS | | GRADE | % | ALL | | | | | | | |
| 410 | GRADE STABILIZATION STRUCTURE | EARTHEN EMBANKMENTS | HAZARD | CLASS | a | a | a | a | a | | | |
| 350 | SEDIMENT BASIN (EXCEPT FOR ANIMAL WASTE) | | DRAINAGE AREA | ACRES | 20 | 40 | 160 | 320 | 640 | | | |
| 378 | POND (EMBANKMENT) STRUCTURE FOR WATER CONTROL | | EFFECTIVE HEIGHT (a) | FEET | 10 | 15 | 20 | 25 | 35 | | | |
| | | | STORAGE (b) | AC.FT. | 5 | 15 | 30 | 50 | 85 | | | |
| 587 | | | CONDUIT (SINGLE) | INCH | 12 | 18 | 24 | 36 | 48 | | | |
| 402 | DAM, FLOODWATER RETARDING | BOX DROP TO | NET DROP | FEET | 2* | 3* | 4* | 4 | 6 | | | |
| | | CULVERT | WEIR CAPACITY | C.F.S. | 100* | 200* | 300* | 400 | 500 | | | |
| | | TOEWALLS | NET DROP | FEET | 2* | 3* | 4* | 3 | 4 | | | |
| | | CHUTES | WEIR CAPACITY | C.F.S. | 100* | 200* | 300* | 300 | 300 | | | |
| 362 | DIVERSION | | NET DROP | FEET | 4 | 6 | 8 | 10 | 12 | | | |
| | | | CAPACITY | C.F.S. | 50 | 100 | 200 | 250 | 300 | | | |
| | | | DRAINAGE AREA | ACRES | 10 | 20 | 40 | 160 | ALL | | | |

| STD. CODE | PRACTICE | SUB-PRACTICE | CONTROLLING FACTORS | UNITS | JOB CLASS | | | | | CERTIFICATION RATING | | |
|-----------|-------------------------------------|--------------------|-------------------------------|---------|-----------|-------|------|------|-------|----------------------|-------|--|
| | | | | | I | II | III | IV | V | DESIGN | CONST | |
| 393 | FILTER STRIP | SEDIMENT RELATED | WIDTH | FEET | ALL | | | | | | | |
| | | BARNYARD | CONTRIBUTING AREA | SQ. FT. | 15000 | 40000 | ALL | | | | | |
| | | MILKING CENTER | VOLUME | G.P.D. | 300 | 600 | ALL | | | | | |
| | | OTHER WASTES | FILTER AREA | ACRES | 50 | 200 | 600 | 1300 | 10000 | ALL | | |
| 412 | GRASSED WATERWAY | | DRAINAGE AREA | ACRES | 50 | 200 | 600 | 1300 | 10000 | ALL | | |
| 561 | HEAVY USE AREA PROTECTION | | AREA | SQ. FT. | 15000 | 40000 | ALL | | | | | |
| 468 | LINED WATERWAY OR OUTLET | | DESIGN CAPACITY (c) | C.F.S. | 10 | 30 | 100 | 150 | ALL | | | |
| 582 | OPEN CHANNEL | | DESIGN VELOCITY | F.P.S. | 2 | 4 | 6 | 8 | 10 | | | |
| 584 | STREAM CHANNEL STABILIZATION | | DESIGN CAPACITY | C.F.S. | 100 | 200 | 300 | 400 | 500 | | | |
| 516 | PIPELINE, LIVESTOCK WATER | | LENGTH | MILES | 1/4 | 1 | 3 | 30 | ALL | | | |
| 378 | POND (EXCAVATED) | | VOLUME OF EXCAVATION | CU. YD. | 20000 | ALL | | | | | | |
| 521 | POND SEALING OR LINING, WATER PONDS | | AREA TREATED | ACRES | 1/4 | 1/2 | *1 | 2 | ALL | | | |
| 558 | ROOF RUNOFF MANAGEMENT | | ROOF SIZE | SQ. FT. | 1500 | 3000 | 4500 | 7000 | ALL | | | |
| 350 | SEDIMENT BASIN, LIVESTOCK | | WALL HEIGHT CONTRIBUTING AREA | FEET | 2* | 4* | 5* | 6* | 8* | | | |
| | | | ESTIMATED FLOW | SQ. FT. | 15000 | 40000 | ALL | | | | | |
| 574 | SPRING DEVELOPMENT | | | G.P.M. | ALL | | | | | | | |
| 580 | STREAMBANK AND SHORELINE PROTECTION | LAKESHORES | WATER HEIGHT | FEET | | | | | 3 | | | |
| | | STREAMBANKS | CAPACITY | C.F.S. | 100 | 300 | 1000 | 2000 | 4000 | | | |
| | | | VELOCITY (d) | F.P.S. | 2 | 4 | 6 | 8 | 10 | | | |
| 606 | SUBSURFACE DRAIN | | PIPE SIZE | INCH | 4 | 6 | 8 | 12 | ALL | | | |
| 607 | SURFACE DRAIN FIELD DITCH | | DRAINAGE AREA | ACRES | 10 | 20 | 50 | 100 | ALL | | | |
| 608 | SURFACE DRAINAGE, MAIN OR LATERAL | | DRAINAGE AREA | ACRES | 100 | 320 | 640 | 2000 | ALL | | | |
| 600 | TERRACE | GRADIENT | EMBANKMENT HEIGHT | FEET | 2 | 3 | ALL | | | | | |
| | | UNDERGROUND OUTLET | EMBANKMENT HEIGHT | FEET | 3 | 4 | 6 | 8 | ALL | | | |
| 614 | TROUGH OR TANK | | NUMBER | EACH | ALL | | | | | | | |
| 620 | UNDERGROUND OUTLET | | PIPE SIZE | INCH | 4 | 6 | 8 | 12 | ALL | | | |
| 637 | WATER AND SEDIMENT CONTROL BASIN | | EMBANKMENT HEIGHT | FEET | 5 | 10 | 15 | | | | | |
| 725 | CREVICE AND SINKHOLE TREATMENT | | NUMBER | EACH | ALL | | | | | | | |

| STD. CODE | PRACTICE | SUB-PRACTICE | CONTROLLING FACTORS | UNITS | JOB CLASS | | | | | CERTIFICATION DESIGN | RATING CONST. |
|-----------|------------------------------------|---|---|--|--------------------------|-----------------------|-----------------------|-------------------------|--------------------------|----------------------|---------------|
| | | | | | I | II | III | IV | V | | |
| 312 | WASTE MANAGEMENT SYSTEM | STRUCTURAL FACILITIES | ANIMAL UNITS DESIGN CAPACITY PREQUALIFIED (e) WALL HT.(STANDARD) WALL HT. (f) (NON-STANDARD) | EACH CU.FT. EACH FEET FEET | 75 5000 5000 4* | 150 25000 25000 | 300 75000 75000 | 600 150000 150000 | 1000 300000 300000 | | |
| 634 | MANURE TRANSFER | EARTHEN FACILITIES UNLINED POND CONCRETE LINER CLAY LINER MEMBRANE AND GEO-SYNTHETIC CLAY LINER | EFFECTIVE HEIGHT (a) | FEET | 10 | 15 | 20 | 25 | ALL | | |
| | | | DESIGN CAPACITY | CU.FT. | | | 100000 | 500000 | 1.5M | | |
| | | | DESIGN CAPACITY | CU.FT. | | | 100000 | 500000 | 1.5M | | |
| | | | DESIGN CAPACITY | CU.FT. | | | 100000 | 500000 | 1.5M | | |
| | | | DESIGN CAPACITY | CU.FT. | | | 100000 | 500000 | 1.5M | | |
| 351 | WELL DECOMMISSIONING | TYPE | EACH | PUMP GRAVITY | ALL | | | | | | |
| | | RECEPTION TANK (g) | EACH | STAND. NON-DESIGN STAND. | ALL | | | | | | |
| 657 | WETLAND DEVELOPMENT OR RESTORATION | ESTIMATED DEPTH | FEET | 100 | 200 | 300 | 500 | ALL | | | |
| | | SCRAPES | ACRE | 1/2 | 1 | ALL | | | | | |
| | | SURFACE AREA | ACRE | | | | | | | | |
| | | DRAIN DIAMETER | INCH | 6 | 8 | 12 | ALL | | | | |
| | | TILE BREAK | FEET | 4 | 6 | 8 | ALL | | | | |
| 657 | WETLAND DEVELOPMENT OR RESTORATION | DEPTH | FEET | 4 | 6 | 8 | ALL | | | | |
| | | DRAINAGE AREA | ACRES | 80 | 160 | 320 | 640 | ALL | | | |
| | | EFFECTIVE HEIGHT | FEET | 4 | 6 | 8 | 10 | ALL | | | |
| | | EMBANKMENT | ACRES | 20 | 40 | 80 | 120 | 160 | | | |
| | | DRAINAGE AREA | ACRES | 20 | 40 | 80 | 120 | 160 | | | |
| 657 | WETLAND DEVELOPMENT OR RESTORATION | STORAGE (b) | AC.FT. | 5 | 15 | 30 | 50 | 85 | | | |

* STANDARD DETAIL DRAWINGS

NOTES:

1. CERTIFICATION IS NOT GRANTED FOR PRACTICES NOT SHOWN.
2. OTHER RESTRICTIONS MAY APPLY AS NOTED.

FOOTNOTES:

- a. DIFFERENCE IN ELEVATION IN FEET BETWEEN THE EMERGENCY SPILLWAY CREST (TOP OF EMBANKMENT IF NO EMERGENCY SPILLWAY) AND THE LOWEST POINT IN THE CROSS SECTION TAKEN ALONG THE CENTERLINE OF THE EMBANKMENT.
- b. STORAGE - TOTAL STORAGE CAPACITY AT THE TOP OF THE DAM IN ACRE-FEET.
- c. LINED WATERWAY OR OUTLET (468) - THE JOB CLASS WILL BE BASED ON THE 10 YEAR 24 HOUR DURATION PEAK DISCHARGE.
- d. MAXIMUM DESIGN VELOCITY.
- e. PREQUALIFIED STRUCTURES CAN BE FOUND IN CHAPTER 17 OF THE ENGINEERING FIELD HANDBOOK.
- f. THE MNTC DRAWING Nos. 5.E-33.001 AND 5.E-33.002 ARE CLASSIFIED UNDER WALL HEIGHT (NON-STANDARD).
- g. THE MNTC DRAWING Nos. 5.E-33.001 AND 5.E-33.002 ARE CLASSIFIED AS NON-STANDARD DESIGNS.

1 SECTION 24. ATCP 92.05(4) is repealed and recreated to read:

2 ATCP 92.05(4) REGISTERING METERS. The owner of a meter used to determine
3 the liquid measure of liquified petroleum gas sold or delivered to consumers by liquid
4 measure shall register that meter with the department, and shall pay to the department a one-
5 time registration fee of \$25. The owner shall register each meter and pay the fee for that
6 meter within 60 days after the effective date of this subsection [...revisor inserts date...], or
7 within 60 days after the owner acquires that meter, whichever occurs later. A registration is
8 not transferrable between owners.

9 SECTION 25. ATCP 100.93(title) is created to read:

10 ✓ ATCP 100.93(title) TRUST ACCOUNT. *Trust account*

11 SECTION 26. ATCP 109.03(4) is amended to read:

12 ATCP 109.03(4) Every contract executed in connection with an initial sales
13 transaction shall bear separately on its face the following statement:

14 ✓ "This contract is governed by ~~Wis. Adm. Code Chapter ch.~~ ATCP 109, Wis. Adm.
15 Code, administered by the Wis. Department of Agriculture, Trade and Consumer
16 Protection, ~~801 W. Badger Rd., Madison 53713.~~ Every holder takes subject to
17 claims and defenses of the maker or obligor."
18

19 SECTION 27. ATCP 121.01(4) is amended to read:

20 ATCP 121.01(4) "Seller" or "lessor" means individuals, corporations, partnerships,
21 or any other organization, but does not include banks, savings and loan associations,
22 ✓ insurance companies and or public utilities to the extent exempted from department regulation
23 under s. ~~93-01(13)~~ 93.01(1m), Stats.

24 SECTION 28. ATCP 161.01 is amended to read:

25 ✓ ATCP 161.01 PURPOSE. This subchapter establishes procedural requirements for

Purpose

1 administration of the agricultural diversification and development grant program under s.
2 93.46, Stats., and the sustainable agriculture program under s. 93.47, Stats.

3 **SECTION 29.** ATCP 161.02(4) is created to read:

4 ATCP 161.02(4) "Sustainable agriculture" means an agricultural method, practice or
5 system which attempts to use and maintain renewable local resources and minimize the need
6 for energy inputs and other purchased, nonrenewable inputs. Local resources may include
7 physical, biological or social resources.

8 **SECTION 30.** ATCP 161.03(2)(i) is created to read:

9 ATCP 161.03(2)(i) Fund demonstration projects that will encourage the use of
10 sustainable agriculture.

11 **SECTION 31.** JUS 2 (title) is renumbered ATCP 118(title) and amended to read:

12 ATCP 118(title) **CAR RENTALS; NOTICE OF RENTER LIABILITY**

13 **SECTION 32.** JUS 2.01(title) and (1) are renumbered ATCP 118.01(title) and (1).

14 **SECTION 33.** JUS 2.01(2)(title), (intro.), and (a) to (c) are renumbered ATCP
15 118.01(2)(title), (intro.) and (a) to (c).

16 **SECTION 34.** JUS 2.01(2)(d) is renumbered ATCP 118.01(2)(d) and amended to
17 read:

18 ATCP 118.01(2)(d) "Department" means the statè of Wisconsin department of justice
19 agriculture, trade and consumer protection.

20 **SECTION 35.** JUS 2.01(2)(e) to (h) and (3) are renumbered ATCP 118.01(2)(e) to
21 (h) and (3).

22 **SECTION 36.** JUS 2.02(title), (intro.), (1), and (2)(intro.) and (a) are renumbered

1 ATCP 118.02(title), (intro.), (1), and (2)(intro.) and (a).

2 SECTION 37. JUS 2.02(2)(b) is renumbered ATCP 118.02(2)(b) and amended to

3 read:

4 ATCP 118.02(2)(b) ~~Appear in the format as follows~~ Contain the following

5 information in the following format:

6 **NOTICE ABOUT LIABILITY FOR DAMAGE TO THE RENTAL CAR**

7 The State of Wisconsin requires us to provide the following information about your
8 liability for damage to a rental car and the purchase of a damage waiver.

9 **LIABILITY FOR DAMAGE TO THE RENTAL CAR**

10 The rental agreement makes you and any authorized driver liable for any damage to
11 the rental car caused by an accident or intentional, reckless or wanton misconduct.
12 Total liability for any damage is limited to:

- 13
14
15
16 1) reasonable repair costs, less discounts available to us, or the fair market value
17 of the car, whichever is less, and
18
19 2) actual and reasonable towing and up to two days storage costs.

20
21 **INSURANCE OR CREDIT CARD COVERAGE**

22 Liability for any damage may be covered by your personal insurance policy or credit
23 card agreement. Check your insurance policy or credit card agreement about
24 coverage.
25

26
27 **DAMAGE WAIVER COVERAGE**

28 A damage waiver is **not** insurance coverage. If you purchase a damage waiver for
29 _____ per day, we will waive our right to hold you or any authorized driver
30 liable for damage. Even if you buy a damage waiver, you and any authorized driver
31 will remain liable for damage if any of the following apply:
32

- 33
34 1) The damage is caused by you, or any authorized driver, intentionally or by
35 reckless or wanton misconduct;
36
37 2) ~~the~~ The damage occurs while you, or any authorized driver, operates the car in
38 this state while under the influence of an intoxicant or other drug, as described

1 by the laws of this state.

- 2
- 3) ~~the~~ The damage occurs while you, or any authorized driver, operates the car in
4 another state while under the influence of an intoxicant or other drug, as
5 described by the laws of that state.
- 6
- 4) ~~the~~ The damage occurs while you, or any authorized driver, is engaged in a
7 race, speed or endurance contest.
- 8
- 5) ~~the~~ The damage occurs while you or any authorized driver is using, or has
9 directed another to use, the car in the commission of a misdemeanor, or a
10 felony, as defined by s. 939.60, Stats.
- 11
- 6) ~~the~~ The damage occurs while you, or any authorized driver, use the car to
12 carry persons or property for hire.
- 13
- 7) ~~the~~ The damage occurs while you or any authorized driver is using the car
14 outside the United States and Canada, unless use outside of these countries is
15 permitted under the rental agreement.
- 16
- 8) ~~the~~ The damage occurs while the car is operated on a surface not intended for
17 use by private passenger vehicles.
- 18
- 9) ~~you~~ You provide us misleading or false information in order to rent the car,
19 which causes us to rent you the car when we would not otherwise have done
20 so, or on terms to which we would not otherwise have agreed;~~or~~.
- 21
- 10) ~~you~~ You, or an authorized driver who was operating the car when an accident
22 occurred, fail to promptly report, to us and the police, the accident resulting in
23 damage to the car.

24

25

26

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32 **NOTICE OF RIGHT TO INSPECT DAMAGE**

33

34 If the car is damaged, we may not collect any amount for the damage unless you, or
35 an authorized driver against whom we claim liability, have been promptly notified of
36 your and your insurer's right to inspect the unrepaired car within two working days
37 after we were notified of the damage. If you request, we must also give you copies
38 of two estimates we have obtained from repair shops regarding any damage claim.

39

40 **COMPLAINTS**

41

42 If you have any complaints about our attempt to hold you liable for damages or would
43 like a copy of the state law that fully sets forth your rights and obligations, contact:

44

1 ~~Wisconsin Office of Consumer Protection and Citizen Advocacy~~
2 ~~P.O. Box 7856, Madison, WI 53707-7856~~
3 ~~608-266-1852 (Madison area) or toll free 1-800-362-8189~~

4
5 Wisconsin Consumer Protection Bureau
6 P.O. Box 8911, Madison, WI 53718-8911
7 608-224-4960 (Madison area) or toll free 1-800-422-7128

8
9 Date: _____ Renter's Signature _____

10
11 **SECTION 38.** JUS 2.03 is renumbered ATCP 118.03 and amended to read:

12 **ATCP 118.03 MODIFICATION OF NOTICE.** In the event a rental agreement is
13 otherwise in full compliance with the provisions of ss. 344.57 to 344.579, Stats., and that
14 agreement contractually limits or eliminates the liability of a renter or authorized driver for
15 one or more of the acts or circumstances itemized in s. 344.576(2)(a) to (j), Stats., a rental
16 company may modify the required notice provided in connection with that agreement. The
17 modification may be made only to items listed under the "Damage Waiver Coverage" portion
18 of the notice and shall be at least as favorable to the renter as required under the notice
19 specified in ~~s. Jus 2.02~~ s. ATCP 118.02. Any modification made under this section shall
20 differ from the required notice only to the extent necessary to delete items of liability not
21 exempted under a damage waiver purchased in connection with the rental agreement or to
22 explain a contractually granted limitation on any item.

23 **SECTION 39.** JUS 2.04 is renumbered ATCP 118.04.

24 **EFFECTIVE DATE.** The rules contained in this order shall take effect on the first
25 day of the month following publication in the Wisconsin administrative register, as provided
26 under s. 227.22(2)(intro.), Stats.

1 Dated this _____ day of _____, 19____.

2

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11

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Ben Brancel, Secretary