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Clearinghouse Rule 08-075

DATCP Docket No. 06-R-13
Rules Clearinghouse No. _____

Proposed Hearing Draft
April 30, 2008

**PROPOSED ORDER OF THE WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING RULES**

The Wisconsin department of agriculture, trade and consumer protection proposes the following order *to renumber* ch. ATCP 3; *to amend* ATCP 12.05(1)(b)(note), 12.08(10), 21.13(2)(c)1.(note) and (2)(c)2.(note), 29.11(3), 29.15(4)(b), 29.20(6)(b), 29.25(5)(a)2., 29.26(9)(a)(note) and (b)(note), 29.56(7)(e)4.(note), 30.22(title), 30.32(intro.), (1), (2), and (3)(a) and (b), prefatory (note) to ch. ATCP 31, 33.20(1)(f)3.(note), 33.38(1)(a)(note)(intro), 33.44(1)(b)(note)(intro), 33.52(4)(a), 40.04(4)(b), 40.06(2)(f), 40.08(8)(note), 40.10(4)(b)2.(note), 40.12(2)(c)1.(note), 40.18(2)(note), 40.26(5)(note), 40.28(2)(g)1.(note), 42.06(3)(note), 42.16(1)(b)(note), 42.32 (2)(b)(note), 42.40(4)(b)(note), 42.44 (6)(c)(note), 42.54(1)(a)(note), 50.01(27)(note) and (31)(intro.), (a) and (b), 50.04(2)(note), (3)(dm)1. and (note), (3)(e) and (note), and (3)(f)(note), 50.08(5)(b)6., 50.28(5)(a)1., 50.32(7)(a), 50.34(6)(a)(intro.) and 1., 50.40(9)(j)(note) and (10)(b)(note), 50.42(2)(b) to (d), 50.46(5)(note), 50.50(2)(d)(intro.), (4)(note), (8)(b)(note), and (8)(c) and (note), 50.56(3)(c)1. and 2. and (4)(a), 50.61(2)(note), 50.62(5)(e)1. to 3. and 5., 50.63(5), 50.64(1)(t), 50.65(3)(a)1. to 3., 50.66(3)(a)1. to 3., 50.68(title) and (4)(a), 50.69(4)(a)1., 2., and 4. to 6., 50.70(4)(b)1. to 5., 7. and 9., 50.71(3)(b)1. to 3., 50.72(3)(a)1., 2., 5. and 6., 50.73(3)(d)1. to 4. and 7. to 10., 50.74(3)(a)1. to 3., 50.75(4)(a)1. and 2., 50.76(5)(a)1. and 3., 50.77(4)(a)1., 1.(note), 3. to 5. and 5.(note), 50.80(3)(a)1. to 7., 7.(note) and 8., 50.82(4)(c)1. to 3., 50.83(3)(a)1., 2., 5. and 6., 50.85(4)(a)1., 50.86(4)(b)1. to 4., 6., 8., and 8.(first note), 50.87(4)(a)2. and 3., 50.88(3)(a)1. to 5., 50.89(title), (1), (2), and (3)(intro.), (a), (b)(intro.), (b)2. and (c), 50.90(3)(b)1., 50.91(3)(b)1. to 3., 5. and 6.,

1 50.92(3)(b)1., 50.93(4)(a)1., 50.94(3)(a)1. to 4., 50.95(3)(a)1. and 2., 50.96(3)(b)1. to 4. and 6.,
2 50.97(3)(a), 50.98(3)(a), 51.20(2)(a)2.(note), 55.07(3), 60.18(5)(b), 60.20(6)(b), 70.03(7)(d)1.,
3 75.02(1) and (9)(f)1., 90.05(1)(note) and (2)(note), 92.02(1) and (note), 92.06(1)(a), (2) and
4 (3)(note), 92.22(1)(b)(note), 103.05 and (note), 118.01(1), (2)(intro.) and (3), 118.04,
5 123.04(1)(note), 124.02(4), 125.03(1)(a), 136.02(4)(b), 136.12(3)(d) and (3)(note),
6 136.14(1)(note) and (2)(note) and 160.02(1)(a); **to repeal and recreate** ch. ATCP 21 *Appendix A*,
7 ch. ATCP 30 *Appendix A* (portions), 50.46(2), 50.79(3)(a) and (note), 50.84(5)(a) and (note), ch.
8 ATCP 50 *Appendix A* and *Appendix G*, and ch. ATCP 118(title); and **to create** ch. ATCP 3(title)
9 and subch. II, Chapter 30, *Appendix A* (portions), ATCP 30.32(4), and ch. ATCP 118 subch. I
10 (title) and subch. II; **relating to** minor and technical rule changes.

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

This rule makes minor or technical changes to a number of current rules administered by the department of agriculture, trade and consumer protection (“DATCP”).

Statutes Interpreted

Statutes Interpreted: ss. 91.80, ch. 92, 93.06(1n), 93.23, 94.64(3r)(b) and (4a)5., 94.645, 94.681(3), 94.685(3)(a)2., 94.69, 94.703(3)(a)2., 94.704(3)(a)2., 95.55(6), 97.02, 97.03, 97.09(4), 97.20, 97.22, 97.24, 97.30, 97.42, 97.43, 97.52, 98.03(2), 98.18(2), 98.07, 98.26(1), 100.20, 100.45, 160.19, 160.21, 160.23, 160.25, 281.16, 344.576(3)(a), 345.285(5w)(a)1., Stats.

Statutory Authority

Statutory Authority: ss. 92.05(3)(c) and (k), 92.14(8), 92.15(3)(b), 92.16, 92.18(1), 93.06(1n)(c), 93.07(1), 94.645(3), 94.69(1), 95.55(6), 97.09(4), 97.20(4), 97.22(8), 97.24(3), 97.30(5), 97.42(4), 97.52, 98.03(2), 98.07(4), 98.18(2), 100.20(2), 100.45(5) and (5)(e), 160.19(2), 160.21(1), 281.16(3)(b) and (c), 344.576(3)(c), 345.285(5x), Stats.

Explanation of Statutory Authority

DATCP has general authority, under s. 93.07(1), Stats., to adopt rules to interpret laws under its jurisdiction. DATCP also has specific rulemaking authority under the statutes listed above. This rule makes minor changes to a wide range of rules administered by the DATCP. The rule changes are, for the most part, adopted under the same authority used to adopt the existing rules.

Related Rules or Statutes

This rule is not substantially affected by other statutes or rules, other than those identified in this rule.

Rule Contents

This rule makes minor or technical changes to a number of current DATCP rules. This rule does all of the following:

Electronic Processing of License Applications; Cost Recovery

- Authorizes DATCP to assess a \$3 fee for electronic licensing transactions (in addition to other license fees), to cover DATCP's electronic licensing costs. Electronic processing, if offered, is offered as a voluntary option for license applicants.

Agricultural Chemical Cleanup Program; Surcharge Adjustment

- Reduces current agricultural chemical cleanup program surcharges paid by pesticide and fertilizer license holders, consistent with 2007 Wisconsin Act 20 (biennial budget act). DATCP has already implemented the reduced statutory surcharges (this rule merely conforms current rules to the new statutory amounts).

Atrazine Use Regulations

- Revises the format of current maps showing some of the land areas where application of atrazine pesticides is currently prohibited by rule (this rule does not change the actual prohibition areas).
- Restores a provision inadvertently deleted from the atrazine rule in 1993, when the rule was modified for other reasons. The restored provision allows farmers to apply an additional 0.5 lbs. of atrazine per acre on medium- or fine-textured soils (up to 1.5 lbs. per acre rather than 1.0 lb. per acre), if no atrazine was applied in the preceding year. The restored provision is consistent with how DATCP has always administered the atrazine rule, so there will be no change in actual use practices.

Land and Water Conservation Program

- Updates technical standards incorporated by reference in current land and water conservation rules (ATCP 50). This rule does not substantially alter current standards or requirements.
- Gives DATCP more latitude to extend land and water conservation funding for county cost-share contracts with landowners that were signed, but not completed, during the preceding year (extends signing deadline from December 1 to December 31).
- Extends the current mid-year deadline for counties to file cost-share reimbursement requests with DATCP (from June 1 to July 1).
- Updates current standards for the certification of agricultural engineering practitioners under the land and water conservation program, consistent with current standards published by the united states department of agriculture, natural resource conservation service (“NRCS”).
- Updates current standards used by certified soil testing laboratories under the land and water conservation program, consistent with updated standards published by the university of Wisconsin-extension and university of Wisconsin-Madison.

Meat Inspection

- Corrects erroneous cross-references to federal meat inspection regulations in state meat inspection rules.

Dairy Inspection

- Changes, from 7 days to 14 days, the time period within which dairy plants must report high somatic cell counts in goat milk and take follow-up samples related to high bacterial counts.

Weights and Measures

- Updates technical standards incorporated by reference in current packaging and labeling and weights and measures rules (ATCP 90 & 92), including the latest standards published by the National Institute of Standards and Technology.

Car Rental Notices

- Incorporates statutory provisions requiring car rental companies to notify prospective renters if the rental company may charge the renter’s credit card for forfeitures and other costs incurred but not paid by the renter for nonmoving traffic violations (parking tickets).

Mobile Home Park Rent Disclosures

- Clarifies, but does not change, current rules related to disclosure of rent and related charges in mobile home parks. This rule clarifies that park operators may disclose charges by means of a price schedule, rate or formula, provided that the renter can readily determine the amount to be paid.

Fair Premium Aids

- Authorizes DATCP to pay county and district fair premium aids based on total county and district fair premiums paid (current rule requires payment based on total premiums less entry fees).

Other Technical Changes

- Modifies current *notes* to reflect the fact that rules and related documents are now filed with the legislative reference bureau, not the revisor of statutes or secretary of state (the revisor of statutes office was eliminated by 2007 Wis. Act 20).
- Corrects minor errors in current rules.
- Makes minor organizational, drafting and terminology changes.

Fiscal Impact

This rule will have no significant fiscal impact on the department or local units of government (see fiscal estimate attached).

- This rule will allow the department to charge license applicants an additional \$3 for electronic processing of licenses, if applicants choose that option. However, that option is not currently available except on a few simple licenses.
- This rule adjusts current agricultural chemical cleanup program surcharges paid by fertilizer and pesticide license holders to conform to the new (lower) amounts specified by statute. However, DATCP has already implemented the new amounts, so this rule will not change the surcharge amounts currently being paid.
- This rule will not have a substantial impact on DATCP administrative or operating costs.

Business Impact

This rule will not have any significant impact on small business or other business. This rule makes minor and technical “housekeeping” changes that will not have a significant impact on business standards, costs or operations.

Environmental Impact

This “housekeeping” rule will have no significant environmental impact.

Federal and Surrounding State Programs

Federal Programs

Some of the rules affected by this rule are based on federal regulations or standards including:

- Soil and water conservation standards published by NRCS.
- Regulations under the federal meat inspection program. State standards must be at least “equal to” the federal standards.
- Dairy standards under the Interstate Pasteurized Milk Ordinance (PMO)
- Weights and measures standards issued by the national institute of standards and technology.

This rule is consistent with relevant federal regulations and standards.

Surrounding States

Surrounding states have programs similar to some of the programs affected by this rule, including cooperative state-federal programs related to soil and water conservation, meat inspection, dairy regulation, and weights and measures regulation. Current Wisconsin programs in these areas are substantially equivalent to programs in surrounding states. This rule does not have a significant impact on programs in this state or other states, or create any significant disparity between this state and other states.

Standards Incorporated by Reference

This rule updates references to certain technical standards that are incorporated by reference in current rules. Updated technical standards include the following:

- Soil and water conservation practice standards published by NRCS (see ch. ATCP 50 *Appendix G* attached).
- Weights and measures standards published by NIST, including the 2008 editions of NIST Handbooks 44 and 130.

Pursuant to s. 227.21, Stats., DATCP has requested permission from the Department of Justice to incorporate the updated technical standards by reference in this rule. Copies of the updated standards that are incorporated by reference in this rule will be kept on file with DATCP and the Legislative Reference Bureau.

Data and Analytical Methodologies

This rule does not depend on any complex analysis of data. This rule merely makes minor or technical changes to current rules.

Agency Contact for Submitting Comments

1 **SECTION 4.** ATCP 12.05(1)(b)(note) is amended to read:

2 **NOTE:** See s. ATCP ~~10.21(4)~~ 10.21(2)

3 **SECTION 5.** ATCP 12.08(10) is amended to read:

4 ATCP 12.08(10) Receive interstate shipments of bovine animals or swine as a federally
5 approved livestock import market unless the market qualifies as a federally approved livestock
6 import market under s. ATCP 10.07(4).

7 **SECTION 6.** Chapter ATCP 21 *Appendix A* is repealed and recreated to read as shown in
8 *Appendix A* attached.

9 **SECTION 7.** ATCP 21.13(2)(c)1.(note) is amended to read:

10 **NOTE:** Copies of the fast Africanized bee identification systems (FABIS) are on file
11 with the department, ~~the secretary of state~~ and the ~~revisor of statutes~~ legislative
12 reference bureau.

SECTION 8. ATCP 21.13(2)(c)2.(note) is amended to read:

13 **NOTE:** The morphometric method for identification of Africanized and European honey
14 bees using large reference populations is described in Rinderer et al.
15 “Morphometric identification of Africanized and European honey bees using
16 large reference populations,” *Apidologie* (1993) 24, 569-585. Copies of this
17 article are on file with the department, ~~the secretary of state~~ and the ~~revisor of~~
18 ~~statutes~~ legislative reference bureau. Copies are available at cost from the
19 department.

20 **SECTION 9.** ATCP 29.11(3) is amended to read:

21 ATCP 29.11(3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Beginning with the~~
22 ~~license year that begins on January 1, 2002, an~~ An applicant for a license under s. ATCP 29.10
23 shall pay an agricultural chemical cleanup surcharge for each nonhousehold pesticide product
24 that the applicant sells or distributes. Except as provided in sub. (6) or (7), the amount of the
25 surcharge is as follows:

1 (a) If the applicant sold less than \$25,000 of the product during the preceding year for
2 use in this state, ~~\$5~~ \$3.50.

3 (b) If the applicant sold at least \$25,000 but less than \$75,000 of the product during the
4 preceding year for use in this state, ~~\$170~~ \$120.

5 (c) If the applicant sold at least \$75,000 of the product during the preceding year for use
6 in this state, an amount equal to ~~4.1%~~ 0.75% of gross revenues from product sales during the
7 preceding year for use in this state, ~~except that for the license year beginning January 1, 2002,~~
8 ~~the surcharge amount is 0.75% of the gross revenues from product sales during the preceding~~
9 ~~year.~~

10 **SECTION 10.** ATCP 29.15(4)(b) is amended to read:

11 ATCP 29.15(4)(b) Beginning with the license year that begins on January 1, ~~2002~~ 2008,
12 an agricultural chemical cleanup surcharge of ~~\$40~~ \$28.

13 **SECTION 11.** ATCP 29.20(6)(b) is amended to read:

14 ATCP 29.20(6)(b) Beginning with the license year that begins on January 1, ~~2002~~ 2008,
15 an agricultural chemical cleanup surcharge of ~~\$55~~ \$38.

16 **SECTION 12.** ATCP 29.25(5)(a)2. is amended to read:

17 ATCP 29.25(5)(a)2. ~~Beginning with the license year that begins on January 1, 2002, an~~
18 An agricultural chemical cleanup surcharge of ~~\$20~~ \$14

19 **SECTION 13.** ATCP 29.26(9)(a)(note) is amended to read:

20 **NOTE:** Training consists of a self-study manual and, for some certification categories,
21 supplementary training sessions. Training may be obtained by contacting the
22 University of Wisconsin-Extension at the following address: University of
23 Wisconsin-Extension; Pesticide Applicator Training, Department of Agronomy;
24 1575 Linden Drive; Madison, WI 53706-1597, phone ~~(608) 265-2950~~ (608) 262-
25 7588.

26 **SECTION 14.** ATCP 29.26(9)(b)(note) is amended to read:

1 **NOTE:** Examination dates may be scheduled by contracting the department at the
2 following address: Wisconsin Department of Agriculture, Trade and Consumer
3 Protection; Division of Agricultural Resource Management, Pesticide
4 Certification and Licensing; P.O. Box 8911; Madison; WI 53708-8911; Phone
5 ~~(608) 224-4560~~ (608) 224-4548.

6 **SECTION 15.** ATCP 29.56(7)(c)4.(note) is amended to read:

7 **NOTE:** Individuals may obtain registration forms and submit registrations to the
8 following address: Department of Agriculture, Trade and Consumer Protection;
9 Division of Agricultural Resource Management; Landscape Application Registry
10 P.O. Box 8911; Madison, Wisconsin 53708-8911. Individuals may also obtain
11 registration forms by calling the department at ~~608-224-5296~~ (608)224-4616. A
12 registration complies with the filing deadline under par. (c) if the registration form
13 is postmarked or delivered to the department by February 1. The department may
14 accept registrations filed after February 1 for inclusion in the March 15 registry,
15 but is not required to do so.

16 **SECTION 16.** Chapter ATCP 30, *Appendix A* prohibition area map numbers 93-05-01, 95-
17 05-01, 05-01-01, 94-11-01, 94-11-02, 94-29-01, 98-37-01, 96-39-01, 99-50-01, 97-54-01, Lower
18 Wisconsin River Valley 93-57-04, 98-69-01, 04-70-01 are repealed and recreated in the format
19 attached.

20 **SECTION 17.** Chapter ATCP 30, *Appendix A* prohibition area map Crawford County
21 Lower Wisconsin River Valley number 93-57-04, Dane County Lower Wisconsin River Valley
22 number 93-57-04, Grant County Lower Wisconsin River Valley number 93-57-04, Iowa County
23 Lower Wisconsin River Valley number 93-57-04, and Richland County Lower Wisconsin River
24 Valley number 93-57-04 are created in the format attached.

25 **SECTION 18.** ATCP 30.22(title) is amended to read:

26 **ATCP 30.22 Metamsodium and chloropicrin pesticides; use restrictions.**

27 **SECTION 19.** ATCP 30.32(intro.), (1), (2), and (3)(a) and (b) are amended to read:

28 **ATCP 30.32 Maximum application rates.** Except where further restricted under
29 ~~subsecs. II and III~~ s. ATCP 30.34 to 30.38, the amount of atrazine active ingredient applied to

1 any application site during any calendar year may not exceed the maximum amount specified for
2 that site under this section.

3 (1) Except as provided under sub. (3) or (4), if at least one-fourth of the surface soil at
4 the application site is a coarse soil, the maximum amount is 0.75 lb. per acre per calendar year.

5 (2) Except as provided under sub. (3) or (4), if less than one-fourth of the surface soil at
6 the application site is a coarse soil, the maximum amount is 1.0 ~~lbs.~~ lb. per acre per calendar
7 year.

8 (3)(a) ~~1.5~~ 1.5 lbs. per acre per calendar year if at least one-fourth of the surface soil is a
9 coarse soil.

10 (3)(b) ~~2.0~~ 2.0 lbs. per acre per calendar year if less than one-fourth of the surface soil is
11 a coarse soil.

12 **SECTION 20.** ATCP 30.32(4) is created to read:

13 ATCP 30.32(4) An additional 0.5 lb. of atrazine active ingredient may be added to the
14 maximum annual rate under sub. (2) if no atrazine product was applied to the application site
15 during the previous calendar year.

16 **SECTION 21.** The prefatory note to ch. ATCP 31 is amended, at subsection (5) of the
17 prefatory note, to read:

18 ***PREFATORY NOTE (subsection 5):***

19 (5) General rules governing pesticide use and control are contained in
20 ch. ATCP 29. Rules adopted under s. 94.645, Stats., to regulate fertilizer and
21 pesticide bulk storage are contained in ~~ch. ATCP 32. Rules adopted under s.~~
22 ~~94.645, Stats., to regulate pesticide bulk storage are contained in~~
23 ch. ATCP 33.

24 **SECTION 22.** ATCP 33.20(1)(f)3.(note) is amended to read:

25 **NOTE:** Copies of API 650 and 653 are on file with the department and the ~~revisor of~~
26 ~~statutes~~ legislative reference bureau. Copies may be purchased from the

1 American Petroleum Institute at 1220 L Street NW, Washington DC 2005-4070,
2 telephone (202) 682-8000-, or the following web address: www.api.org.

3 **SECTION 23.** ATCP 33.38(1)(a)(note)(intro) is amended to read:

4 **NOTE:** The *Wisconsin minimum design standards for concrete agrichemical*
5 *containment (February, 2005)*, written by Professor David W. Kammel,
6 department of biological systems engineering, university of Wisconsin-
7 extension, is on file with the department and the ~~revisor of statutes~~ legislative
8 reference bureau. Copies are available from the department, free of charge, at
9 the follow address:

10 **SECTION 24.** ATCP 33.44(1)(b)(note)(intro) is amended to read:

11 **NOTE:** The *Wisconsin minimum design standards for concrete agrichemical*
12 *containment (February, 2005)*, written by Professor David W. Kammel,
13 department of biological systems engineering, university of Wisconsin-
14 extension, is on file with the department and the ~~revisor of statutes~~ legislative
15 reference bureau. Copies are available from the department, free of charge, at
16 the follow address:

17 **SECTION 25.** ATCP 33.52(4)(a) is amended to read:

18 ATCP 33.52(4)(a) Obtain at least one sample of collected precipitation in each of the
19 months of April, June, August ~~and~~ and October.

20 **SECTION 26.** ATCP 40.04(4)(b) is amended to read:

21 ATCP 40.04(4)(b) A ~~\$20~~ \$14 agricultural chemical cleanup surcharge for each business
22 location and each mobile unit at which the applicant proposes to manufacture fertilizer in this
23 state, other than a business location or mobile unit licensed under s. 94.685 or 94.703, Stats. If
24 the applicant distributes but does not manufacture fertilizer in this state, the applicant shall pay a
25 single agricultural chemical cleanup surcharge of ~~\$20~~ \$14.

26 **SECTION 27.** ATCP 40.06(2)(f) is amended to read:

27 ATCP 40.06(2)(f) An agricultural chemical cleanup surcharge of ~~63~~ 44 cents per ton.

28 **SECTION 28.** ATCP 40.08(8)(note) is amended to read:

1 **NOTE:** The Official Publication of the Association of American Plant Food Control
2 Officials, No. 57 (2004) is on file with the department, ~~the secretary of state~~ and
3 the ~~revisor of statutes~~ legislative reference bureau. Copies may be obtained from
4 the treasurer of the Association of American Plant Food Control Officials, Inc.,
5 North Carolina Department of Agriculture, P.O. Box 33508, Raleigh, NC 33636-
6 3508, or online at <http://www.aapfco.org>

7 **SECTION 29.** ATCP 40.10(4)(b)2.(note) is amended to read:

8 **NOTE:** The Official Publication of the Association of American Plant Food Control
9 Officials, No. 57 (2004) is on file with the department, ~~the secretary of state~~ and
10 the ~~revisor of statutes~~ legislative reference bureau. Copies may be obtained from
11 the treasurer of the Association of American Plant Food Control Officials, Inc.,
12 North Carolina Department of Agriculture, P.O. Box 33508, Raleigh, NC 33636-
13 3508, or online at <http://www.aapfco.org>.

14 **SECTION 30.** ATCP 40.12(2)(c)1.(note) is amended to read:

15 **NOTE:** The Official Publication of the Association of American Plant Food Control
16 Officials, No. 57 (2004) is on file with the department, ~~the secretary of state~~ and
17 the ~~revisor of statutes~~ legislative reference bureau. Copies may be obtained from
18 the treasurer of the Association of American Plant Food Control Officials, Inc.,
19 North Carolina Department of Agriculture, P.O. Box 33508, Raleigh, NC 33636-
20 3508, or online at <http://www.aapfco.org>.

21 **SECTION 31.** ATCP 40.18(2)(note) is amended to read:

22 **NOTE:** Statement of uniform interpretation and policy 25, from the Official Publication
23 of the Association of American Plant Food Control Officials, No. 57 (2004), is on
24 file with the department, ~~the secretary of state~~ and the ~~revisor of statutes~~
25 legislative reference bureau. Copies may be obtained from the treasurer of the
26 Association of American Plant Food Control Officials, Inc., North Carolina
27 Department of Agriculture, P.O. Box 33508, Raleigh, NC 33636-3508, or online
28 at <http://www.aapfco.org>.

29 **SECTION 32.** ATCP 40.26(5)(note) is amended to read:

30 **NOTE:** The Merck Index, 12th edition (1996) is on file with the department, ~~the secretary~~
31 ~~of state~~ and the ~~revisor of statutes~~ legislative reference bureau. Copies are
32 available from Merck & Co., Inc., P.O. Box 2000, Rahway, NJ 07065.

33 **SECTION 33.** ATCP 40.28(2)(g)1.(note) is amended to read:

34 **NOTE:** The "Official Methods of Analysis of AOAC Internationals, volume I, 17th
35 edition as updated by the 2nd revision (2003) is on file with the department, ~~the~~

1 ~~secretary of state and the revisor of statutes~~ legislative reference bureau. Copies
2 are available from ~~AOAC International at 481 N. Frederick Ave., Suite 500,~~
3 ~~Gaithersburg, MD 20877 2417.~~

4 **SECTION 34.** ATCP 42.06(3)(note) is amended to read:

5 *NOTE:* Copies of the official publication of the association of American feed control
6 officials are on file with the department, ~~the secretary of state and the revisor of~~
7 ~~statutes~~ legislative reference bureau. Copies may be obtained from AAFCO
8 treasurer; the name and address of the current AAFCO treasurer may be obtained
9 by contacting the department.

10 **SECTION 35.** ATCP 42.16(1)(b)(note) is amended to read:

11 *NOTE:* Copies of the official publication of the association of American feed control
12 officials are on file with the department, ~~the secretary of state and the revisor of~~
13 ~~statutes~~ legislative reference bureau. You may also obtain a copy from the
14 AAFCO treasurer whose address is available from the department.

15 **SECTION 36.** ATCP 42.32(2)(b)(note) is amended to read:

16 *NOTE:* Copies of the official publication of the association of American feed control
17 officials are on file with the department, ~~the secretary of state and the revisor of~~
18 ~~statutes~~ legislative reference bureau. You may also obtain a copy from the
19 AAFCO treasurer whose address is available from the department.

20 **SECTION 37.** ATCP 42.40(4)(b)(note) is amended to read:

21 *NOTE:* Copies of the official publication of the association of American feed control
22 officials are on file with the department, ~~the secretary of state and the revisor of~~
23 ~~statutes~~ legislative reference bureau. You may also obtain a copy from the
24 AAFCO treasurer whose address is available from the department.

25 **SECTION 38.** ATCP 42.44(6)(c)(note) is amended to read:

26 *NOTE:* Copies of the official publication of the association of American feed control
27 officials are on file with the department, ~~the secretary of state and the revisor of~~
28 ~~statutes~~ legislative reference bureau. You may also obtain a copy from the
29 AAFCO treasurer whose address is available from the department.

30 **SECTION 39.** ATCP 42.54(1)(a)(note) is amended to read:

31 *NOTE:* Copies of the official publication of the association of American feed control
32 officials are on file with the department, ~~the secretary of state and the revisor of~~
33 ~~statutes~~ legislative reference bureau. You may also obtain a copy from the
34 AAFCO treasurer whose address is available from the department.

1 available from your county land conservation ~~department~~ office or the following
2 web address: [http://www.datcp.state.wi.us/arm/agriculture/land-
4 water/conservation/nutrient-mngmt/planning.jsp](http://www.datcp.state.wi.us/arm/agriculture/land-
3 water/conservation/nutrient-mngmt/planning.jsp) . The NRCS technical guide
5 standard 590 (September, 2005) is reproduced, without the companion technical
6 note, in *Appendix D*.

7 (e) The plan shall comply with the NRCS technical guide nutrient management standard
8 590 (September, 2005), except for sections V.D, V.E and VI, and shall also comply with the
9 Wisconsin conservation planning technical note WI-1 (~~December, 2006~~ September, 2007).

10 *NOTE:* The checklist in *Appendix C* may be used to gather information for a nutrient
11 management plan. NRCS technical guide nutrient management standard 590
12 (September, 2005) is reproduced in *Appendix D*. The Wisconsin conservation
13 planning technical note WI-1 (~~December, 2006~~ September, 2007) is not
14 reproduced in *Appendix D* but is on file with the department and the ~~revisor of~~
15 ~~statutes~~ legislative reference bureau. Copies are available from your county land
16 conservation office or the following web address:
17 [http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-
mngmt/planning.jsp](http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-
18 mngmt/planning.jsp).

SECTION 44. ATCP 50.04(3)(f)(note) is amended to read:

19 *NOTE:* *Appendix B* contains a convenient summary of UWEX publication A-2809, for
20 selected crops. You may obtain the complete publication and the summary from
21 your county extension agent. The complete publication is also on file with the
22 department and the ~~revisor of statutes~~ legislative reference bureau. Copies are
23 available from your county land conservation office or the following web-address:
24 [http://www.datcp.state.wi.us/arm/agriculture/land-
water/conservation/nutrient_mngmt/planning.jsp](http://www.datcp.state.wi.us/arm/agriculture/land-
25 water/conservation/nutrient_mngmt/planning.jsp).

26 **SECTION 45.** ATCP 50.08(5)(b)6. is amended to read:

27 ATCP 50.08(5)(b)6. ~~Strip cropping~~ Stripcropping as defined in s. ATCP 50.89(1).

28 **SECTION 46.** ATCP 50.28(5)(a)1. is amended to read:

29 ATCP 50.28(5)(a)1. Extend county funding for landowner cost-share contracts funded
30 by not completed in the preceding grant year, provided that the cost-share contracts were signed
31 by ~~December 1~~ December 31 of the preceding grant year. Extensions shall comply with s. ATCP
32 50.34(6).

1 **SECTION 47.** ATCP 50.32(7)(a) is amended to read:

2 ATCP 50.32(7)(a) To obtain a reimbursement payment under sub. (6)(a), a county land
3 conservation committee shall file a reimbursement request on a form provided by the
4 department. A county may file a reimbursement request on or after ~~June 1~~ July 1 for costs
5 incurred before ~~June 1~~ July 1. A county may file a second reimbursement request for costs
6 incurred on or after ~~June 1~~ July 1. A county may file no more than 2 reimbursement requests,
7 and shall file all reimbursement requests by February 15 of the year following the grant year.

8 **SECTION 48.** ATCP 50.34(6)(a)(intro.) and 1. are amended to read:

9 ATCP 50.34(6)(a) If a grant under sub. (1) funds a landowner cost-share contract that is
10 signed by ~~December 1~~ December 31 of the grant year but not completed by December 31 of that
11 year, the department may extend funding for that contract in the next year's grant allocation to
12 the county if all the following apply:

13 1. The county properly contracts with the landowner by ~~December 1~~ December 31 of the
14 initial grant year.

15 **SECTION 49.** ATCP 50.40(9)(j)(note) is amended to read:

16 **NOTE:** Subchapter VIII specifies a minimum maintenance period of 10 years for most
17 conservation practices. But it does not specify a minimum maintenance period
18 for the following "soft" practices:

- 19
20 • Contour farming (ATCP 50.67)
21 • Cover ~~and green manure~~ crop (ATCP 50.68)
22 • Nutrient management (ATCP 50.78)
23 • Pesticide management (ATCP 50.79)
24 • Residue management (ATCP 50.82)
25 • ~~Strip cropping~~ Stripcropping (ATCP 50.89)

26 **SECTION 50.** ATCP 50.40(10)(b)(note) is amended to read:

27 **NOTE:** Copies of the DNR construction site best management practice handbook are on
28 file at the department DNR, ~~the secretary of state~~ and the ~~revisor of statutes~~

1 legislative reference bureau. You may purchase copies at the following address:

2
3 WI Department of Administration
4 Document Sales Unit
5 202 S. Thornton Avenue
6 PO Box 7840
7 Madison, WI 537077-7840
8 Phone: 608-266-3358
9 E-mail: docsales@doa.state.wi.us

10 **SECTION 51.** ATCP 50.42(2)(b) to (d) are amended to read:

11 ATCP 50.42(2)(b) For cover ~~and green manure~~ crop, \$25 per acre per year.

12 (c) For ~~strip cropping~~ stripcropping, \$13.50 per acre per year.

13 (d) For field ~~strip cropping~~ stripcropping, \$7.50 per acre per year.

14 **SECTION 52.** ATCP 50.46(2) is repealed and recreated to read:

15 ATCP 50.46(2) AGRICULTURAL ENGINEERING PRACTICES. For purposes of this section,
16 an agricultural engineering practice includes any of the following:

- 17 (a) Access road.
- 18 (b) Animal trail or walkway.
- 19 (c) Sinkhole treatment.
- 20 (d) Channel stabilization.
- 21 (e) Closure of waste impoundment.
- 22 (f) Diversion.
- 23 (g) Fish passage.
- 24 (h) Grade stabilization structure.
- 25 (i) Grassed waterway.
- 26 (j) Heavy use area protection.
- 27 (k) Irrigation regulating reservoir.

- 1 (L) Irrigation system: sprinkler.
- 2 (m) Irrigation system, tailwater recovery.
- 3 (n) Irrigation water conveyance.
- 4 (o) Irrigation water management.
- 5 (p) Lined waterway or outlet.
- 6 (q) Manure transfer.
- 7 (r) Obstruction removal.
- 8 (s) Open channel.
- 9 (t) Pipeline.
- 10 (u) Pond.
- 11 (v) Pond sealing or lining.
- 12 (w) Pumping.
- 13 (x) Recreation trail and walkway.
- 14 (y) Roof runoff structure.
- 15 (z) Sediment basin.
- 16 (za) Spring development.
- 17 (zb) Spoil spreading.
- 18 (zc) Streambank or shoreline protection.
- 19 (zd) Structure for water control.
- 20 (ze) Subsurface drain.
- 21 (zf) Subsurface drainage; field ditch, main or lateral.
- 22 (zg) Terrace.
- 23 (zh) Underground outlet.

- 1 (zi) Waste storage facility.
- 2 (zj) Wastewater treatment strip.
- 3 (zk) Water and sediment control basin.
- 4 (zL) Watering facility.
- 5 (zm) Water well.
- 6 (zn) Well decommissioning. Notwithstanding sub. (1) (intro.), a well driller or pump
- 7 installer registered under s. 280.15, Stats., may certify a well construction or decommissioning
- 8 under sub. (1).
- 9 (zo) Wetland restoration.

10 **SECTION 53.** ATCP 50.46(5)(note) is amended to read:

11 *NOTE:* The rating system under par. (a) is designed to be reasonably consistent with the

12 system used by NRCS under 7 CFR 610.1 to 610.5. *Appendix E* is similar to the

13 NRCS job approval delegation form, ~~and~~. It identifies the controlling factors used

14 to determine the relative difficulty of job classes, as well as the NRCS standard

15 that applies. A person who is certified at a job level under par. (a) may certify his

16 or her own work at that level for funding purposes under this chapter.

17 **SECTION 54.** ATCP 50.50(2)(d)(intro.) is amended to read:

18 ATCP 50.50(2)(d)(intro.) The soil tests, test methods, and nitrogen estimation methods

19 used by the laboratory. The laboratory shall be capable of performing the following tests

20 according to methods prescribed by the university of Wisconsin-extension in ~~Soil Test~~

21 ~~Recommendations for Field, Vegetable and Fruit Crops~~ Nutrient application guidelines for field,

22 vegetable, and fruit crops in Wisconsin, UWEX Publication A2809 (1998~~2006~~), and by the

23 university of Wisconsin-madison soil science department in Wisconsin Procedures for Soil

24 Testing, Plant Analysis and Feed & Forage Analysis, Soil Fertility Series (December, 2007), and

25 shall be capable of estimating nitrogen levels based on those tests:

26 **SECTION 55.** ATCP 50.50(4)(note) is amended to read:

1 **NOTE:** ~~Appendix B~~ Appendix B contains a convenient summary of UWEX publication
2 A ~~2809~~ A2809 for selected crops. You may obtain the complete publication and
3 the summary from your county extension agent. The complete publication is also
4 on file with the department, ~~the secretary of state and the revisor of statutes~~
5 legislative reference bureau. For further information, see *Appendix G*.

6 **SECTION 56.** ATPC 50.50(8)(b)(note) is amended to read:

7 **NOTE:** The university of Wisconsin-extension publication, *Recommended Methods of*
8 *Manure Analysis*, UWEX publication A3769 (2003) is on file with the department
9 and the ~~revisor of statutes~~ legislative reference bureau. Copies may be obtained
10 from the University of Wisconsin-extension at the following address: University
11 of Wisconsin-Madison, Department of Soil Science, 1525 Observatory Drive,
12 Madison, WI 53706-1299.

13 **SECTION 57.** ATPC 50.50(8)(c) and (note) are amended to read:

14 ATPC 50.50(8)(c) The laboratory is capable of estimating total and available nutrient
15 levels based on the manure tests under par. (b) and the availability percentages shown in Table 3
16 of part III of the Wisconsin conservation planning technical note WI-1 (~~December,~~
17 ~~2006~~September, 2007), a companion document to NRCS technical guide nutrient management
18 standards 590.

19 **NOTE:** The NRCS technical guide nutrient management standard 590 (September, 2005)
20 is reproduced in *Appendix D*. The Wisconsin conversation planning technical
21 note WI-1 is not reproduced in *Appendix D* but is on file with the department and
22 the ~~revisor of statutes~~ legislative reference bureau. Copies may be obtained from
23 your county land conservation ~~department~~ office or at the following web address:
24 [http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-](http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-mngmt/planning.jsp)
25 [mngmt/planning.jsp](http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-mngmt/planning.jsp).

26 **SECTION 58.** ATPC 50.56(3)(c)1. and 2., and (4)(a) are amended to read:

27 ATPC 50.56(3)(c)1. NRCS technical guide waste storage facility standard 313 (~~June,~~
28 ~~2004~~ December, 2005).

29 2. NRCS technical guide manure transfer standards 634 (~~January, 2002~~ February, 2007).

30 (4)(a) Submits an abandonment plan for approval by the county, city, village or town.

31 The abandonment plan shall comply with the waste facility closure provisions contained in the

1 NRCS technical guide, closure of waste impoundments standard 360 (~~June, 2001~~ November,
2 2006).

SECTION 59. ATCP 50.61(2)(note) is amended to read:

3 *NOTE:* Before the department adopts, amends or repeals a standard by rule, the
4 department will consider the recommendations of the standards oversight council,
5 a voluntary multi-agency council that works to share technical information and
6 coordinate technical standards among participating agencies. ~~Before the~~
7 ~~department adopts, amends or repeals~~ In order to adopt, amend or repeal a
8 standard by rule, the department must ~~normally do all of the following (see s.~~
9 ~~15.13, Stats., and ch. 227, Stats.):~~ follow the procedures in ch. 227, Stats.

10 **SECTION 60.** ATCP 50.62(5)(e)1. to 3. and 5. are amended to read:

11 ATCP 50.62(5)(e)1. NRCS technical guide waste storage facility standard 313 (~~June,~~
12 ~~2004~~ December, 2005).

13 2. NRCS technical guide manure transfer standard 634 (~~January 2002~~ February, 2007).

14 3. NRCS technical guide well decommissioning standard 351 (~~April, 1999~~ May, 2006).

15 5. NRCS technical guide heavy use area protection standard 561 (~~March, 2002~~ October,
16 2007).

17 **SECTION 61.** ATCP 50.63(5) is amended to read:

18 ATCP 50.63(5) DESIGN, CONSTRUCTION AND MAINTENANCE. A cost-share grant under s.
19 ATCP 50.40 may not reimburse any costs related to the closure of a manure storage system
20 unless the closure plan complies with NRCS closure of waste impoundments standard 360 (~~June,~~
21 ~~2004~~ November, 2006).

22 **SECTION 62.** ATCP 50.64(1)(t) is amended to read:

23 ATCP 50.64(1)(t) ~~Waste water~~ Wastewater treatment strip under s. ATCP 50.94.

24 **SECTION 63.** ATCP 50.65(3)(a)1. to 3. are amended to read:

1 ATCP 50.65(3)(a)1. NRCS technical guide access road standard 560 (~~March, 1989~~
2 August, 2006).

3 2. NRCS technical guide streambank and shoreline protection standard 580 (~~February,~~
4 ~~1997~~ December, 2005).

5 3. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

6 **SECTION 64.** ATCP 50.66(3)(a)1. to 3. are amended to read:

7 ATCP 50.66(3)(a)1. NRCS technical guide animal trails and walkways standard 575
8 (~~April, 2002~~ August, 2006).

9 2. NRCS technical guide streambank and shoreline protection standard 580 (~~February,~~
10 ~~1997~~ December, 2005).

11 3. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

12 **SECTION 65.** ATCP 50.68(title) and (4)(a) are amended to read:

13 ATCP 50.68(title) **Cover and green manure crop.**

14 (4)(a) The cropland cover meets NRCS technical guide cover ~~and green manure~~ crop
15 standard 340 (~~May, 1986~~ June, 2002).

16 **SECTION 66.** ATCP 50.69(4)(a)1., 2., and 4. to 6. are amended to read:

17 ATCP 50.69(4)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
18 ~~2000~~ June, 2002).

19 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

20 4. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

21 5. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

22 6. NRCS technical guide ~~tree and shrub~~ tree/shrub establishment standard 612 (~~March,~~
23 ~~2004~~ April, 2003).

1 **SECTION 67.** ATCP 50.70(4)(b)1. to 5., 7. and 9. are amended to read:

2 ATCP 50.70(4)(b)1. NRCS technical guide critical area planting standard 342 (~~May,~~
3 ~~2000~~ June, 2002).

4 2. NRCS technical guide diversion standard 362 (~~May, 2002~~ August, 2006).

5 3. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

6 4. NRCS technical guide grassed waterway standard 412 (~~April, 2002~~ August, 2006).

7 5. NRCS technical guide lined waterway or outlet standard 468 (~~May, 2003~~ August,
8 2006).

9 7. NRCS technical guide subsurface drain standard 606 (~~September, 1989~~ June, 2002).

10 9. NRCS technical guide wildlife upland habitat management standard 645 (July, 2000);
11 ~~if habitat management is used to mitigate the loss of habitat resulting from installation of a~~
12 ~~diversion.~~

13 **SECTION 68.** ATCP 50.71(3)(b)1. to 3. are amended to read:

14 ATCP 50.71(3)(b)1. NRCS technical guide ~~fencing~~ fence standard 382 (November,
15 1999).

16 2. NRCS technical guide ~~field windbreaks~~ standard 392 (~~May, 1990~~)
17 windbreak/shelterbreak establishment standard 380 (June, 2002).

18 3. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

19 **SECTION 69.** ATCP 50.72(3)(a)1., 2., 5. and 6. are amended to read:

20 ATCP 50.72(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
21 ~~2000~~ June, 2002).

22 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

23 5. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

1 6. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

2 **SECTION 70.** ATCP 50.73(3)(d)1. to 4. and 7. to 10. are amended to read:

3 ATCP 50.73(3)(d)1. NRCS technical guide critical area planting standard 342 (~~May,~~
4 ~~2000~~ June, 2002).

5 2. NRCS technical guide sediment basin standard 350 (~~September, 1990~~ June, 2002).

6 3. NRCS technical guide diversion standard 362 (~~May, 2002~~ August, 2006).

7 4. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

8 7. NRCS technical guide grassed waterway standard 412 (~~April, 2002~~ August, 2006).

9 8. NRCS technical guide lined waterway or outlet standard 468 (~~May, 2002~~ August,
10 2006).

11 9. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

12 10. NRCS technical guide subsurface drain standard 606 (~~September, 1989~~ June, 2002).

13 **SECTION 71.** ATCP 50.74(3)(a)1. to 3. are amended to read:

14 ATCP 50.74(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
15 ~~2000~~ June, 2002).

16 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

17 3. NRCS technical guide heavy use area protection standard 561 (~~March, 2002~~ October,
18 2007).

19 **SECTION 72.** ATCP 50.75(4)(a)1. and 2. are amended to read:

20 ATCP 50.75(4)(a)1. NRCS technical guide ~~fencing~~ fence standard 382 (November,
21 1999).

22 2. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

23 **SECTION 73.** ATCP 50.76(5)(a)1. and 3. are amended:

1 ATCP 50.76(5)(a)1. NRCS technical guide spring development standard 574 (~~May, 1987~~
2 May, 2002).

3 3. NRCS technical guide water well standard 642 (~~April, 1999~~ May, 2005).

4 **SECTION 74.** ATCP 50.77(4)(a)1., 1.(note), 3. to 5. and 5.(note) are amended to read:

5 ATCP 50.77(4)(a)1. The university of Wisconsin-extension pollution control guide for
6 milking center waste water management, UWEX publication A3592 (July, 1994).

7 *NOTE:* The UW-extension pollution control guide for milking center waste water
8 management is on file with the department, ~~the secretary of state and the revisor~~
9 ~~of statutes~~ legislative reference bureau. Copies may be purchased from the
10 department or the university of Wisconsin-extension (UWEX Pub. No. A3592).
11 For further information, see *Appendix G*.

12
13 3. NRCS technical guide waste storage facility standard 313 (~~June, 2004~~ December,
14 2005).

15 4. NRCS technical guide manure transfer standard 634 (~~January, 2002~~ February, 2007).

16 5. NRCS technical guide nutrient management standard 590 (~~March, 1999~~ September,
17 2005).

18 *NOTE:* The NRCS technical guide nutrient management standard 590 (~~March, 1999~~
19 September, 2005) is reproduced in Appendix D. For information on how to
20 obtain other NRCS technical guide standards, including any secondary standards
21 incorporated by reference in those standards, see *Appendix G*.

22 **SECTION 75.** ATCP 50.79(3)(a) and (note) are repealed and recreated to read:

23 ATCP 50.79(3)(a) The cost-shared practice complies with all of the following that apply:

24 1. NRCS technical guide pest management standard 595 (June, 2003).

25 2. Pesticide mixing and loading standards under ch. ATCP 29, subch. VIII.

26 3. Standards specified by the university of Wisconsin-Madison, biological systems
27 engineering department, in “Wisconsin Minimum Design and Construction Standards for
28 Concrete Mixing and Loading Pads and Secondary Containment Structures” (February, 2005).

1 **NOTE:** The “Wisconsin Minimum Design and Construction Standards for Concrete
2 Mixing and Loading Pads and Secondary Containment Structures” (February,
3 2005) is on file with the department and the legislative reference bureau. Copies
4 may be purchased from the university of Wisconsin-Madison. For more
5 information, see *Appendix G*.

6 **SECTION 76.** ATCP 50.80(3)(a) 1. to 7., 7.(note) and 8. are amended to read:

7 ATCP 50.80(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
8 ~~2000~~ June, 2002).

9 2. NRCS technical guide pasture and hayland planting standard 512 (~~March, 1992~~ June,
10 2002).

11 3. NRCS technical guide ~~livestock use~~ exclusion standard 472 (~~June, 1983~~ June, 2002).

12 4. NRCS technical guide streambank and shoreline protection standard 580 (~~February,~~
13 ~~1997~~ December, 2005).

14 5. NRCS technical guide heavy use area protection standard 561 (~~March, 2002~~ October,
15 2007).

16 6. NRCS technical guide prescribed grazing standard ~~528A (April, 1998)~~ (managed
17 grazing-Wisconsin) 528 (December, 2005)).

18 7. Guidelines specified in ~~“pastures for profit: a guide to rotational grazing,”~~ published
19 ~~by the university of Wisconsin extension, August, 1994~~ “Pastures for profit: a guide to rotational
20 grazing,” published by the university of Wisconsin-extension (2002).

21 **NOTE:** Copies of ~~“pastures for profit: a guide to rotational grazing”~~ “Pastures for profit: a
22 guide to rotational grazing” are on file with the department, ~~the secretary of state~~
23 ~~and the revisor of statutes~~ and the legislative reference bureau. Copies may be
24 purchased from the department or from the university of Wisconsin-extension
25 (UWEX Pub. No. A3529). For further information, see *Appendix G*.

26 8. NRCS technical guide animal trails and walkways standard 575 (~~April, 2002~~ August,
27 2006).

1 **SECTION 77.** ATCP 50.82(4)(c)1. to 3. are amended to read:

2 ATCP 50.82(4)(c)1. NRCS technical guide ~~residue management, no till and strip till~~
3 ~~standard 329A (May, 1998)~~ residue and tillage management-no till/strip till/direct seed standard
4 329 (October, 2006).

5 2. NRCS technical guide ~~residue management, mulch till standard 329B (May, 1998)~~
6 residue and tillage management-mulch till standard 345 (October, 2006).

7 3. NRCS technical guide residue ~~management,~~ management-seasonal standard 344
8 (~~May, 1998~~ October 2006).

9 **SECTION 78.** ATCP 50.83(3)(a)1., 2., 5. and 6. are amended to read:

10 ATCP 50.83(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
11 ~~2000~~ June, 2002).

12 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

13 5. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

14 6. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

15 **SECTION 79.** ATCP 50.84(5)(a) and (note) are repealed and recreated to read:

16 ATCP 50.84(5)(a) The roof complies with the american society of civil engineers,
17 “Minimum Design Loads for Buildings and Other Structures”, ASCE/SEI 7-05 (2006).

18 **NOTE:** Copies of ASCE/SEI 7-05 (2006) are on file with the department and the
19 legislative reference bureau. Copies may be obtained from ASCE Publications,
20 1801 Alexander Bell Drive, Reston, VA 20191. Phone: 800-548-asce (2723) or
21 the following web address: www.asce.org/asce.cfm.

22 **SECTION 80.** ATCP 50.85(4)(a)1. is amended to read:

23 ATCP 50.85(4)(a)1. NRCS technical guide roof runoff structure standard 558 (~~June,~~
24 ~~2002~~ January, 2008).

25 **SECTION 81.** ATCP 50.86(4)(b)1. to 4., 6., 8., and 8.(first note) are amended to read:

1 ATCP 50.86(4)(b)1. NRCS technical guide critical area planting standard 342 (~~May,~~
2 ~~2000~~ June, 2002).

3 2. NRCS technical guide sediment basin standard 350 (~~September, 1990~~ June, 2002).

4 3. NRCS technical guide manure transfer standard 634 (~~January, 2002~~ February, 2007).

5 4. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

6 6. NRCS technical guide heavy use area protection standard 561 (~~March, 2002~~ October
7 2007).

8 8. Wisconsin DNR conservation practice standard 1001, wet detention basin, ~~dated June,~~
9 ~~1999~~ (June, 1999).

10 *NOTE:* Copies of the DNR conservation practice standard 1001 are on file with the
11 department, ~~the secretary of state and the revisor of statutes~~ and the legislative
12 reference bureau. Copies may be obtained from DNR or the department. For
13 more information, see *Appendix G*.

14 **SECTION 82.** ATCP 50.87(4)(a)2. and 3. are amended to read:

15 ATCP 50.87(4)(a)2. NRCS technical guide diversion standard 362 (~~May, 2002~~ August,
16 2006).

17 3. NRCS technical guide grassed waterway standard 412 (~~April, 2002~~ August, 2006).

18 **SECTION 83.** ATCP 50.88(3)(a)1. to 5. are amended to read:

19 ATCP 50.88(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May~~
20 ~~2000~~ June, 2002).

21 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

22 3. NRCS technical guide streambank and shoreline protection standard 580 (~~February,~~
23 ~~1997~~ December, 2005).

24 4. NRCS technical guide ~~tree and shrub~~ tree/shrub establishment standard 612 (~~March,~~
25 ~~2004~~ April, 2003).

1 5. NRCS technical guide heavy use area protection standard 561 (~~March, 2002~~ October,
2 2007).

3 **SECTION 84.** ATCP 50.89(title), (1), (2), and (3)(intro.), (a), (b)(intro.), (b)2. and (c) are
4 amended to read:

5 ATCP 50.89(title) ~~Strip cropping~~ Stripcropping. (1) DEFINITION. In this section, “~~strip-~~
6 ~~cropping~~” “stripcropping” means growing crops in a systematic strip arrangement in which strips
7 of grass, legumes or other close growing crops are alternated with strips of clean tilled crops or
8 fallow, and in which all of the strips are established on the contour or across a slope to reduce
9 water or wind erosion.

10 (2) ELIGIBLE COSTS. A cost-share grant under s. ATCP 50.40 may reimburse the cost of
11 establishing a ~~strip cropping~~ stripcropping system, including costs for the necessary removal of
12 obstructions.

13 (3) DESIGN, CONSTRUCTION AND MAINTENANCE. A cost-share grant under s. ATCP 50.40
14 may not reimburse the cost of establishing a ~~strip cropping~~ stripcropping system unless all of the
15 following conditions are met:

16 (a) The ~~strip cropping~~ stripcropping operations are performed, to the maximum extent
17 feasible, on the contour.

18 (b) The ~~strip cropping~~ stripcropping system complies with all of the following that
19 apply:

20 2. NRCS technical guide ~~strip cropping, contour~~ stripcropping standard 585 (~~July, 1987~~
21 June, 2002).

22 (c) The landowner agrees to maintain the ~~strip cropping~~ stripcropping for 10 years unless
23 farming operations on the affected land are discontinued.

1 **SECTION 85.** ATCP 50.90(3)(b)1. is amended to read:

2 ATCP 50.90(3)(b)1. NRCS technical guide subsurface drain standard 606 (~~September,~~
3 ~~1989~~ June, 2002).

4 **SECTION 86.** ATCP 50.91(3)(b)1. to 3., 5. and 6. are amended to read:

5 ATCP 50.91(3)(b)1. NRCS technical guide critical area planting standard 342 (~~May,~~
6 ~~2000~~ June, 2002).

7 2. NRCS technical guide grassed waterway standard 412 (~~April, 2002~~ August, 2006).

8 3. NRCS technical guide lined waterway or outlet standard 468 (~~May, 2002~~ August,
9 2006).

10 5. NRCS technical guide terrace standard 600 (~~September, 1990~~ June, 2002).

11 6. NRCS technical guide subsurface drain standard 606 (~~September, 1989~~ June, 2002).

12 **SECTION 87.** ATCP 50.92(3)(b)1. is amended to read:

13 ATCP 50.92(3)(b)1. NRCS technical guide subsurface drain standard 606 (~~September,~~
14 ~~1989~~ June, 2002).

15 **SECTION 88.** ATCP 50.93(4)(a)1. is amended to read:

16 ATCP 50.93(4)(a)1. NRCS technical guide manure transfer standard 634 (~~January, 2002~~
17 February, 2007).

18 **SECTION 89.** ATCP 50.94(3)(a)1. to 4. are amended to read:

19 ATCP 50.94(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
20 ~~2000~~ June, 2002).

21 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

22 3. NRCS technical guide ~~livestock~~ use exclusion standard 472 (~~June, 1983~~ June, 2002).

23 4. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

1 **SECTION 90.** ATCP 50.95(3)(a)1. and 2. are amended to read:

2 ATCP 50.95(3)(a)1. NRCS technical guide critical area planting standard 342 (~~May,~~
3 ~~2000~~ June, 2002).

4 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

5 **SECTION 91.** ATCP 50.96(3)(b)1. to 4. and 6. are amended to read:

6 ATCP 50.96(3)(b)1. NRCS technical guide critical area planting standard 342 (~~May,~~
7 ~~2000~~ June, 2002).

8 2. NRCS technical guide ~~fencing~~ fence standard 382 (November, 1999).

9 3. NRCS technical guide grassed waterway standard 412 (~~April, 2002~~ August, 2006).

10 4. NRCS technical guide mulching standard 484 (~~July, 1987~~ June, 2002).

11 6. NRCS technical guide subsurface drain standard 606 (~~September, 1989~~ June, 2002).

12 **SECTION 92.** ATCP 50.97(3)(a) is amended to read:

13 ATCP 50.97(3)(a) NRCS technical guide well decommissioning standard 351 (~~April,~~
14 ~~1999~~ May, 2006).

15 **SECTION 93.** ATCP 50.98(3)(a) is amended to read:

16 ATCP 50.98(3)(a) The wetland development or restoration complies with NRCS
17 technical guide wetland restoration standard 657 (September, ~~2002~~ 2000).

18 **SECTION 94.** Chapter ATCP 50 *Appendix A* is repealed and recreated to read as shown in
19 *Appendix A* attached.

20 **SECTION 95.** Chapter ATCP 50 *Appendix G* is repealed and recreated to read as shown in
21 *Appendix G* attached.

22 **SECTION 96.** ATCP 51.20(2)(a)2.(note) is amended to read:

23 **NOTE:** The BARNY model is a computer model that predicts nutrient runoff from
24 animal lots. Copies of the BARNY model are on file with the department, ~~the~~

1 ~~secretary of state and the revisor of statutes~~ legislative reference bureau. An
2 Excel spreadsheet version may be obtained from the NRCS Wisconsin website
3 (Engineering directory).

4 **SECTION 97.** ATCP 55.07(3) is amended to read:

5 ATCP 55.07(3) ~~SLAUGHTER AND PROCESSING STANDARDS: RATITES.~~ (a) A meat
6 establishment operator who does any of the following shall comply with applicable requirements
7 under ~~9 CFR parts 307 to 311, 313 to 315, 317, 319, 416, and 417~~ 9 CFR 416 and 417, and
8 subparts G, H, I, J, K, L, O and P of 9 CFR 381:

9 **SECTION 98.** ATCP 60.18(5)(b) is amended to read:

10 ATCP 60.18(5)(b) Perform a confirmatory bacteriological test on at least one more
11 sample of milk collected from the milk producer's dairy farm. The operator shall collect the
12 confirmatory sample within ~~7~~ 14 days after the date on which the operator collected the original
13 sample. The operator shall report the confirmatory test result to the department and the milk
14 producer within 3 business days after the operator obtains the test result.

15 **SECTION 99.** ATCP 60.20(6)(b) is amended to read:

16 ATCP 60.20(6)(b) Perform a confirmatory somatic cell count on at least one more
17 sample of milk collected from the milk producer's dairy farm. The operator shall collect the
18 confirmatory sample within ~~7~~ 14 days after the date on which the operator collected the original
19 sample. The operator shall report the confirmatory somatic cell count to the department and the
20 milk producer within 3 business days after the operator obtains the confirmatory count. A dairy
21 plant operator shall use the Pyronin Y-Methyl green stain test when performing a confirmatory
22 somatic cell count on goat milk.

23 **SECTION 100.** ATCP 70.03(7)(d)1. is amended to read:

1 ATCP 70.03(7)(d)1. The meat establishment is licensed under s. 97.42, Stats., or
2 inspected under ~~21 USC 74~~ 21 USC 601 et seq. or 21 USC 451 et seq.

3 **SECTION 101.** ATCP 75.02(1) and (9)(f)1. are amended to read:

4 ATCP 75.02(1) LICENSE REQUIRED. Exact as provided under ~~sub. (7)~~ sub. (9), no person
5 may operate a retail food establishment without a valid license issued by the department or an
6 agent municipality or county. Licenses expire on June 30 annually. Each retail food
7 establishment shall have a separate license, which shall be prominently displayed in the retail
8 food establishment. A license is not transferable between persons or establishments.

9 (9)(f)1. The meat establishment is licensed under s. 97.42, Stats., or inspected under ~~21~~
10 ~~USC 74~~ 21 USC 601 et seq. or 21 USC 451 et seq.

11 **SECTION 102.** ATCP 90.05(1)(note) is amended to read:

12 *NOTE:* For example, a declared net weight may be expressed in any of the following
13 forms:

14		
15	Net Wt	1 lb 8 oz
16	Net Wt	1.5 lb
17	Net Wt	1 ½ lb
18	Net Wt	12 oz

19 **SECTION 103.** ATCP 90.05(2)(note) is amended to read:

20 *NOTE:* For example, a liquid measure may be expressed in any of the following ways:

21		
22	Net contents <u>Contents:</u>	1 gal, 2 qt
23	Net contents <u>Contents:</u>	1.5 gal
24	Net contents <u>Contents:</u>	6 qt
25	Net contents <u>Contents:</u>	1 qt, 1 pt
26	Net contents <u>Contents:</u>	1.25 qt
27	Net contents <u>Contents:</u>	1 pt, 8 oz
28	Net contents <u>Contents:</u>	1 ½ pt
29	Net contents <u>Contents:</u>	1.5 pt
30	Net contents <u>Contents:</u>	8 oz

31 **SECTION 104.** ATCP 92.02(1) and (note) are amended to read:

1 ATCP 92.02(1) Except as provided in this chapter, weighing and measuring devices
2 shall comply with applicable specifications, tolerances and other technical requirements set forth
3 in the national institute of standards and technology handbook 44 (specification, tolerances and
4 other technical requirements for weighing and measuring devices), ~~2006~~2008 edition.

5 **NOTE:** See s. 98.03 (2), Stats. The current edition of the National Institute of Standards
6 and Technology Handbook 44 (Specifications, Tolerances and Other Technical
7 Requirements for Weighing and Measuring Devices) is on file with the
8 department, ~~the secretary of state~~ and the ~~revisor of statutes~~ legislative reference
9 bureau. Copies may be purchased from the U.S. Government Printing Office,
10 Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

11 **SECTION 105.** ATCP 92.06(1)(a) and (2) are amended to read:

12 ATCP 92.06(1)(a) The national institute of standards and technology handbook 44
13 (specifications, tolerances, and other technical requirements for weighing and measuring
14 devices), ~~2006~~ 2008 edition.

15 (2) PRICE VERIFICATION SYSTEMS. Inspections of price verification systems shall comply
16 with section 7 “test procedures” from the chapter titled “examination procedure for price
17 certification,” national institute of standards and technology handbook 130 (uniform laws and
18 regulation in the areas of legal metrology and engine fuel quality), ~~2006~~2008 edition.

SECTION 106. ATCP 92.06(3)(note) is amended to read:

19 **NOTE:** The standards incorporated by reference in subs. (1) and (2) are on file with the
20 department and the ~~revisor of statutes~~ legislative reference bureau. Copies may
21 be purchased from the U.S. Government Printing Office, Superintendent of
22 Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

23 **SECTION 107.** ATCP 92.22(1)(b)(note) is amended to read:

24 **NOTE:** The national institute of standards and technology handbook 44, 2006 edition, is
25 on file with the department and the ~~revisor of statutes~~ legislative reference
26 bureau. Copies may be purchased from the U.S. Government Printing Office,
27 Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

28 **SECTION 108.** ATCP 103.05 and (note) are amended to read:

1 (3) APPLICABILITY. This ~~chapter~~ subchapter applies to any rental company that offers a
2 damage waiver relating to a rental agreement for private passenger vehicles rented from locations
3 in this state for a period of 30 consecutive days or less. This ~~chapter~~ subchapter does not apply
4 to a rental agreement under which a person rents from a motor vehicle dealer licensed under
5 subch. I of ch. 218, Stats., if the vehicle is rented only for use while the vehicle owned or leased
6 by the person or which the person has agreed to purchase is being serviced, repaired,
7 manufactured, or delivered.

8 **SECTION 112.** ATCP 118.04 is amended to read:

9 **ATCP 118.04 Violations.** Any person who violates a provision of this ~~chapter~~
10 subchapter is subject to the penalties provided in s. 344.579, Stats.

11 **SECTION 113.** ATCP 118 subchapter II is created to read:

12 **SUBCHAPTER II**
13 **NOTICE OF CHARGES RELATED TO**
14 **NONMOVING TRAFFIC VIOLATIONS**

15 **ATCP 118.10 Definitions.** In this subchapter:

16 (1) “Department” means the Wisconsin department of agriculture, trade and consumer
17 protection.

18 (2) “Forfeiture” has the meaning given in s. 345.28(1)(b), Stats.

19 (3) “Nonmoving traffic violation” has the meaning given in s. 345.28(1)(c), Stats.

20 (4) “Rental agreement” has the meaning given in s. 344.57(5), Stats.

21 (5) “Rental company” has the meaning given in s. 344.57(6), Stats.

22 (6) “Renter” has the meaning given in s. 344.57(7), Stats.

23 **ATCP 118.12 Notice of charges related to nonmoving traffic violations.** (1) A rental
24 company shall give notice to prospective renters according to this section if the rental company

1 may charge a renter’s credit card for forfeitures, costs, towing or storage charges incurred but not
2 paid by the renter related to nonmoving traffic violations involving a private passenger vehicle
3 rented from the rental company.

4 (2) A rental company that is required to give notice under sub. (1) shall do all of the
5 following:

6 (a) Include the following verbatim notice, in 16-point bold-face type in the following
7 format, immediately adjacent to the renter signature line in the rental agreement:

8 **“WHAT IF YOU FAIL TO PAY A PARKING TICKET?
9 We Will Charge Your Credit Card For Unpaid Parking
10 Tickets You May Incur While The Vehicle Is In Your
11 Possession.”**

12 (b) Include the following verbatim written notice in the rental agreement, or in an
13 accompanying document without other text or markings, before the renter signs the rental
14 agreement:

15 **“NOTICE ABOUT CHARGES AGAINST YOUR CREDIT CARD FOR UNPAID
16 PARKING TICKETS**

17
18 **IF YOU FAIL TO PAY any forfeitures, costs, or towing and storage charges for
19 nonmoving traffic violations incurred while you are in possession of the rental or
20 leased vehicle, the rental company may pay those sums and CHARGE TO YOUR
21 CREDIT CARD the amount paid for the forfeitures, costs, or charges plus an
22 administrative fee of not more than \$30.”**
23

24 (c) The notice under par. (b) shall be printed in 11-point type, except that capitalized
25 portions shall be in 13-point type bold face type. If the notice is contained on a separate
26 document, it shall be printed on 8 ½ by 11 inch paper.

27 (d) The rental company shall give each renter a copy of the notice under par. (b) along
28 with the renter’s copy of the signed rental agreement, and shall retain a copy with a copy of the
29 signed rental agreement for at least 6 years. The rental company may retain its copy in

1 photographic or electronic form. A rental company that retains its copy in photographic or
2 electronic form shall print that copy for the department upon request.

3 **SECTION 114.** ATCP 123.04(1)(note) is amended to read:

4 *NOTE:* Section ~~134.42(2)~~ 100.209(2), Stats., requires a cable television provider to give
5 a consumer at least 30 days advanced written notice before deleting a service or
6 instituting a rate increase. 47 USC 76.309(3)(i)(B) requires a cable television
7 provider to give consumers a 30-day advance notice of any changes in rates or
8 services regulated under 47 USC 543.

9 **SECTION 115.** ATCP 124.02(4) is amended to read:

10 ATCP 124.02(4) “Seller” means a person engaged in the sale of consumer property or
11 services and includes corporations, partnerships, associations and any other form of business
12 organization or entity. The term does not include banks, savings and loan associations, insurance
13 companies and public utilities to the extent exempt from department regulation under s.
14 ~~93.01(13), Stats.~~ 93.01(1m), Stats.

15 **SECTION 116.** ATCP 125.03(1)(a) is amended to read:

16 ATCP 125.03(1)(a) The amount of rent for each rent paying period and all property,
17 services and facilities provided by the operator and included in the rent. For purposes of this
18 paragraph, the amount of the rent may be disclosed as a price schedule, rate or formula, provided
19 the consumer can readily determine the total amount that he or she must pay.

20 **SECTION 117.** ATCP 136.02(4)(b) is amended to read:

21 ATCP 136.02(4)(b) The address of ~~each~~ the business location for which the applicant is
22 required to hold a business registration certificate under sub. (3).

23 **SECTION 118.** ATCP 136.12(3)(d) and (3)(note) are amended to read:

24 ATCP 136.12(3)(d) Equipment manufactured prior to January 1, 2008 used to recycle R-
25 134a refrigerant shall meet or exceed the standards specified by the society of automotive

1 engineers in HFC-R134a Recycling Equipment for Mobile Air Conditioning Systems," SAE
2 J2210, December 1991, including the secondary standards incorporated by reference in SAE
3 J2210. Equipment manufactured on or after January 1, 2008 shall meet or exceed the standards
4 specified in SAE J2788, December 2006.

5 **NOTE:** Standards incorporated by reference under sub. (3) are on file with the
6 department, ~~the secretary of state~~ and the ~~revisor of statutes~~ legislative reference
7 bureau. You may obtain copies of the SAE standards by contacting the Society of
8 Automotive Engineers, 400 Commonwealth Drive, Warrandale, PA 15096-0001.
9 You may obtain a copy of standard 740-1993 from the Air Conditioning and
10 Refrigeration Institute, 4301 North Fairfax Dr., Suite 425, Arlington, VA 22203.

SECTION 119. ATCP 136.14(1)(note) is amended to read:

11 **NOTE:** Standards incorporated by reference under sub. (1) are on file with the
12 department, ~~the secretary of state~~ and the ~~revisor of statutes~~ legislative reference
13 bureau. You may obtain copies by contacting the Society of Automotive
14 Engineers, 400 Commonwealth Drive, Warrandale, PA 15096-0001.

15 **SECTION 120.** ATCP 136.14(2)(note) is amended to read:

NOTE: Copies of the air conditioning and refrigeration institute 700 specification for
fluorocarbon and other refrigerant are on file with the department, ~~the secretary of~~
~~state~~ and the ~~revisor of statutes~~ legislative reference bureau. You may obtain
copies from the Air Conditioning and Refrigeration Institute, 4301 North Fairfax
Dr., Suite 425, Arlington, VA 22203.

16 **SECTION 121.** ATCP 160.02(1)(a) is amended to read:

17 ATCP 160.02(1)(a) The state aid authorized by s. 93.23(1), Stats., may be paid ~~only on~~
18 ~~net premiums, which consist of~~ on total premiums paid less total entry fees received by a county
19 or district fair, net of any amounts that the county or district fair deducts from total premium
20 payments. The department may withhold state premium aid from any fair which does not
21 enforce the animal health provisions required under ch. ATCP 10 for all classes of livestock
22 exhibited at the fair. State aid will be paid only on premiums actually paid by bank check or
23 draft.

1 **SECTION 122. EFFECTIVE DATE:** This rule takes effect on the first day of the month
2 following publication in the Wisconsin administrative register, as provided in s. 227.22 (2)
3 (intro.), Stats.

Dated this _____ day of _____, _____.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Rodney J. Nilsestuen, Secretary

Chapter ATCP 21

APPENDIX A AREAS INFESTED BY HEMLOCK WOOLLY ADELGID

States (entire state)

- Alaska
- California
- Connecticut
- Delaware
- New Jersey
- Oregon
- Rhode Island
- Washington

Counties

- In the state of **Georgia**, the counties of: Dawson, Fannin, Gilmer, Habersham, Lumpkin, Rabun, Stephens, Towns, Union, White.
- In the state of **Kentucky**, the counties of: Bell, Clay, Harlan, Leslie, Letcher, Pike, Whitley.
- In the state of **Maine**, the county of York.
- In the state of **Maryland**, the counties of: Allegany, Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Frederick, Garrett, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's, Talbot, Washington.
- In the state of **Massachusetts**, the counties of: Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Norfolk, Plymouth, Suffolk, Worcester.
- In the state of **New Hampshire**, the counties of: Hillsborough, Rockingham.
- In the state of **New Jersey**, the counties of: Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, Warren.

- In the state of **New York**, the counties of: Albany, Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Monroe, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester.
- In the state of **North Carolina**, the counties of: Alamance, Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Caswell, Catawba, Cherokee, Clay, Forsyth, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Orange, Polk, Rockingham, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yancey.
- In the state of **Pennsylvania**, the counties of: Adams, Allegheny, Beaver, Bedford, Berks, Blair, Bradford, Bucks, Cambria, Cameron, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Elk, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Somerset, Sullivan, Sesquehanna, Tioga, Union, Wayne, Westmoreland, Wyoming, York.
- In the state of **South Carolina**, the county of: Greenville.
- In the state of **Tennessee**, the counties of: Blount, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Monroe, Morgan, Polk, Roane, Scott, Sevier, Sullivan, Unicoi, Union, Washington.
- In the state of **Virginia**, the counties of: Albemarle, Alleghany, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Caroline, Carroll, Chesterfield, Clarke, Craig, Essex, Culpeper, Dickenson, Essex, Fairfax, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Grayson, Greene, Hanover, Henrico, Henry, Highland, King William, Lee, Loudon, Lunenburg, Madison, Montgomery, Nelson, Northumberland, Orange, Page, Patrick, Pittsylvania, Prince William, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Spotsylvania, Tazewell, Warren, Washington, Wise, Wythe.
- In the state of **West Virginia**, the counties of: Barbour, Berkeley, Boone, Braxton, Fayette, Grant, Greenbrier, Hampshire, Hardy, Jefferson, Kanawha, Logan, Marion, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Preston, Raleigh, Randolph, Roane, Summers, Tucker, Upshur, Webster, Wyoming.

Appendix A



Application for Soil Testing Laboratory Certification

Wis. Stats. s. 92.05(3)(k) and Wis. Adm. Code s. ATCP 50.50

Mail Application to:

Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management – Nutrient Management
PO Box 8911, Madison WI 53708-8911

For Office Use Only

Certification No.

Date Issued

Personal information on this application may be used for purposes other than laboratory certification (Wis. Stats. s. 15.04(1)(m)).

1. Applicant (Laboratory Operator):

Legal Name: _____

Business Form (Check One):

- Individual
 Corporation
 Partnership
 Cooperative
 LLC
 LLP
 Other _____

State of Formation (if other than individual): _____

Trade Name (if different from legal name): _____

2. Laboratory:

Laboratory Administrator (Name of Individual): _____

Mailing Address: _____ State: _____ Zip: _____

Telephone Number: (____) _____ Fax Number (____) _____

3. Soil Tests and Services that the Laboratory Can Provide (Check All that Apply):

REQUIRED FOR CERTIFICATION:

- Soil pH
 Buffer pH
 Phosphorus(P)
 Potassium(K)
 Organic Matter(OM)
 Nutrient Recommendations (N, P, K)
 Lime Recommendations

OTHER TESTS AND SERVICES:

- Other Plant Nutrient Tests
 Manure Analysis
 Other Tests or Services _____

4. Laboratory Qualification to Perform Required Tests:

The applicant certifies that the laboratory is qualified and able to perform all soil tests required for certification (see 3. above), and performs those tests according to applicable standards and methods specified in the following publications:

- a. *Nutrient Application Guidelines for Field, Vegetable and Fruit Crops, UW-Extension Publication A2809 (2006).*
- b. *Wisconsin Procedures for Soil Testing, Plant Analysis and Feed & Forage Analysis, Department of Soil Science, University of Wisconsin-Madison (December, 2007).* A copy can be found at the following web address:
<http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-mngmt/planning.jsp>

Appendix G

Technical Standards Incorporated by Reference

Chapter ATCP 50, Wis. Adm. Code, incorporates the following technical standards by reference. *Primary standards* are specifically identified in ATCP 50. *Secondary standards* are incorporated by reference in one or more primary standards. The following list identifies each primary and secondary standard and its date of publication. Copies of each standard are on file with the department and the legislative reference bureau. The county land conservation committee normally has inspection copies on file. The following list explains how to obtain copies from the publisher. Future updates to technical standards are *not* automatically incorporated into ATCP 50. The department may incorporate future updates in future rule amendments.

Primary Standards

1. ***United States Department of Agriculture, Natural Resources Conservation Service, Wisconsin, Section IV, Technical Guide (“NRCS technical guide”) standards.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
 - Access Road Standard 560 (August, 2006).
 - Animal Trails and Walkways Standard 575 (August, 2006).
 - Channel Stabilization Standard 584 (July, 2003).
 - Closure of Waste Impoundments Standard 360 (November, 2006).
 - Contour Farming Standard 330 (May, 2002).
 - Cover Crop Standard 340 (June, 2002).
 - Critical Area Planting Standard 342 (June, 2002).
 - Diversion Standard 362 (August, 2006).
 - Fence Standard 382 (November, 1999).
 - Field Border Standard 386 (May, 2002).
 - Filter Strip Standard 393 (January, 2001).
 - Fish Passage Standard 396 (April, 2003).
 - Grade Stabilization Structure Standard 410 (July, 2001).
 - Grassed Waterway Standard 412 (August, 2006).
 - Heavy Use Area Protection Standard 561 (October, 2007).
 - Irrigation Regulating Reservoir Standard 552 (May, 2004).
 - Irrigation System, Sprinkler Standard 442 (May, 2004).
 - Irrigation System, Tailwater Recovery Standard 447 (May, 2004).
 - Irrigation Water Conveyance Aluminum Tubing Pipeline Standard 430AA (May, 2004).
 - Irrigation Water Conveyance High-Pressure, Underground, Plastic Pipeline Standard 430DD (May, 2004).
 - Irrigation Water Management Standard 449 (May, 2004).
 - Lined Waterway or Outlet Standard 468 (August, 2006).
 - Manure Transfer Standard 634 (February, 2007).
 - Mulching Standard 484 (June, 2002).
 - Nutrient Management Standard 590 (September, 2005).
 - Obstruction Removal Standard 500 (May, 2002).
 - Open Channel Standard 582 (May, 2002).
 - Pasture and Hayland Planting Standard 512 (June, 2002).

- Pest Management Standard 595 (June, 2003).
- Pipeline Standard 516 (April, 2002).
- Pond Standard 378 (July, 2001).
- Pond Sealing or Lining, Flexible Membrane Lining Standard 521A (April, 1999).
- Pond Sealing or Lining-Bentonite Treatment Standard 521C (October, 2007).
- Prescribed Grazing (Managed Grazing-Wisconsin) Standard 528 (December, 2005).
- Pumping Plant Standard 533 (July, 2003).
- Recreation Trail and Walkway Standard 568 (October, 2007).
- Residue and Tillage Management-No Till/Strip Till/Direct Seed Standard 329 (October, 2006).
- Residue and Tillage Management-Mulch Till Standard 345 (October, 2006).
- Residue Management- Seasonal Standard 344 (October, 2006).
- Riparian Forest Buffer Standard 391 (January, 2001).
- Roof Runoff Structure Standard 558 (January, 2008).
- Sediment Basin Standard 350 (June, 2002).
- Shoreland Habitat Standard 643A (July, 2001).
- Sinkhole Treatment Standard 725 (March, 2000).
- Spoil Spreading Standard 572 (May, 2002).
- Spring Development Standard 574 (May, 2002).
- Streambank and Shoreline Protection Standard 580 (December, 2005).
- Stripcropping Standard 585 (June, 2002).
- Structure for Water Control Standard 587 (June, 2002).
- Subsurface Drain Standard 606 (June, 2002).
- Surface Drainage, Field Ditch Standard 607 (June, 2003).
- Surface Drainage, Main or Lateral Standard 608 (August, 2006).
- Terrace Standard 600 (June, 2002).
- Tree/Shrub Establishment Standard 612 (April, 2003).
- Underground Outlet Standard 620 (May, 2002).
- Use Exclusion Standard 472 (June, 2002).
- Waste Storage Facility Standard 313 (December, 2005).
- Wastewater Treatment Strip Standard 635 (January, 2002).
- Water & Sediment Control Basin Standard 638 (July, 2001).
- Watering Facility Standard 614 (April, 2002).
- Water Well Standard 642 (May, 2005).
- Well Decommissioning Standard 351 (May, 2006).
- Wetland Restoration Standard 657 (September, 2000).
- Wildlife Upland Habitat Management Standard 645 (July, 2000).
- Windbreak/Shelterbelt Establishment Standard 380 (June, 2002).

2. ***University of Wisconsin-Extension Publications.*** A person may obtain copies of the following standards from Cooperative Extension Publications, 45 North Charter Street, Madison WI 53715. Phone: 877-WIS-PUBS (947-7827). E-mail: reitzman@admin.uwex.edu

- Nutrient application guidelines for field, vegetable, and fruit crops in Wisconsin, UWEX Pub. No. A2809 (2006).
- Soil Test Recommendations for Field, Vegetable and Fruit Crops, UWEX Pub. No. A-2809 (1998).
- Pollution Control Guide for Milking Center Waste Water Management, UWEX Pub. No. A3592 (1994).
- Pastures for profit: A guide to rotational grazing, UWEX Pub. No. A3529 (2002).
- Recommended Methods of Manure Analysis, UWEX Pub. No. A3769 (2003).

3. **Wisconsin Department of Natural Resources Standards.** A person may obtain these standards from the Wisconsin Department of Administration, Document Sales Unit, 202 S Thornton Ave, PO Box 7840, Madison WI 53707-7840. Phone: 608-266-3358. E-mail: docsales@doa.state.wi.us.
 - Wet Detention Basin Standard 1001 (June, 1999).
 - “Wisconsin Construction Site Best Management Practice Handbook”, DNR Publication No. WR-222 93 (April 1994).

4. **United States Department of Agriculture, Natural Resources Conservation Service-Wisconsin.**
 - Wisconsin Conservation Planning Technical Note WI-1, “Companion Document to NRCS FOTG Standard 590, Nutrient Management”. (September, 2007). A person may obtain copies of this standard from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison, WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
 - Revised Universal Soil Loss Equation, Version 2 (“RUSLE 2”), (November 14, 2006). This software contains 9 previous versions as well as the 2006 version and may be downloaded free of charge from: http://fargo.nserl.purdue.edu/rusle2_dataweb/RUSLE2_Index.htm

5. **American Society of Civil Engineers (ASCE),** Minimum Design Loads for Buildings and Other Structures, *ASCE/SEI 7-05 (2006)*. A person may obtain this standard from ASCE Publications, 1801 Alexander Bell Drive, Reston, VA 20191. Phone: 800-548-ASCE (2723). Email: www.asce.org/asce.cfm.

6. **University of Wisconsin-Madison, Biological Systems Engineering Department.** Wisconsin Minimum Design and Construction Standards for Concrete Mixing and Loading Pads and Secondary Containment Structures (February, 2005). A person may obtain this standard from the Biological Systems Engineering Dept., University of Wisconsin-Madison, 460 Henry Mall, Madison WI 53706. Phone: 608-262-3311. E-mail: hkirschn@facstaff.wisc.edu

7. **University of Wisconsin-Madison, Soil Science Department.** Wisconsin Procedures for Soil Testing, Plant Analysis and Feed & Forage Analysis (December 2007). A person may obtain this standard from the Soil Science Department, University of Wisconsin-Madison, Madison, WI 53706, or from this department’s website: <http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/nutrient-mngmt/planning.jsp>.

Secondary Standards

1. **United States Department of Agriculture, Natural Resources Conservation Service – Wisconsin, Section IV, Technical Guide (“NRCS technical guide”).** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
 - Conservation Crop Rotation Standard 328 (May, 2002).
 - Forest Site Preparation Standard 490 (June, 2002).
 - Stream Crossing Standard 578 (August, 2006).
 - Stream Habitat Improvement and Management Standard 395 (May, 2006).
 - Hedgerow Planting Standard 422 (June, 2002).
 - Prescribed Burning Standard 338 (March, 2008).
 - Wildlife Watering Facilities Standard 648 (October, 1991).
 - Wisconsin Construction Specification 2, “Excavation” (April, 2006).

- Wisconsin Construction Specification 3, “Earthfill” (June, 2005).
 - Wisconsin Construction Specification 4, “Concrete” (September, 2003).
 - Wisconsin Construction Specification 6, “Corrugated Metal Pipe Conduits” (April, 2006).
 - Wisconsin Construction Specification 9, “Rock Riprap” (December, 2005).
 - Wisconsin Construction Specification 10, “Fences” (June, 2002).
 - Wisconsin Construction Specification 13, “Geotextiles” (December, 2005).
 - Wisconsin Construction Specification 15, “Plastic Pipe Conduits” (January, 2006).
 - Wisconsin Construction Specification 19, “Well Abandonment/Decommissioning” (May, 2006).
 - Wisconsin Construction Specification 202 “Polyethylene Geomembrane Lining” (December, 2005).
 - Wisconsin Construction Specification 203 “Geosynthetic Clay Liner” (March, 2005).
 - Wisconsin Construction Specification 204 “Earthfill for Waste Storage Facilities” (March, 2005).
 - Wisconsin Construction Specification 205 “Flexible Membrane Lining” (April, 1999).
 - Wisconsin Construction Specification 300 “Clay Liner” (December, 2005).
2. ***United States Department of Agriculture, Natural Resources Conservation Service, Agricultural Waste Management Field Handbook, Part 651.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Chapter 7, “Geologic and Ground Water Considerations” (June, 1999).
 - Chapter 9, “Agricultural Waste Management Systems” (April, 1992).
 - Chapter 10, “Agricultural Waste Management System Component Design” (July, 1996).
 - Chapter 12, “Waste Management Equipment” (October, 1997).
3. ***United States Department of Agriculture, Natural Resources Conservation Service – Wisconsin, Wisconsin Technical Notes.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Wisconsin Agronomy Technical note WI-1, “Guidelines for Herbaceous Stand Evaluation” (May, 1991).
 - Wisconsin Agronomy Technical Note WI-5, “Prairie Restoration Seeding” (September, 1999).
 - Wisconsin Biology Technical Note 1, “Shoreland Habitat” (September, 2001).
 - Wisconsin Forestry Technical Note WI-1, “Native Tree and Shrub Planting Recommendations for Wisconsin” (April, 2003).
 - Wisconsin Forestry Technical Note WI-2, “Tree and Shrub Establishment” (April, 2003).
4. ***United States Department of Agriculture, Natural Resources Conservation Service.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Technical Release TR-25, “Design of Open Channels” (1977).
 - Technical Release TR-55, “Urban Hydrology for Small Watersheds” (June, 1986).
 - Technical Release TR-60, “Earth Dams and Reservoirs” (July, 2005).
 - Field Office Technical Guide, Section III, “Guidelines for Resource Management System Quality Criteria and Human Considerations” (March, 2005).

- Field Office Technical Guide, Section I, Part II, “Wind Erosion Prediction” (February, 2003).
 - National Planning Procedures Handbook, Subpart F, Part 600.75, “Draft Comprehensive Nutrient Management Planning Technical Guidance” (undated, the version in effect in 2008).
 - National Handbook of Conservation Practices, Standard 554, “Drainage Water Management” (September, 2001).
 - Wisconsin Job Sheet 134, “How to Establish and Maintain Introduced Grasses and Legumes” (May, 2000).
 - Wisconsin Job Sheet 135, “How to Establish and Maintain Native Grasses, Forbs and Legumes” (May, 2000).
 - Wisconsin Job Sheet 136, “Wildlife Food Plots” (January, 2000).
 - Wisconsin Job Sheet 142, “Permanent Wildlife Habitat” (January, 2000).
 - “Soil Conditioning Index” (June, 2005).
 - “Windows Pesticide Screening Tool” (WIN-PST 3.0) (November 11, 2005). This may also be downloaded from the website: www.wcc.nrcs.usda.gov/pestmgt/winpst.html.
5. ***United States Department of Agriculture, Natural Resources Conservation Service National Engineering Field Handbook, Part 650.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Chapter 6 “Structures” (undated, version in effect on September 1, 2002).
 - Chapter 7, “Grassed Waterways” (1986).
 - Chapter 11, “Ponds and Reservoirs” (April, 1980).
 - Chapter 14, “Water Management (Drainage)” (April, 2001).
 - Chapter 16, “Streambank and Shoreland Protection” (December, 1996).
 - Chapter 18, “Soil Bioengineering for Upland Slope Protection and Erosion Reduction” (October 1992).
6. ***United States Department of Agriculture, Natural Resources Conservation Service National Engineering Field Handbook, Part 631.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Chapter 33, “Investigations for Ground Water Resources Development” (November, 1998).
7. ***United States Department of Agriculture, Natural Resources Conservation Service National Engineering Handbook, Part 623.*** A person may obtain copies of the following standards from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.
- Chapter 2, “Irrigation Water Requirements” (September, 1993).
8. ***United States Department of Agriculture, Natural Resources Conservation Service – Wisconsin, “Drainage Guide for Wisconsin” (1977).*** A person may obtain this standard from the NRCS Wisconsin State Office, 8030 Excelsior Drive, Suite 200, Madison WI 53717-2906. Phone: 608-276-8732. Website: www.nrcs.usda.gov.

9. **University of Wisconsin-Extension Publications.** A person may obtain copies of the following standards from Cooperative Extension Publications, 45 North Charter Street, Madison WI 53715. Phone: 877-WIS-PUBS (947-7827). E-mail: reitzman@admin.uwex.edu
- “Forage Variety Update for Wisconsin, 2007 Trial Results”, UWEX Publication A1525 (2007).
 - Training Manual for the Private Pesticide Applicator, 4th Edition, Chapter 25 – “Calibration” (January 1998).
 - “Sampling Soils for Testing”, UWEX Publication A2100 (2007).
 - “Phosphorous for Bearing Cranberries in North America” (November, 2004).
10. **Oregon State University-Extension Publications, “Cranberry Tissue Testing for Producing Beds in North America”. Extension Publication Number EM-8610 (August, 1995).** A person may obtain copies of the standard from Extension Service Administration, 101 Ballard Hall, Corvallis, OR 97331-0360 Phone: 541-737-2713 or from the UW Horticulture Department Website: www.hort.wisc.edu/cran/mgt_articles/articles_nutr_mgt/a3642.pdf
11. **Wisconsin Department of Natural Resources Publications.** A person may obtain the following standards from the Wisconsin Department of Administration, Document Sales Unit, 202 S Thornton Ave, PO Box 7840, Madison WI 53707-7840. Phone: 608-266-3358. E-mail: docsales@doa.state.wi.us.
- BARNY 2.6, “The Wisconsin Barnyard Runoff Model” (October, 1996).
 - “Trails”, Wisconsin Trail Specification Handbook, 8605.1, Ch. 30 (October 2004).
 - “Wisconsin’s Forestry Best Management Practices for Water Quality”, Field Manual Publication No. FR-093 (Reprinted and revised, May, 2003).
12. **Wisconsin Department of Transportation, Facilities Development Manual, Chapter 10, “Erosion Control and Storm Water Quality” (January, 1997).** A person may obtain this standard from the Wisconsin Dept of Transportation, 4802 Sheboygan Avenue, Madison, WI 53707 Phone: 608-266-0724 E-mail: library@dot.state.wi.us
13. **American Concrete Institute Publications.** A person may obtain copies of the following standards from the American Concrete Institute, PO Box 9094, Farmington Hills, MI 48333-9094. Phone: 248-848-3800. Website: www.aci-int.org.
- “Building Code Requirements for Structural Concrete,” ACI 318-02 (January, 2002).
 - “Design of Slabs on Grade,” ACI 360R-92 (Re-approved 1997).
14. **American Forest & Paper Association, American Wood Council, “National Design Specification for Wood Construction” with Supplement (January, 2005).** A person may obtain this standard from the American Forest & Paper Association, 1111 19th St NW, Suite 800, Washington, DC 20036. Phone: 800-890-7732. E-mail: AWCINFO@afandpa.org.
15. **American Society of Agricultural and Biological Engineers, Engineering Practices.** A person may obtain copies of the following standards from the American Society of Agricultural and Biological Engineers, 2950 Niles Road, St Joseph, MI 49085. Phone: 616-429-0300. Website: www.asae.org.
- Engineering Practice Number 288.5, “Agricultural Building Snow and Wind Loads” (January, 2001).
 - Engineering Practice Number 378.3, “Floor and Suspended Loads on Agricultural Structures Due to Use” (February, 2004).
 - Engineering Practice Number 393.3, “Manure Storages” (February, 2004).

- Engineering Practice Number 470, “Manure Storage Safety” (January, 1992; reaffirmed February, 2005).
16. ***American Institute of Steel Construction, Inc. “Manual of Steel Construction, Load and Resistance Factor Design,” 3rd edition (November 2001), with Shapes Database compact disc Version 3.0.*** A person may obtain this standard from the American Institute of Steel Construction, One East Wacker Drive, Suite 3100, Chicago IL 60601-2001. Phone: 800-644-2400. Website: www.aisc.org.