Report From Agency

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULE-MAKING PROCEEDINGS BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES	**:**	**REPORT TO THE LEGISLATURE CR 13-062**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No forms are created by these rule provisions.

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The U.S. Safe Drinking Water Act amendments of 2011 [SDWA, 42 USC 300g-6] become effective January 4, 2014 in which water service piping, piping materials and fixtures must be "lead-free". This Act updates the definition for "lead-free" and adopts by reference two national standards, ANSI/NSF-61 and ANSI/NSF 372 reflecting the revisions to the SDWA. Most importantly, this Act provided a 3-year enactment period for manufacturers, suppliers and users to become educated and comply with the rule revisions. This delayed enactment also allowed for the sale of current inventory and the use of new materials meeting the standard to be ready for sale by the effective date. Promulgation of the rule will bring covered materials and products used in drinking water service installations in Wisconsin consistent with the Federal rule.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Department of Safety and Professional Services held a public hearing on August 28, 2013. No one testified on the proposed rule; no written comments were received. No further modifications were made to the rules.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The department has accepted all comments in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules were not submitted to the Small Business Regulatory Review Board.

These rules will not have a significant economic impact on a substantial number of small businesses other than those required by the Federal government.

File: 165-SPS 381 EPA lead reduction rule Leg Report