

### Summary of ATCP 40 Public Comments

The ATCP 40 rule revision public hearing was held on June 30, 2015 in Madison, WI. The public comment period remained open until July 21, 2015. Table 1 summarizes the number of people that attended the hearing, submitted testimony or registered their comments.

**Table 1: Attendance at Public Hearings and Written Comments Submitted**

Public Hearing Location	Hearing Attendance	Registration/Comment Cards Submitted	Speakers on Record	Mailed or Emailed Comments
Madison	4	4	2	0
Written Comments Submitted	0	0	0	0
Economic Impact Analysis Comments	0	0	0	0
<b>Total</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>0</b>

Table 2 summarizes comments provided at the public hearing and the written comments submitted to the department, including those submitted as part of the economic impact analysis and the Legislative Council Rules Clearinghouse. If an individual's submittal referenced multiple sections of ATCP 40, each idea was separately tallied in Table 2. The DATCP response column outlines what actions were taken to address public comments in the final rule language.

**Table 2: Summary of Public Comments Received**

Proposed Change	Support Proposal	Support Proposal with Changes	Oppose Proposal	Total Comments	Alternatives Suggested	DATCP Response
Legislative Council Rules Clearinghouse Comments				1	Suggested edits for 1) form, style and placement in administrative code, and 2) clarity, grammar, punctuation and use of plain language.	DATCP revised rule text to incorporate all suggested edits.

Proposed Change	Support Proposal	Support Proposal with Changes	Oppose Proposal	Total Comments	Alternatives Suggested	DATCP Response
Public Comments		X		2	Suggestion given to create an additional economic value with a threshold of 96% for bagged fertilizer materials. Reasoning for suggestion was to accommodate for the variability, and number of product ingredients within bagged fertilizer products when compared with bulk fertilizers.	The department heard a suggestion expressed at the public hearing for a separate threshold value of 96% for bagged fertilizer products, however the department did not incorporate this suggestion into the rule revision. The analysis of the sample results from bagged and bulk fertilizer, set at a 96% threshold did not show a significant decrease in bagged fertilizer failure rates than that of bulk or liquid set at the same threshold. The department maintains that a decrease of the overall threshold variance to 97% addresses the concerns relating to bagged fertilizer.