

SUMMARY OF PUBLIC COMMENTS AND THE DEPARTMENT’S RESPONSES,  
 EXPLANATION OF MODIFICATION TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS  
 CR 23-006, SPS 381-387, Wisconsin Plumbing Code

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#	Provision	Comments / Recommendations	Agency Response/Modifications
1.	N/A	<p>“Master Plan Review Exemption Proposal”</p> <p>There is a plumbing plan review problem in Wisconsin. When plans are not approved quickly, the bottleneck results in delays for the entire construction process. While I appreciate the DSPS efforts to address the issue, I believe that the Master Plan Exemption Proposal should be adopted because it provides another tool. Essentially, this would provide that small plumbing projects (less than 15 fixtures) that are part of a larger project (e.g., strip mall tenant buildout) would not require plan review. The idea is that projects of less than 15 fixtures do not require plan review generally and requiring review for these small projects results in more plans going into the review process than necessary.</p>	<p>The Department disagrees with this comment and no changes were made. The Department determined that the proposed “Master Plan Review Exemption Proposal” would create more statewide challenges than benefits.</p>
2.	N/A	<p>Finally, I would ask that all the alternate approval be incorporated into the final draft. It was my understanding that after a period – five years, as I recall – these approvals would become part of the Wisconsin plumbing code. I don’t see them included in the draft and wonder if they should be or whether they are made part of the code in another way. Minimally, these approvals should be made more available to the industry. Greater transparency is needed and there needs to be a clear understanding within the Department, agent municipalities, and the industry with respect to the application of these alternate approvals. I believe some of the others testifying mentioned ongoing meetings with the Department to improve communications. I support this recommendation completely.</p>	<p>The Department took no action in response to this comment. In many cases specific alternate approvals have been codified by inclusion of additional or updated incorporated standards, and there is no legal mechanism for automatic inclusion of any provisions in the code.</p>
3.	N/A	<p>The advisory committee and a few plumbing contractors agree with the previous proposed draft: "Master Plan Review Exemption Proposal." <b>Refer to Attachment #3.</b> In light of ongoing discussions regarding plan review, we continue to believe that proposals such as these, where we look at ways to improve processes while still maintaining public health and safety, should be adopted. As always,</p>	<p>The Department disagrees with this comment and no changes were made. The Department determined that the proposed “Master Plan Review Exemption Proposal” would create more statewide challenges than benefits.</p>

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		we stand ready to work with the Department on other innovations regarding the plan review process.	
4.	SPS 305.003 (72) (Note)	Why eliminate Stat. 145 reference & not provide definition? [Cf. (52) "Pipelayer"; (55) "Plumbing apprentice"]	The Department determined that the note should be removed.
5.	SPS 305.90 (1) (b) 2. a.	Change is actually (1) (b) 2. a. & b. & c.	The Department agrees with this comment, and the reference was updated.
6.	SPS 305.90 (1) (b) 4. a., and b.	Is this excluding utility contractor from manufactured home community drain & water systems? [Cf. (1) (b) 1. e. to h.]	The Department determined that the proposed rule did not impact utility contractors with regard to manufactured home community drain & water systems.
7.	SPS 305.90 (1) (b) 4. a., and b.	Inconsistent language between 305.90 (1) (b) 1. b. & 4. b.	The Department determined that the proposed rules do not create a conflict.
8.	SPS 305.90 (1) (b) 4. b. and 305.97 (6)	Inconsistent language between 305.90 (1) (b) 4. b. & 305.97 (6)	The Department determined that the proposed rules do not create a conflict.
9.	SPS 305.92 (1)	The proposed draft language concerning SPS 305.92 (1) reads, "A person may obtain a license as a master plumber-restricted <u>service</u> by taking..." SPS 305.92 refers to master plumber restricted license, both types of restricted, restricted service and restricted appliance. SPS 305.92 includes eight subsections' categories. To apply SPS 305.92 (1) to one of the two types of restricted	The Department agrees with the comment. "Service" was removed from the treatment of SPS 305.92 (1) in the proposed rule.

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		license contradicts the structure of SPS 305.92. Do not add "service" to SPS 305.92 (1).	
10.	SPS 305.92 (1)	SPS 305.92 Covers both types of master plumber restricted license (service & appliance) Do <u>not</u> add "service" in 305.92 (1)	The Department agrees with the comment and the references to “service” were removed.
11.	SPS 305.97 (6) (b), 305.98 (1)	305.97 (6) (b): "building sewers, sanitary" vs. 305.98 (1) "building sanitary sewers"	The Department agrees with the comment that the treatment in Section 22 was not consistent with the defined terms in ch. 381. The rule sections were updated to consistently refer to the defined terms in ch. 381.
12.	SPS 381.01 (13e), (172)	(13e) delete "type of" [Cf. (18), (79), (108s), (204)]	The Department determined that this deletion was not appropriate.
13.	SPS 381.01 (189)	(189) delete "type of" [Cf. (18), (79), (108s), (204)]	The Department determined that this deletion was not appropriate.
14.	SPS 381.01 (65m), (66), (79), and (189)	Definition of "cross connection control assembly" uses terms of assemblies in contrast to the terms in SPS 381.01 (79) & (189)	The Department was unable to identify a conflict.

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15.	SPS Table 381.20-4	Proposed SPS Table 381.20-4, Line 19, includes ASSE 1024. The ASSE 1024 standard, although originally created in 1979, was not adopted by DILHR, Commerce or DSPS. The adoption of ASSE 1024 does not reflect the advisory committee changes to SPS Table 381.20-4. Refer to committee rule changes 10/17/2018.	The Department took no action in response to this comment based on the approval of this standard by the Code Committee on October 27, 2021.
16.	SPS Table 381.20-4	Proposed SPS Table 381.20-4, Line 20, includes ASSE 1032. The ASSE 1032 standard, although originally created in 1980, was not adopted by DILHR, Commerce or DSPS. The adoption of ASSE 1032 does not reflect the advisory committee changes to SPS Table 381.20-4. Refer to committee rule changes 10/17/2018.	The Department took no action in response to this comment based on the approval of this standard by the Code Committee on October 27, 2021.
17.	SPS Table 381.20-4	Proposed SPS Table 381.20-4, Line 13. Although a few the ASSE standards being adopted identify the most current edition (ASSE 1003-2020, ASSE 1022-2021), the ASSE 1013-2011 and ASSE 1015-2011 are proposed, but ASSE 1013-2021 and ASSE 1015-2021 are the current editions. The draft would be adopting a decade old standard for no apparent reason. Recommend adopting the current edition of ASSE 1001-2021, ASSE 1012-2021, ASSE 1013-2021, ASSE 1015-2021, ASSE 1047-2021, ASSE 1048-2021, and ASSE 5000-2022e1.	The Department agrees with this comment and the seven identified standards were updated.
18.	SPS Table 381.20-4	Proposed SPS Table 381.20-4, Line 26. The proposed adoption of ASSE 1049 "Air Admittance Valves for Chemical Waste Systems" potentially conflicts with draft Section 87, SPS 382.31 (17m) (c) 4. "The AAV may not serve..." "A fixture serving a chemical waste system...". If the adoption of ASSE 1049 permits an AAV to be installed conforming to ASSE 1049, but not installed serving a chemical waste system, would the adding of a "Note" be advisable?	The Department determined that the appropriate response to the comment was to delete the referenced line from the table.
19.	SPS 382.20 (1) (b) 1. and (c)	(1) (c) RPF & RPDF listed [Cf. Table 382.20-1 Line 5.; Table 382.22-1]; Remove RPF & RPDF	The Department determined that there is no conflict between the sections referenced in the comment. One section relates to the registration of devices while

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			the other relates to the testing of devices.
20.	SPS 382.20 (1) (c)	(1) (c) ASSE 1015 DC not listed [Cf. Table 382.20-1 Line 5.; Table 382.22-1]; Add ASSE 1015 DC	The rule section was updated to incorporate the changes recommended in the comment.
21.	SPS Table 382.30-1	<p>The proposed draft does not include the advisory committee proposed changes to SPS Table 382.30-1.</p> <p>The previous advisory committee proposed SPS Table 382.30-1 had several DFU and trap size changes that reflected current water usage of today’s plumbing fixtures. These changes would have the potential to reduce drain and vent sizes, which in turn would lead to building cost savings. Refer to committee rule changes 4/3/2019.</p> <p>The previous code package also included the “emergency floor drain” concept. Again, this idea could greatly reduce the sizes of drain and vent systems.</p> <p>The previously proposed changes to SPS Table 382.30-1 would also make our code current with the International Plumbing Code, the Uniform Plumbing Code, and the National Standard Plumbing Code.</p> <p>Refer to <b>Attachment #2</b> for proposed SPS Table 382.30-1.</p>	<p>The Department did not make any changes in response to this comment.</p> <p>The Department cannot find sufficient technical support for the values suggested to be sufficiently confident that the suggested change would not have a negative impact on the quality and safety of plumbing in Wisconsin.</p> <p>Additionally, the proposed changes in the comment were discussed by a previous Plumbing Code Advisory Committee as part of a previous rule project, but was not presented to or discussed by the current Plumbing Code Advisory Committee as part of this rule project, and as they represent a substantial change to the existing plumbing code the Department feels making the recommended change at this time is not appropriate.</p>

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22.	SPS 382.30 (10) (a) 2.	Amended language "Capacity shall be based on one pump only" should apply to entire section for sizing sumps/pumps in regard to drains & vent	The Department agrees with the comment. Language regarding "one pump" was moved to SPS 382.30 (10) (a) 2. to apply to entire section for sizing.
23.	SPS 382.30 (4) (a) 1. and 2.	Keep the "deleted" language and add the new language "may be less than the limits in Tables..."	The Department determined that the suggested change was not appropriate.
24.	SPS 382.31 (11) (a), (16) (d) and (e)	Amended language regarding KS & AW should apply to back to back installations regardless of using common vent	The Department was unable to ascertain the meaning of this comment.
25.	SPS 382.31 (17) (c) 6.	SPS 382.31 (17m) (c) 6. Wisconsin does not require a "stack vent" for two to four branch intervals (1985 requirement)	The Department determined that the comment is accurate, however no change was made because while not required for the referenced application a stack vent is also not prohibited, therefore the rule section is necessary.
26.	SPS 382.31 (17m)	SPS 382.31 (17m) (e) 3. a., b., c., "See Note"; should it read "See par. (g) Note"? A "Note" does not occur with (e).	The Department agrees that the reference was incorrect. An updated note was added.
27.	SPS 382.32 (3) (e) 1. and 2.	SPS 382.32 (3) (e) 1. & 2. Advisory committee voted to amend Table 382.30-1 "Showers" minimum 1 1/2" trap If 1 1/2" shower drain is permitted for "remodel", why is not permitted for new installations?	The Department determined that no change was needed. This exception identified is intended to address situations where only a 1 1/2" drain can be accommodated in an existing bathroom. The same inherent limitations do not

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			apply to new installations so no change is appropriate.
28.	SPS 382.33 (5) (b) (Note)	Removed Note [SPS 325.01 (3)], but only if SPS 325.01 (3) is repealed [Cf. Committee notes]	The Department agrees with this comment. Section SPS 325.01 (3) was not repealed, so the note was removed from the proposed rule.
29.	SPS 382.33 (8) (d) 6.	382.36 (8) (b) 3. should SPS 382.33 (8) (d) 6. be amended?	Section 382.33 (8) (d) 6. was amended to specify applicability to one- and two-family dwellings in response to this comment.
30.	SPS 382.34 (15) (g)	SPS 382.34 (15) (g) Vacuum relief "water treatment appliance"??? This requirement was previously within Water Reuse amendments [Draft April, 2019]	The Department determined that no change was required. The reference in the comment is to a previous rule project, and the rule section reference is correct as drafted in the proposed rule.
31.	SPS 382.34 (5) (c)	382.34 (5) (c) Grease trap sizing  A plumbing code change proposal was submitted 5/18/21 for a hydromechanical sizing method for grease interceptors. This is already presently accepted as an alternate approval however It appears this did not appear in the final draft as a standard code item.	The Department did not take any action in response to this comment. The rule project added numerous standards allowing alternate sizing methods, so adding similar language in the text of the code would be redundant.
32.	SPS 382.35 (3) (f)	SPS 382.35 (3) (f) "shall be located not 60 inches" [Cf. 8/24/21 Advisory Committee Notes "the cleanout shall not <u>exceed</u> 60 inches"]	The Department agrees with the comment. The rule language was revised to clarify that the requirement is for the cleanout to be located not more than 60 inches above the floor.

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33.	SPS Tables 382.36-1 and 382.36-3	Table 382.36-1 & -3: 2" PVC 2.067 I.D. & 2" CI 1.96 ID: How were no values for CI derived? [Cf. IPC-2021 Table 1106.2; UPC-2021 Table 1103.1; ASPE Plumbing Engineering Design Handbook, Chapter 1]	The Department disagrees with this comment and no change was made. Sufficiently reliable values for horizontal flow in 2" cast iron piping were unavailable.
34.	SPS 382.36 (10)	SPS 382.36 (10) (d) 6. "100-year, 24-hour" [100-year stormwater values identified in Code?] Conversion factors of 26, 32.5 & 104 are based on 2-year, 24-hour stormwater event	The Department determined that the referenced provision was likely to cause confusion. The requirement in SPS 382.36 (10) (d) 6. was removed, and SPS 382.36 (10) (d) 1. was updated to clarify that secondary drains were to be designed under the same criteria as primary drains.
35.	SPS 382.36 (10) (c)	SPS 382.36 (10) (c) "Controlled flow" created in 1985, removed 2004 [Register 587-2004], re-inserted 2023??	The Department disagrees with this comment and no change was made. The Plumbing Code Advisory Committee recommended re-introducing controlled flow.
36.	SPS 382.40 (3) (d) 4.	SPS 382.40 (3) (d) 4. List of assemblies, doesn't include double check backflow prevention assemblies [Cf. Section 65 & Section 76]	The Department agrees with the comment. Double check backflow prevention assemblies were added.
37.	SPS 382.40 (3) (e) 3.	The proposed draft language concerning SPS 382.40 (3) (e) 3. reads, "Materials for multipurpose shall be acceptable under NFPA 13D <b>or</b> ss. SPS 384.30 (4) (e) and SPS 384.30 (5)." NFPA 13D covers fire sprinklers systems for one and two-family dwellings. It includes stand-alone systems and multipurpose piping systems. NFPA 13D Table 5.2.2 permits black welded and seamless steel pipe, which is not an approved water distribution material as per SPS 384.30 (4) and (5). SPS 384.30 (4) and (5) permit water distribution material not listed or approved as specified in NFPA 13D Table 5.2.2 or Table 5.2.3.2. The existing wording of SPS 382.40 (3)	The Department agrees with the comment. The language in the proposed rule was updated to clarify what materials are permitted.

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		1. Note 1 seem to more in line with NFPA 13D 6.3.3 and 6.3.3.1.	
38.	SPS 382.40 (3) (e) 3. to 5.	SPS 382.40 (3) (e) 3. "shall be acceptable under NFPA 13D <u>or</u> ss. SPS 384.30 (4) & (5) NFPA 13D includes stand-alone systems permitting materials not approved for water distribution systems	The Department agrees with the comment. Revised language was added to address the issue.
39.	SPS 382.40 (5) (a), (e)1., and (h) 1.	In the proposed draft, ASSE 1006, 1007 and 1009 are repealed (primarily because these standards are inactive). SPS 384.20 (5) (a) requires residential clothes washer to conform to ASSE 1007. SPS 384.20 (5) (e) 1. requires a residential dishwasher to conform to ASSE 1006. SPS 384.20 (5) (h) 1. requires a commercial food waste grinder to conform to ASSE 1006. These code sections are not being proposed for amending in the Draft.	The Department agrees with the comment. Numerous changes were made in ch. SPS 384 to ensure that all referenced standards are correct.
40.	SPS 382.40 (5) (bm)	The proposed draft relating to SPS 382.40 (5) (bm) is significantly different than the advisory committee language.  Proposed draft reads, SPS 382.40 (5) (bm) "Temperature maintenance..." All public buildings as defined by s. 101.01 (12) Stats., except for those buildings 3 stories or less in height above grade plane..."  Refer to committee rule changes 9/28/2021. The committee proposed language reads, "For application to all commercial buildings. Inclusive of residential buildings with 3 tenants or more, which are 4 stories in height or greater above grade plan."  The proposed draft seems to exempt all "public buildings" 3 stories or less. Would not this exempt approximately 80% of all commercial buildings in Wisconsin from the water efficiency requirements?	The Department agrees with the comment. The language in SPS 382.40 (5) (bm) was revised to better reflect the original intent of the Plumbing Code Advisory Committee.

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41.	SPS 382.40 (7) (Note)	SPS 382.40 (7) Note: "See appendix for details..." Will the SPS 382 Appendix be updated with the Draft?	The Department has determined that updating SPS 382 Appendix is not appropriate to include in the rule project. A review of the appendices to ensure consistency will be completed once a final rule is promulgated.
42.	SPS 382.40 (8) (jm)	SPS 382.40 (8) (jm) 16. "shall be labeled in accordance with Table 382.40-1a" Reference should be "Table 382.40-1p" [Cf. Section 141]	The Department disagrees with the comment and no change was made. The reference to Table 382.40-1 is correct.
43.	SPS Table 382.40-12 and - 13	The proposed update includes moving the PVC Sch 80 Tables from the Appendix of SPS 382 to SPS 382.40 (creating SPS Table 382.40-12 & 382.40-13). This might suggest the use of PVC Sch 80 for water distribution piping; yet PVC Sch 80 is not identified as approved water distribution material for SPS Table 384.30-8 in the proposed draft. If the rationale is the approved use of PVC Sch 80 for water distribution piping with the limitation of SPS 384.30 (4) (e) 2. "Cold water distribution pipe installed underground...shall conform to one of the standards in Table 384.30-7 or 384.30-8...", would the adding of a "Note" be advisable?	The Department agrees with the comment. Notes were added to SPS Tables 382.40-12 and -13 to clarify that the table applies only to water services and private water mains.
44.	SPS Tables 382.40-12 through -15	Table 382.40-12 & 382.40-13 PVC Sch 80, Is PVC approved for water distribution piping? [Cf. Current & Proposed Draft: Table 384.30-8] PVC Sch 80 is not listed as approved water distribuion material]	The Department agrees with the comment. An explanatory note was added.
45.	SPS Table 382.41-1	The first item of concern is the proposed repeal of SPS Table 382.41-1.  The removal of SPS Table 382.41-1 does not aid the plumber. In fact, it will make it more difficult for the plumber to determine the device or assembly for an installation not listed on the proposed Table. The	The Department agrees with the comment. A revised Table 382.41-1 has been inserted to address the comment.

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		<p>proposed SPS Table 382.41-1 &amp; Table 382.41-2 is an updated version of a current table already in the Appendix of SPS 382, but this table does not address the hydraulic conditions and pressure duration (backpressure/back siphonage &amp;/or continuous/non-continuous). The original table is still needed. Removing it is not recommended.</p> <p>The proposed changes to SPS Table 382.41-1 do not reflect the advisory committee proposed changes to this Table. Refer to the committee rule changes 6/22/2021.</p>	
46.	SPS 382.50 (3) (b) 6.	<p>Comments: Published Proposed Code change 382.50(3)(b)6. reads.</p> <p>6. Hot water distribution systems may not include a heat recovery system, and shall be installed and maintained to provide bacterial control disinfection by one of the following methods: a method approved by the Wisconsin department of natural resources for public drinking water. SECTION 189. SPS 382.50 (3) (b) 6. a., b., and c. are repealed.</p> <p>Repealing 382.50(3)(b)6. a. ,b., and c. are repealing thermal disinfection and also relying on the DNR for sections that I believe cannot be easily found if at all. The proposed code language published is not what was approved at code council.</p> <p>382.50(3)(b)6. Should read per code council meeting.</p> <p>382.50(3)(b)6. Hot water distribution systems may not include a heat recovery system, and shall be installed and maintained to provide disinfection by one of the following methods:</p> <ul style="list-style-type: none"> <li>a. Water stored and circulation initiated at a minimum of 140° and with a return of a minimum of 124°.</li> <li>bm. Chlorine Dioxide</li> <li>d. 0.5 Chlorine</li> <li>e. Monochloramine</li> <li>f. Another Disinfection system approved by the department or utilizing disinfectant provided by the</li> </ul>	The Department agrees with this comment. The proposed rule has been amended to address the concern raised.

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		municipality per individual site approval by the department.	
47.	SPS Table 384.11	The proposed draft for Table 384.11, Note "e." and "f." read, "Reduced pressure backflow preventers and... are not permitted for cross connection control." (Same statement is identified for the double check assembly. The RP valve assembly as well as the DC assembly are cross connection control assemblies. Delete Note "e" and "f." The advisory committee recommended to remove the notes. Refer to advisory committee rule changes 5/26/2021.	The Department agrees with the comment. Footnotes “e” and “f” were removed from the proposed rule.
48.	SPS Table 384.11	Original intent of Table 384.11 changed [Backflow prevention methods, devices & assemblies] (See "method" in Table??)  Table 384.11 Updated the standards, but previous standard references in the code body:  SPS 384.20 (5) (b) Bathtubs, (c) Bidets  SPS 384.20 (5) (e) Dishwashing machines. 1. Residential...shall conform to ASSE 1006 [ASSE 1006 inactive standard]  SPS 384.20 (5) (h) Food waste grinders. 1. Commercial type shall conform to ASSE 1009 [ASSE 1009 inactive standard]  Table 384.11 Line 84: ASSE 1049 [Cf. Section 87 SPS 382.31 (17m) (c) 4. "fixture serving chemical waste"]  Table 384.11 Line 101: ASSE 1014 but removed from SPS 384.20 (6) (d)	

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		<p>Table 384.11 Line 106: Note "f": committee voted to repeal footnote ASSE 1015 is a cross connection control assembly</p> <p>Table 384.11 Line 109: Which committee line item proposed to adopt ASSE 1024?</p> <p>Table 384.11 Line 112: Which committee line item proposed to adopt ASSE 1032?</p> <p>Table 384.11 Line 115: ASSE 1001 occurs in Table twice Line 99 Atmospheric vacuum breaker, Line 115 Pipe applied atmospheric vacuum breaker</p> <p>Table 384.11 Line 118: Note "e": Committee voted to repeal footnote RP assembly is a cross connection control assembly</p> <p>Table 384.11 Note "g": Threaded joins shall...; should be "Threaded joints"</p>	
49.	SPS 382.41 (3) (b) 4. e., 5. (intro.) and a.	<p>Draft reads: SPS 382.41 (3) (b) 4. e. "other than fire <del>suppression</del> fighting." should be: "fire suppression fighting."</p> <p>SPS 382.41 (3) (b) 5. "<del>shall</del> may not be considered..."</p> <p>The intent of the term "shall" is identifying DSPS declaration, not prohibition or permission</p> <p>Also, SPS 382.40 (3) (b) 7. was not amended although identical language "shall not be considered..."</p> <p>[Cf. Administrative Rules Procedures Manual-2022, Part 1, 1.08 (1) (b), page 19]</p>	The Department disagrees with the comment and no change was made. "Fire fighting" is a defined term, while "fire suppression" is not.
50.	SPS 382.41 (3) (b) 5.	<p>SPS 382.41 (3) (b) 5. "<del>shall</del> may not be considered..."</p> <p>The intent of the term "shall" is identifying DSPS declaration, not prohibition or permission</p> <p>Also, SPS 382.40 (3) (b) 7. was not amended although identical language "shall not be considered..."</p> <p>[Cf. Administrative Rules Procedures Manual-2022, Part 1, 1.08 (1) (b), page 19]</p>	The Department disagrees with the comment. The suggestion to retain "shall" rather than "may" is contrary to the Administrative Rules Procedure Manual:

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			“...The correct way to express a prohibition is either “No person may . . .” or “A person may not . . . .””
51.	SPS 382.41 (4) (k) 2.	SPS 382.41 (k) 2. Committee discussed identifying discharge not creating nuisance or providing drain or discharge prevention method selection	The Department agrees with the comment. Language was revised to correct the issue.
52.	SPS 382.41 (4) (o)	SPS 382.41 (4) (o) 3. "shall be installed below..." by exempting (4) (o) from (4) (b) 1., minimum 6" is not required?	The Department determined that the rule as drafted could cause confusion. SPS 382.41 (4) (b) 1. controls the height of the vacuum breaker, (4) (o) 3. says that the flushometer has to be installed below the critical level of the vacuum breaker, but does not change the minimum clearance in (4) (b) 1. for the vacuum breaker if an atmospheric-type vacuum breaker is used.  Additional language has been added to 382.41 (4) (o) 3. to clarify that alternatives to vacuum breakers in ASSE 1037 are not prohibited by that subdivision.
53.	SPS 382.41 (5) (d) 1m.	Permitted for SPS 382.41 (5) (d) 1m. to contradict (5) (d) 1. without the usual phrase "except as provided.."?	The Department agrees with the comment. Language was added to the appropriate section to recognize the exemption in subd. 1m.

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54.	SPS 382.50 (3) (b) 4.	"may not exceed 3 feet..." Variety of required pipe lengths regarding same topic [Cf. SPS 382.40 (5) (bm) 1.; 382.40 (8) (i) 5.; 382.50 (3) (b) 10.]	The Department disagrees with this comment. There is no conflict between the referenced sections. Section 382.50 (3) (b) 4. deals with uncirculated hot water distribution piping including piping that is not a "dead end" while the language 382.40 and 382.50 (3) (b) 10. deal exclusively with requirements for dead end piping.
55.	SPS 382.50 (3) (b) 5.	SPS 382.50 (3) (b) 5. "pressure balanced, thermostatically controlled...0.5 gpm" [ASSE 1016, 1069 & 1070 comply?]	The Department interprets this comment as requesting clarification rather than making a particular suggestion. No change has been made in response as the Department believes the proposed rule is clear that ASSE 1016 and ASSE 1070 do meet the requirements, and ASSE 1069 does not meet the requirements.
56.	SPS 384.20 (5) (p) 2.	SPS 384.20 (5) (p) 2. "125° f." Throughout SPS 381-384 temperature is F, not lower case	The Department agrees that the notation should be consistent; the entire rule draft was edited for consistency with the existing code.
57.	SPS 384.30 (5) (a)	The draft proposes to repeal SPS Table 384-30-10, but SPS 384 (5) (a) states, "Pipe fittings shall conform to the pipe material standards listed in Table 384.30-10. The proposed draft in its current form does not amend this code section.	The Department agrees with this comment. A treatment of s. SPS 384.30 (5) (a) correcting the reference was added to the proposed rule.