

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/21/2001

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Jefferson**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact: **LFB**

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Subject: **Agriculture - miscellaneous  
Buildings/Safety - misc.**

Extra Copies: **RCT**

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

ARC:.....Jefferson - AM20,

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**Topic:**

Anhydrous ammonia

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**Instructions:**

See Attached. Create exemptions from commerce's rules, promulgated under Act 3, regarding anhydrous ammonia.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 06/22/2001	jdye 06/22/2001		_____			
/1			rschluet 06/22/2001	_____	lrb_docadmin 06/23/2001		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

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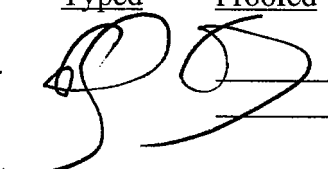
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1?	rmarchan	1 6/22 jld					

FE Sent For:

6-22-01 <END>

**NOTES:**



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&**

**ASSOCIATES**



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# Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

**Statement of Intent** Create exemptions for the routine uses of anhydrous ammonia for commercial, industrial, and energy related applications.

<b>Legislator</b>	Stone	<b>Amendment</b>	20
<b>Legislator 2</b>		<b>Pass or Fail</b>	Pass
<b>Legislator 3</b>		<b>Spending Cut</b>	
<b>Legislator 4</b>		<b>Withdrawn</b>	
<b>Staff contact</b>	Tami Rongstad	<b>Package</b>	

**Agency** Agriculture, Trade, and Consumer Protection

**Summary** 2001 Wisconsin Act 3 (AB 7) specifically regulates the storage and handling of anhydrous ammonia. It creates criminal penalties for tampering, stealing and improperly transporting anhydrous ammonia.

This amendment would create exemptions from Wisconsin Act 3 for the routine uses of anhydrous ammonia for commercial, industrial, and energy-related applications.

Specific language: In 101.10 (2) add the following (new language is capitalized)

The rules promulgated under this subsection do not apply to FACILITIES WHERE AMMONIA MAY BE USED IN POLLUTION CONTROL DEVICES, FACILITIES WHERE ENERGY PRODUCTION ACTIVITIES MAY OCCUR, ammonia manufacturing plants, refrigeration plants where ammonia is used solely as a refrigerant and ammonia transportation pipelines.

**Fiscal Impact** None.

**Drafting Inst**

**ARC Analyst** Jefferson

RJM

**Request #** 296

# Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Request #

**296**

Thursday, June 21, 2001

Page 10 of 13

Info. from Tom Liebe per  
Rep. Stone's office per ARC

Page 3, lines 6-8.

The rules promulgated under this subsection do not apply to ammonia manufacturing plants; refrigeration plants, commercial and industrial cooling systems or electric generating facilities where ammonia is used solely as a refrigerant; air pollution control equipment where ammonia is used solely as a reagent; and ammonia transportation pipelines.

The statutory language is modified to exclude routine uses of ammonia for commercial, industrial and energy-related applications, including:

- commercial and industrial cooling systems where ammonia is used as a refrigerant
- electric generating facilities where ammonia is used as a refrigerant for turbine inlet chillers to maximize electricity production
- electric co-generating facilities where ammonia is used as a refrigerant to produce chilled water for commercial cooling purposes
- electric generating facilities where ammonia is used as a chemical reagent in air pollution control devices (e.g., selective catalytic reduction technologies used to control nitrogen oxide emissions)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1449# 1

RJM:.....

*JD* *RMMR*  
*DNOTE*

ARC:.....Jefferson – AM20, Anhydrous ammonia

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

*substitute amendment*

1 At the locations indicated, amend the ~~bill~~ as follows:

2 1. Page 891, line 4: after that line insert:

3 "SECTION 2449d. 101.10 (2)<sup>x</sup> of the statutes, as created by 2001 Wisconsin Act  
4 3,<sup>✓</sup> is amended to read:

5 101.10 (2) RULES. The department shall promulgate rules that prescribe  
6 reasonable standards relating to the safe storage and handling of anhydrous  
7 ammonia. The rules shall prescribe standards for the design, construction, repair,  
8 alteration, location, installation, inspection, and operation of anhydrous ammonia  
9 equipment. The Except as otherwise provided in this subsection,<sup>✓</sup> the rules  
10 promulgated under this subsection do not apply to ~~ammonia manufacturing plants,~~

1 refrigeration plants where ammonia is used solely as a refrigerant, facilities where  
 2 ammonia is used in pollution control devices or is manufactured, electric generating  
 3 or ~~co~~generating facilities where ammonia is used as a refrigerant, and ammonia  
 4 transportation pipelines. If ammonia is used on the premises of a facility or plant  
 5 described ~~above~~ <sup>under this subsection</sup> for a purpose or in a manner that is not related to the applicable  
 6 exemption from the rules promulgated under this subsection, <sup>✓</sup> the exemption does not  
 7 apply to that use."

History: 2001 a. 3.



8

(END)

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb1449/2dn

RJM:.....

date

JL

2001 Wisconsin

Under current law, ammonia manufacturing plants, refrigeration plants where ammonia is used solely as a refrigerant, and ammonia pipelines are exempt from the rules relating to anhydrous ammonia required under Act 3. This amendment adds exemptions for facilities where ammonia is used in pollution control devices and electric generating or cogenerating facilities where ammonia is used as a refrigerant. In addition, the amendment specifies that, if ammonia is used for a different purpose on the premises of an exempt facility or plant, the exemption does not apply to that use. This provision is intended to address situations such as a farm where ammonia is used as a fertilizer and as part of a cogeneration facility that produces energy through the use of methane from cow manure. In this type of situation, under the amendment, the rules would continue to apply to the agricultural use of ammonia.

I based this amendment on the information provided to me by Tom Liebe, who was very helpful in providing me with necessary information. However, the amendment may not be exactly as he or Representative Stone intended. You may want ensure that the amendment satisfies their intent before signing off.

to

Please feel free to call if you have any questions.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb1449/1dn  
RJM:jld:rs

June 22, 2001

Under current law, ammonia manufacturing plants, refrigeration plants where ammonia is used solely as a refrigerant, and ammonia pipelines are exempt from the rules relating to anhydrous ammonia required under 2001 Wisconsin Act 3. This amendment adds exemptions for facilities where ammonia is used in pollution control devices and electric generating or cogenerating facilities where ammonia is used as a refrigerant. In addition, the amendment specifies that, if ammonia is used for a different purpose on the premises of an exempt facility or plant, the exemption does not apply to that use. This provision is intended to address situations such as a farm where ammonia is used as a fertilizer and as part of a cogeneration facility that produces energy through the use of methane from cow manure. In this type of situation, under the amendment, the rules would continue to apply to the agricultural use of ammonia.

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7           ammonia. The rules shall prescribe standards for the design, construction, repair,  
8           alteration, location, installation, inspection, and operation of anhydrous ammonia  
9           equipment. The Except as otherwise provided in this subsection, the rules  
10          promulgated under this subsection do not apply to ammonia manufacturing plants,

1 refrigeration plants where ammonia is used solely as a refrigerant, facilities where  
2 ammonia is used in pollution control devices or is manufactured, electric generating  
3 or cogenerating facilities where ammonia is used as a refrigerant, and ammonia  
4 transportation pipelines. If ammonia is used on the premises of a facility or plant  
5 described under this subsection for a purpose or in a manner that is not related to  
6 the applicable exemption from the rules promulgated under this subsection, the  
7 exemption does not apply to that use.”.

8

(END)