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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 99-095

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In s. NR 812.05 (1) (b), the notation “NR” after each occurrence of the word “or” should be deleted. Also, the references to “811.17 or . . . 811.16 (14) (a)” should be reversed.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The use of the term “placement” is inconsistent and confusing. In the existing rule, the term applies to the activity of placing a material in a well or drillhole; in the new language, it appears to refer to the material that is placed. This should be clarified.

b. In s. NR 812.05 (1) (b) and (2), how is department approval obtained?

c. In s. NR 812.05 (1) (c), how is the department determination obtained? Is the determination known by operation of law and the provisions of ch. NR 140?

d. Section NR 812.05 (5) is unclear, and this rule-making order would be a good opportunity to clarify it. What are groundwater tracers? What approval is required for their use and how can that approval be obtained?