



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 05-094

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. In the rule analysis prepared by the department, the phrase “outstanding resource water” is capitalized in some sections and not in others. Depending on the department’s intent, the phrase should be consistently used throughout the rule. In the Plain Language Rule Analysis, it appears that “government” should be inserted after “Canadian.” In the Summary of Factual Data and Analytical Methodologies section of the rule analysis, the word “know” in the sentence that begins with “This effort know as the Great Lakes Water Quality Initiative...” should be changed to “known.” In the same section, the sentences in points 1. to 3. should be capitalized. The punctuation should also be checked throughout this section. In the Environmental Assessment section of the rule analysis, the word “Typo” should be changed to “Type” and the word “dose” should be changed to “does.”

b. In s. NR 102.12 (3), the phrase “zero discharge demonstration zone” should be defined in the rule. In addition, “all of” should be added before “the following pollutants:”.

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

a. In s. NR 102.10 (1) (f) 2., the period at the end of the first instance of “All Class I Portion including the waters of Lake Superior within a ¼ mile arc of the river mouth.”, should be removed in order to make this section consistent with the other sections in the rule.

b. In s. NR 102.12 (3), the rule should specify how an applicant should “certify that the new or increased discharge is necessary after utilization of best technology in process and control

using waste minimization.” For example, should the applicant certify this information to the department? If so, what format should the applicant use to certify this information? The same problem also occurs in s. NR 207.03 (5).