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RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

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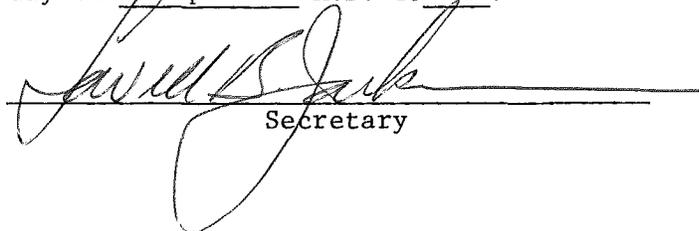
APR 2 1982
3:30
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Lowell B. Jackson, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Chapter Ind 14 - Mobile Homes were duly approved and adopted by this department on April 2, 1982.
(Subject)
(Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at _____ in the city of Madison, this 2nd day of April A.D. 19 82.


Secretary



5-1-82

ORDER OF ADOPTION

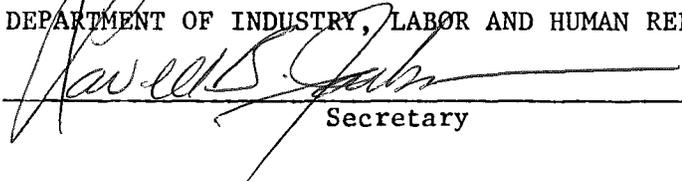
Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.92 (1) and 101.94 (2), Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

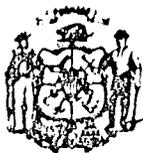
Ind. 14 MOBILE HOMES
(Number) (Title)

The attached rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to section 227.026, Stats.

Adopted at Madison, Wisconsin, this 2nd
day of April, A.D., 1982.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS


Secretary



RULES in FINAL DRAFT FORM

Rule: Ind 14.01 (1) (b) & Ind 14.03

Relating to: Formaldehyde Ambient Air Standard for Mobile Homes

Administrative rules to amend ss. Ind 14.01 (1) (intro), Ind 14.01 (1) (b), Ind 14.03 (1), Ind 14.03 (2), Ind 14.03 (3), Ind 14.03 (4) (intro), Ind 14.03 (4) (b), Ind 14.03 (4) (d), Ind 14.03 (5) (c) and Ind 14.03 (10) (a) relating to formaldehyde ambient air standards for mobile homes.

ANALYSIS OF RULES

The Division of Safety and Buildings of the department promulgated standards regulating formaldehyde levels in mobile homes under ss. 101.92 (1) and 101.94 (2), Stats. The proposed rules clarify the intent of the current rules and specify the exact conditions and procedures which will be enforced. The proposed changes include revisions in the areas of: sale during the first 60 days after manufacture, application of penalty provisions, testing procedures, specifying responsibilities of the manufacturer and the department, and clarifying the language of the pre-sale warning label.

Pursuant to the authority vested in the state of Wisconsin's Department of Industry, Labor and Human Relations by ss. 101.92 (1) and 101.94 (2), Stats., the department hereby amends and creates rules interpreting ss. 101.92 (1) and 101.94 (2), Stats., relating to formaldehyde ambient air standards for mobile homes as follows:

SECTION 1. Ind 14.01 (1) (intro) is amended to read:

Ind 14.01 ADOPTION OF AND CONSENT TO INCORPORATE A119.1-1974. (1) The "Standard for Mobile Homes," designated as ANSI A119.1 - 1974 and adopted by the American National Standards Institute January 17, 1974, is hereby incorporated by reference into this code, subject to omissions ~~shown~~ specified in (b) - f par. (c)†.

SECTION 2. Ind 14.01 (1) (b) is amended to read:

Ind 14.01 (1) (b) National Institute of Occupational Safety and Health, 4676 Columbia Parkway, Cincinnati, Ohio 45226, NIOSH Manual of ~~Analytic~~ Analytical Methods, Second Edition, Volume 1, NIOSH 77-157-A, 1977, method number P & CAM 125, Formaldehyde in Air, except as amended by NIOSH Manual of Analytical Methods, Vol. 7, DHSS (NIOSH) Publication No. 82-100, August, 1981, Page xi.

SECTION 3. Ind 14.03 (1) is amended to read:

Ind 14.03 (1) CHEMICAL LEVELS. All new mobile homes ~~offered for retail sale in Wisconsin~~ designed and constructed on or after the effective date of this rule and offered for retail sale in Wisconsin shall not exceed the chemical concentration in ambient indoor air established in Table 14.03 as of 60 days after the date of manufacture.

TABLE 14.03

<u>EFFECTIVE DATE</u>	<u>CHEMICAL</u>	<u>AMBIENT INDOOR AIR MAXIMUM CONCENTRATION</u>
<u>Six months following publication</u>	<u>Formaldehyde</u>	<u>.40 ppm time weighted average (TWA) for duration of test</u>

(a) Sale of Mobile Homes. Nothing in this section shall preclude the sale of mobile homes within the 60 day period from the date of manufacture.

(b) Penalties. The penalty provisions of s. 101.94 (8), Stats., for enforcement of ambient air quality standards shall apply only where corrective action as specified in sub. (9) is not taken and for failure to comply with the product safety information provisions of sub. (10).

SECTION 4. Ind 14.03 (2) is amended to read:

Ind 14.03 (2) INDOOR TESTS. Tests ~~shall be performed in the mobile home~~ to determine the presence and concentration of formaldehyde (HCHO), shall be performed within the mobile home. This section does not require mandatory in-plant testing of mobile homes at the manufacturing plant or dealer's lot.

SECTION 5. Ind 14.03 (3) is amended to read:

Ind 14.03 (3) TEST METHODS. All tests ~~for~~ performed by the department to determine the presence and concentration of formaldehyde ~~in the ambient air~~ shall be conducted in accordance with the National Institute of Occupational Safety and Health Manual of Analytical Methods, Second Edition, Volume 1, NIOSH 77-157-A, 1977, method number P & CAM 125, Formaldehyde in Air, except as amended by NIOSH Manual of Analytical Methods, Vol. 7, DHSS (NIOSH) Publication No. 82-100, August, 1981, Page xi, or other test methods ~~approved~~ established by the department rule.

SECTION 6. Ind 14.03 (4) (intro) is amended to read:

Ind 14.03 (4) SPECIAL TEST CONDITIONS AND PROCEDURES. ~~The~~ In addition to the test methods specified in sub. (3), the department shall comply with the following applicable conditions and procedures ~~shall be adhered to during the testing specified in Table 14.03:~~

SECTION 7. Ind 14.03 (4) (b) is amended to read:

Ind 14.03 (4) (b) Ventilation. The mobile home shall be aired out ~~at a ventilation rate of at least 1 outdoor air change per hour,~~ with all interior doors, cabinets, closets and drawers open for maximum air exchange, for 2 hours prior to the close-up period. The windows and exterior doors of the mobile home shall be closed for 2 hours prior to commencement of the test with all ~~nonvented~~ gas appliances turned off and no smoking permitted while the home is closed prior to testing and during the test.

SECTION 8. Ind 14.03 (4) (d) is amended to read:

Ind 14.03 (4) (d) Location of Samples. Except as specified in subd. 2., each sample shall be taken in the center of the habitable room, at a point which is approximately equidistant from opposing walls and at a height of 3-1/2 to 4 feet above the floor. Samples shall be taken in the habitable portion of each of the following habitable rooms:

1. Bedroom
2. Kitchen, on or in vicinity of kitchen cabinets
3. Living room.

SECTION 9. Ind 14.03 (5) (c) is amended to read:

Ind 14.03 (5) (c) Test Report. A test report ~~shall~~ will be made by the department on each mobile home tested pursuant to this rule, and shall section. The test report will contain the following information: name of manufacturer; serial number; model name; indoor temperature; indoor barometric pressure and relative humidity; location of test samples; indoor air formaldehyde concentration; outdoor temperature; and outdoor relative humidity and barometric pressure. The manufacturer department shall will keep copies of the test reports at the manufacturing plant for at least 24 months. The test reports shall will be available for inspection by authorized representatives of the at the department during normal working hours. The department will provide a copy of the test report to the owner and manufacturer.

SECTION 10. Ind 14.03 (10) (a) is amended to read:

Ind 14.03 (10) (a) Pre-Sale Warning. Prior to retail sale, the purchaser shall be notified in writing that building materials and other products in mobile homes may emit formaldehyde ~~and that some persons have experienced which may result in~~ unpleasant odors and adverse physical effects ~~from such vapors including eye, nose and throat irritation in humans.~~ The wording of the warning shall be approved by the department ~~and shall state that the mobile home meets the allowable level of formaldehyde concentrations specified in Table 14.03, 60 days after the date of manufacture of the mobile home.~~ The warning shall indicate that formaldehyde concentrations are regulated by the Wisconsin Department of Industry, Labor and Human Relations.

EFFECTIVE DATE

Pursuant to s. 227.026 (1) (intro), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.
