

CR 90-244

RULES CERTIFICATE

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

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carol Skornicka, 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 polybutylene pipe for water distribution systems
(Subject)
were duly approved and adopted by this department on July 21, 1993
(Date)

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

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JUL 21 1993
4:00 PM
Division of Business
Bureau

IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the official seal of the
department at 1:00 p.m.
in the city of Madison, this 21st
day of July A.D. 19 93.

[Signature]
Secretary

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s)

ss. 101.02 (1), 101.63 (1), 101.73 (1) and 145.02 (2)

Stats., the Department of Industry, Labor and Human Relations creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):

ILHR 81-87

(Number)

Plumbing Code

(Title)

The attached rules shall take effect on the first day of the month following publication
in the Wisconsin Administrative Register pursuant to section 227.22, Stats.

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Adopted at Madison, Wisconsin this

date: July 21, 1993

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS

Pat Osborne
for Secretary



RULES in FINAL DRAFT FORM

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Rule: ILHR Table 84.30-9
Relating to: Polybutylene Pipe for Water Distribution Systems

The Department of Industry, Labor and Human Relations proposes an order to renumber Tables 84.60 - 10 and 84.60 - 11; to amend Tables 84.30-9 and 84.30-11; and to create ILHR 84.30 (4) (g) and Table 84.60 - 10, relating to polybutylene pipe for water distribution systems.

* * * * *

Analysis of Proposed Rules

Statutory authority: ss. 101.02 (1), 101.63 (1), 101.73 (1) and 145.02 (2), Stats.

Statutes interpreted: s. 145.02 (1) and (3), Stats.

The Department of Industry, Labor and Human Relations is responsible for the supervision of plumbing in order to safeguard public health. This responsibility has been delegated to the Safety and Buildings Division which administers and enforces the state Plumbing Code, chapters ILHR 81 to 86.

Chapter ILHR 84 of the Plumbing Code establishes minimum standards which govern the quality and installation of materials, fixtures, appliances, appurtenances and equipment to be used in plumbing systems. The proposed rule expands the use of polybutylene as one of several acceptable piping materials for water distribution systems.

In 1985 the department proposed rules which included polybutylene pipe as an acceptable material for water distribution systems. During the rule-making process several concerns were raised relative to polybutylene's suitability for this use. Ultimately, all controversies relating to polybutylene were resolved with the interested parties, except for the question of the material's durability. The department has recently completed durability assessment studies for polybutylene and recommends allowing the use of polybutylene pipe for hot and cold water distribution systems with the exception of continuously circulated portions of hot water distribution systems. The department also recommends discontinuing the use of acetal male insert fittings for joining polybutylene piping in hot and cold water distribution systems.

SECTION 4. Tables 84.60 - 10 and 84.60 - 11 are renumbered 84.60 - 11 and 84.60 - 12.

SECTION 5. Table 84.60 - 10 is created to read:

Table 84.60 - 10

MSS	Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. 127 Park Street, N.E. Vienna, Virginia 22180
Standard Reference Number	Title
SP - 103	Wrought Copper and Copper Alloy Insert Fittings For Polybutylene Systems, April 1990

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

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Tommy G. Thompson
Governor
Carol Skornicka
Secretary



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State of Wisconsin Department of Industry, Labor and Human Relations

July 21, 1993

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Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 W. Wilson St.
Madison, Wisconsin 53703-3233

Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

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Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 90-244
RULE NO. ILHR Table 84.30-9
RELATING TO: Polybutylene Pipe for Water Distribution Systems

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol Skornicka".

Carol Skornicka
Secretary