



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 20-088

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2020.]

2. Form, Style and Placement in Administrative Code

a. In s. NR 400.02 (intro.), the designation “NR” should be inserted after the abbreviation “chs.” Also, the dash between “401-499” should be removed and the reference to the series should be revised to “401 to 499”. [s. 1.08 (1) (h), Manual.]

b. In s. NR 422.02 (80f), the parenthetical reference to “(neoprene)” should be moved to a note, if necessary to identify that polychloroprene is also referred to as neoprene. [ss. 1.06 (1) (c) and 1.12 (1), Manual.]

c. In s. NR 422.128 (2) (a), the abbreviation “ss.” should be revised to “s.”. [s. 1.15 (2) (d), Manual.]

d. In the treatment clause for SECTION 39 of the proposed rule, the reference to “and a.” should be removed. Also, in the text of the provision, the stricken phrase “of pounds” should be shown before the underscored phrase “, as applicable:”. [s. 1.04 (6) (g), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. NR 422.083 (4) (a), it appears the reference to “sub. (1) (a)” should be changed to “sub. (1) (ar)” because sub (1) (a) is renumbered (1) (ar) in SECTION 16 of the proposed rule.

b. In s. NR 422.084 (10) (a) (intro.), a reference to “as provided in sub. (1)” should be added after the phrase “upon the facility becoming subject to this section”. The same issue occurs in ss. NR 422.128 (9) (a) (intro.) and 422.151 (10) (a) (intro.).

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

a. In the rule summary's comparison with rules in adjacent states, the State of Indiana is listed, but not the State of Iowa. This should be corrected to describe any rules in Iowa, rather than Indiana.

b. In s. NR 422.01 (3), "former or current' ozone nonattainment area" is used, however the terms "former" or "current" should be avoided. Could the department remove "former or current" and make this provision more specific, for example, by referencing certain dates instead? [s. 1.08 (1) (e), Manual.]

c. In s. NR 422.01 (3), the phrase "State Implementation Plan" should be changed to the lowercase.

d. In s. NR 422.02 (106s), it appears that "Vacuum-metalizing coating" should not be hyphenated since "vacuum-metalizing" is not hyphenated in the current text of s. NR 422.02 (106m).