



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 22-021

Comments

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

2. Form, Style and Placement in Administrative Code

a. The analysis of the proposed rule and other documents accompanying the proposed rule indicate it will have some impact on small business; as such, the relating clause requires the phrase “and affecting small business” at the end. [s. 1.01 (1) (c), Manual.] Also, in the relating clause, remove the open parenthetical after “Attractions”.

b. In the rule analysis, there is no information under the heading “Effect on Small Business”. Related to comment 2. a., above, it appears more information may be provided under this heading. Also, the regulatory review contact person information appears to be under the wrong heading.

c. Lines 10-19: Consider removing s. ATCP 76.02 (1) (a) because it duplicates the definition of the term in the definitions section. This would be consistent with the style of similar ATCP chapters. For example, consider the treatment of “hotel, motel, or tourist rooming house” in ch. ATCP 72. Also, the term “tourist rooming house or bed and breakfast establishment” has been removed, as compared to a similar provision in the existing code, but the term remains on line 2265. Should the term remain elsewhere in the proposed rule?

Consider removing s. ATCP 76.02 (1) (b) because it partially duplicates and is somewhat inconsistent with the definition of the term in the definitions section. Alternatively, italicize “Limited-use public pool” on line 15. [s. 1.10 (2) (b), Manual.]

Consider moving s. ATCP 76.02 (1) (c) to the definitions section and updating its form to be consistent with the definitions section.

d. Lines 20-54: Consider moving s. ATCP 76.02 (2) to (6) after the substantive provisions. [See s. 1.09 (2) (c) 4., Manual.] Alternatively, shift s. ATCP 76.02 (3) to (6) to be paragraphs under s. ATCP 76.02 (2) to improve the clarity of the relationship between these provisions.

e. In s. ATCP 76.03, review the definitions for alphabetical order. In particular, review lines 86, 166, 192, and 225.

f. Review the lists that have introductory material throughout the chapter, including the following:

- (1) Line 37: replace the semicolon with a period. [s. 1.11 (3), Manual.]
- (2) Lines 41-42: add “do all of the following” after “shall”. [s. 1.11 (2), Manual.] Also, revise to comply with proper form.
- (3) Line 46: add “do all of the following” after “shall”. [s. 1.11 (2), Manual.]
- (4) Lines 750-755: revise to be consistent with s. 1.11, Manual. Each subunit following an introductory clause must complete the idea of the introduction.
- (5) Lines 786-801: revise to remove the introductory clause because each subunit following the introductory clause does not complete the idea of the introduction. Consider removing the introductory clause and beginning pars. (a) and (b) with “Chemicals shall be . . .”. [s. 1.11, Manual.]
- (6) Line 824: add “all of the following” after “be”. [s. 1.11 (2), Manual.]
- (7) Lines 830-842: revise to be consistent with s. 1.11, Manual. “Providing” on line 830 and “provide” on line 832 should be the same form.
- (8) Lines 1148-1160: revise to be consistent with s. 1.11, Manual. Add a verb to line 1151.
- (9) Lines 1184-1187: revise to be consistent with s. 1.11, Manual.
- (10) Lines 1457-1460: revise to conform list with s. 1.11, Manual.
- (11) Line 1773: add “all of the following” after “are”.
- (12) Lines 2121-2126: revise the two lists to be consistent with s. 1.11, Manual.
- (13) Line 2134: add “all of the following” after “installing”.
- (14) Lines 2139-2142: consider whether the creation of subunits is necessary here. If so, make the format consistent with s. 1.11, Manual.
- (15) Lines 2144-2146: revise to be consistent with s. 1.11, Manual.
- (16) Lines 2233-2245: revise to be consistent with s. 1.11, Manual.
 - (a) Line 2237: the introductory material following the title should not be italicized.
- (17) Line 2258: consider adding “all of the following” before the colon.

g. Lines 62-64: Consider rephrasing the last sentence of sub. (3) because it appears substantive in nature. Alternatively, move it out of the definitions section. [s. 1.07 (1) (d), Manual.]

h. Line 79: Consider whether the use of “establishing” makes this definition substantive in nature. Revise or move, if so. [s. 1.07 (1) (d), Manual.]

i. Line 152: Add quotation marks around “limited-use public pool”. [s. 1.07 (3) (c), Manual.] Also, revise sub. (b) because it does not reference what in ch. SPS 390 is not met by a limited-use public pool.

j. Lines 345-353: Because a second subdivision subunit is not created, s. ATCP 76.05 (5) (a) 1. should be shifted to be the introduction in sub. (a). Likewise, subd. 1. a. to c. should be shifted to be subds. 1. to 3. If these changes are made, consider revising the reference in line 343.

k. Lines 756-759: Revise to not include a title. Subdivision 5. is functioning as a title, but it is in the wrong format and the other subdivisions in the paragraph do not have a title. [s. 1.10 (2) (a) 2., Manual.]

l. Line 770: Specify what must be maintained and backwashed in the text of the rule, not just the title. [s. 1.10 (2) (a), Manual.]

m. Line 884: Replace “effective date of the new rule” with “[LRB inserts effective date]”.

n. Lines 913-915: Parentheses should be avoided. Revise as appropriate. [s. 1.06 (1) (c), Manual.]

(1) Line 915: Subdivision paragraph a. should end in a period.

o. Lines 922 and 924: Replace “shall not” with “may not”. [s. 1.08 (1) (b), Manual.] Review the chapter in its entirety for this issue. See, also, line 1010.

p. Lines 811-818: Consider whether the subdivision paragraphs are necessary. The paragraph could be divided into three subdivisions and would not lose clarity.

q. Lines 819-827: The form of s. ATCP 76.13 (1) (a) and (b) should be improved. Consider using an introductory clause that ends with “feeders shall be all of the following:”. Then, list the requirements as subunits.

r. Lines 870-872: The subdivision paragraphs do not appear necessary. Consider revising to make subd. 1. a. and b. the first two subdivisions and edit for clarity.

s. Lines 905-906: Revise so that a single subunit of par. (b) is not created. [s. 1.10 (1) (a), Manual.]

t. Lines 1079-1084: Match the format of sub. (2) with that of sub. (1). Be sure to consider comments made regarding sub. (1), as they likely apply to a revised sub. (2).

u. Lines 1104-1106: The subdivisions do not seem necessary and are currently unclear. Revise so that par. (a) is the combination of subds. 1. and 2.

v. Lines 1165-1177: Consider revising. The list of criteria is drafted such that it is the requirement for what must be in a plan, but its placement makes it function as the criteria by which the department evaluates the plan. Subdivision 4. suggests that the department should account for elements such as glare.

w. Beginning on line 1631:

(1) Review titles for proper format. [s. 1.10 (2) (b), Manual.] For example, paragraph titles must be italicized.

(2) Review lists for proper format. [s. 1.11, Manual.]

x. Lines 1648-1649: Consider whether this note is in the appropriate location. Alternatively, consider specifying that ammonia-based disinfectant should be avoided when cleaning decks.

y. Lines 1772-1783: A par. (b) is required when a par. (a) is created. [s. 1.10 (1), Manual.] Consider changing subd. 5 into par. (b). As currently drafted, subd. 5 incorrectly uses a title. [s. 1.10 (2), Manual.]

z. Lines 1840-1841: The note approaches being substantive; consider revising or including it in the requirements for fences and gates.

aa. Line 1860: The Note appears substantive; consider including in the substantive text.

bb. Lines 1887 and 1889: Revise so that titles are in the correct form. [s. 1.10 (2) (b), Manual.]

cc. Lines 1958-1965: A subd. 1. requires a subd. 2. Change par. (a) to be the same format as par. (b). Update cross-reference in line 1954.

dd. Line 1970: Because this is a reference within the same section but a different subsection, the citation should be “sub. (1) (c)”. [s. 1.15 (2), Manual.]

ee. Line 2177: Because this is a reference within the same section but a different subsection, the reference only needs to be “sub. (1)” and not mention “this section”. [s. 1.15 (2), Manual.] A comma is not needed following the reference.

ff. Lines 2181-2195: Only one subsection is created. Revise to create two so the paragraphs shift to being subsections. [s. 1.10 (1), Manual.]

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

a. Line 368: The rule refers to ss. 97.72 and 97.73, Stats., as penalties, but s. 97.73, Stats., is an injunction. Consider revising so that it is clear that a person may be subject to penalties and an injunction. This also applies on lines 485, 486, 1981, 1982, 2038, and 2039.

b. Line 904: Clarify that the reference is to “Table A”.

c. Line 1951: It appears the citation should be to “ATCP 76.41 (2) (c)” and not “(e)”.

d. Line 1989: Consider whether the citation to “79.09” should be “76.09”.

e. Line 2000: Consider whether the citation to “76.06 (2) (e)” should be “76.41 (2) (e)”. At the beginning of subchapter VII, s. ATCP 76.06 is explicitly not applicable to limited-use public pools. So, if the citation is correct, then consider making reference in s. ATCP 76.39 to the fact that these provisions may apply if specifically referenced.

f. Line 2228: Consider whether the citation is too specific.

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

a. Throughout the chapter:

(1) Review whether a comma is needed after a citation.

(2) Review whether “pursuant to” is the proper phrase.

b. In Subchapter VII, consider whether the superscripts used to indicate a priority item or a priority foundation item in the other subchapters should be used.

- c. Throughout the chapter, review the following definitional issues:
- (1) Line 77: Consider defining “splash zone”.
 - (2) Lines 77-78: Consider defining “stand-alone” as it relates to run-out slides.
 - (3) Line 113: Consider defining “shallow depth” or incorporating the definition from “shallow portion”.
 - (4) Line 119: Consider defining “swim-up bars”.
 - (5) Line 119: Consider the use of “pursuant”. “Play feature” is defined the same in ch. SPS 390 as “feature” on Lines 116-117. This creates a potentially circular definition.
 - (6) Lines 128-129: Consider revising the exclusion portion of the definition. The definition excludes members of a household or their personal guests but does not reference the specific pool or situation in which this exclusion would apply.
 - (7) Line 150: Consider defining “swimming pool”.
 - (8) Line 162: Consider defining “swim wings”.
 - (9) Lines 204-210: Consider reformatting this definition to be similar to s. ATCP 76.03 (32), with separate paragraphs for each sentence. [s. 1.07 (3) (c), Manual.] Change the second sentence to begin with “‘Public pool’ includes . . .”. Change the items in this series to be singular. [s. 1.05 (1) (c), Manual.]
 - (10) Line 204: Consider the relationship between the definition of basin in s. ATCP 76.03 (11) and the inclusion of the term in the definition of public pool, which may create a circular definition issue.
 - (11) Line 207: Change the “and” before “cold soak pools” to “or” and add a comma after “cold soak pools”.
 - (12) Line 212: Consider the inclusion of “pool slide” and “waterslide” because these are already included in the definition of “water attraction”.
 - (13) Line 213: Make “water slide” one word to match the defined term.
 - (14) Line 218: Consider adding “public” before “pool”. “Pool” by itself includes water attraction and limited-use public pools.
 - (15) Lines 236-240: Consider reformatting this definition to be similar to s. ATCP 76.03 (32), with separate paragraphs for each sentence. [s. 1.07 (3) (c), Manual.] Change the second sentence to begin with “‘Water attraction’ includes . . .”. On line 236, revise to add “a” after “provide”. On line 237, consider changing “and” to “that”. On line 240, consider the use of “play features” as that is not a defined term. “Features” is defined, but does not include “wading pools”.
 - (16) Line 263: Consider defining or providing more context for the term “change of operator”.
 - (17) Line 581: Consider defining “conditional license” or referencing the conditional license provisions. Also, specify what triggers the pool being placed on a conditional license.

(18) Line 678: Consider defining “reverse flow pools”.

(19) Line 1416: Consider defining “splash zone”.

d. Throughout the chapter, review the text for consistent use of terms, including the following:

(1) Line 77: Remove “swimming” to be consistent with other uses of “public pool and water attraction” in the chapter.

(2) Line 110: Remove “swimming” because “public pool” is defined, but “public swimming pool” is not.

(3) Line 116: Consider inserting “public” before “pool” to be consistent with other uses of “public pool and water attraction” in the chapter.

(4) Line 120: Change “untethered” to “nontethered” because that is the term defined in the section.

(5) Line 499: Consider replacing “recirculation equipment and piping area” with “equipment area” because equipment is a defined term and the current terms are undefined. Alternatively, define “recirculation equipment and piping area”.

(6) Lines 2090 and 2091: Consider whether “an authorized representative of the department” is the same as “the department or its agent”. Use a consistent phrase if so.

e. Throughout the chapter, review the text for clarity, including the following:

(1) Lines 267 and 273: Revise so that the lines are identical if the substantive requirements are the same for each.

(2) Line 305: Clarify who the relevant operating party is with regard to “prior to operation of the pool”.

(3) Lines 320-321: Revise for clarity. Consider a comma before “pursuant”.

(4) Line 333: Remove the comma after the citation. Review for similar treatment throughout the chapter.

(5) Line 728: Specify what must be installed per manufacturer instructions.

(6) Lines 776-778: Consider revising to set out the treatment for erosion feeders in its own subsection.

(7) Lines 804-805: Revise to clarify that this paragraph applies when mixing.

(8) Line 807: Revise sentence for clarity; remove comma before “when”.

(9) Lines 814-815: Consider replacing “pool area” with “pool and water attraction area”, because the latter term is defined. Review the proposed rule in its entirety for this issue. Replace the comma after “area” on line 815 with a period.

(10) Line 816: Revise. Begin line with “A paper back-up of the safety data sheet shall be available for rapid access in the case . . .”.

(11) Line 820: Remove the parentheses and replace with commas. Also, the content in the parentheses is not clear. [s. 1.06 (1) (c), Manual.]

- (12) Lines 822-823: Clarify the subject of this directive.
- (13) Line 832: Consider specifying what type of pool is intended by the use of “pool”. Generally, the use of “pool” implies a public pool, water attraction, or limited-use public pool; however, the context suggests that it is not meant to be that extensive, but it is unclear how restrictive “pool” is.
- (14) Lines 841-842: Revise the reference to subd. 2. and 3. Presently, the result is a circular reference.
- (15) Line 859: Consider whether “if” should be used instead of “when”. [s. 1.08 (1) (j), Manual.]
- (16) Line 861: Consider the using “patrons” instead of “bathers”. Bathers is not defined.
- (17) Lines 895-897: Consider revising the last three sentences to make it clear that the directives for the two tanks apply only when a two-tank system is used.
- (18) Line 916: Subdivision paragraph b. is not the same form as the others in the list. It appears that it may be a modifier of “Action level” in subd. par. a.
- (19) Lines 946 and 947: Consider clarifying whether lines 946 and 947 apply to exercise and therapy pools. On line 947, delete “pool” after “whirlpool”.
- (20) Line 956: Consider specifying that this provision applies to water attractions “other than those specified”.
- (21) Line 1042: Consider whether a period is necessary after “76.17”. The introduction of the table in s. ATCP 76.14 did not have a period after the section number.
- (22) Lines 1074 and 1077: Consider whether “when” should be “if”. [s. 1.08 (1) (j), Manual.]
- (23) Line 1127: Subdivision 2. is not a complete thought. Specify that if the condition is met, the pool operator is required to be certified.
- (24) Line 1130: Change “sub. (2) (a) 2.” to “subd. 2.”. [s. 1.15 (2) (c), Manual.] Also, change “sub. (2)” to “this subsection”.
- (25) Lines 1171-1172: Revise these lines for clarity. The “such as” does not seem necessary. Consider adding a comma after “zone”. Add comma after “rescue”.
- (26) Lines 1180-1181: Paragraph (d) does not make sense. Revise.
- (27) Lines 1188-1189: Revise to make it clear who is required to obtain the certifications.
- (28) Lines 1223-1224: Consider how s. ATCP 76.23 (2) relates to s. ATCP 76.22 (1) (c). The required signage is slightly different.
- (29) Lines 1227-1229, second column: The surface area is not specified. Third and fourth column: For pools with 9,001 to 9,999, what rules apply? Is the numerical reference to surface area?
- (30) Lines 1238-1406: Review Table B for the following issues:
 - (a) Capitalization.

- (b) Replacing the use of the plural form with the singular.
 - (c) The placement of “unless” clauses in the Pool or Slide Details column.
 - (d) Oxford/Serial commas.
 - (e) Consistent use of periods at the end of phrases.
 - (f) Consistent headings.
 - (g) Consistent phrasing when meaning the same thing. See, in particular, lines 1310 and 1328, and lines 1339-1353 (“on top of platform” versus “run out”).
 - (h) Whether the Pool or Slide Details column is always used solely for those details. Consider lines 1303-1305. At times, the information is written as the first part of a sentence, when it could just be the pool detail; consider lines 1313 and 1314.
 - (i) Phrasing of depths. Lines 1329-1330.
 - (j) Lines 1332-1334: Review “an obstructed view of slide terminus at 43 inches at entry point” for clarity.
 - (k) Line 1329: Use of “which” when “that” should be used.
 - (l) Phrasing, generally; lines 1339-1340.
 - (m) Conformity with s. 1.11, Manual, when using lists; lines 1372-1383.
- (31) Lines 1515-1516: Consider making clear that this is a requirement for signage. As drafted, it establishes a rule of conduct for pool patrons, but not a requirement for that conduct to be communicated via signage.
- (32) Line 1560: Add comma after “blood”. For consistency, change the order to “vomit, and blood”. Throughout s. ATCP 76.31, check for Oxford commas, especially after “vomit”.
- (33) Lines 1570-1571: Rephrase when the testing must occur.
- (34) Line 1583: Consider replacing “when” with “if”. [s. 1.08 (1) (j), Manual.] Add a comma after “aureus”.
- (35) Lines 1596-1597: This text should be set off as its own subunit.
- (36) Line 1764: Consider replacing the “and” after “waterslide” with “or”.
- (37) Line 1777: The use of the phrase “other electronic method” implies that “key” and “code” are electronic methods. Consider revising if this is not the intention.
- (38) Line 1799: Consider revising “by the location of a security-type barrier”. As drafted, it is not clear what “by the location of” means or adds to the sentence. Also, “security-type barrier” could be defined or an example could be provided in a note. Also, consider only using “barrier” as that is a defined term.
- (39) Lines 1808, 1818, 1826, and 1863: Consider replacing “pursuant to” with “as defined in”.
- (40) Line 1809: Consider specifying or clarifying “recognizing safe practices”.

- (41) Line 1810: Consider using “any” instead of “all”.
- (42) Line 1904: Consider revising “pursuant to” to be “in”.
- (43) Lines 1972-1973: Consider revising to be more specific as to the portions of the chapter relevant to safe practices.
- (44) Line 1992: Consider revising “whichever occurs first”. It is not clear that there are two periods of time at play.
- (45) Lines 2050 and 2054: Clarify that access to limited-use public pools is the relevant access.
- (46) Lines 2129-2130: Specify the subject of the requirement; likely “devices used for chemical feeding”.
- (47) Line 2136: Consider clarifying what “flow sensing” is.
- (48) Line 2141: Remove the parentheses and revise. [s. 1.06 (1) (c), Manual.]
- (49) Line 2154: Consider whether “when” should be “if”.
- (50) Line 2155: Consider whether the Note is substantive. Capitalize “if”.
- (51) Lines 2165-2180: Specify the actors in this provision. For example, who is responsible for doing the testing? In sub. (2), who must provide the test kits? On line 2180, specify the subject of this requirement, or revise it to be a list with introductory material as described in s. 1.11, Manual.
- (52) Line 2185: Specify who is notifying the responsible supervisor. Consider specifying how the responsible supervisor will be notified.
- (53) Lines 2184-2188: The subunits of the “Availability” paragraph seem more like duties than rules regarding availability. Consider revising.
- (54) Line 2195: Consider specifying where to find CDC guidelines. Also, consider whether blood should be included in subd. 6. Adding blood would be consistent with s. ATCP 76.31.
- (55) Lines 2212-2224: Specify the subject of each subsection. For example, specify who must comply with the provisions of the chapter and who must follow record-keeping requirements. Also, line 2212 references “this chapter” and “ch. ATCP 76”, but these are the same. Revise. Consider specifying where the record-keeping requirements can be found in the chapter.
- (56) Lines 2225-2232: Revise the introductory material for clarity. The introductory material suggests that the following subunits will be information that is required to be documented. Instead, subs. (1) and (2) include directives. On line 2231, consider including blood in sub. (2). This would be consistent with s. ATCP 76.31.
- (57) Lines 2235-2236: Consider separating out the signage requirements for a pool and the limits on patron load. As s. ATCP 76.52 is written, it both requires signage with certain information and sets substantive limits on the patron load. Consider whether the square feet is water surface area. Also, consider revising the phrasing of the patron load to be consistent with s. ATCP 76.25 (1), which has the form of “one patron for every 15 square feet of water surface area”.

- (58) Line 2245: Consider including “blood”.
- (59) Lines 2254-2256: Consider revising. The colon does not seem necessary. Include a comma before the “such as” and an “a” before “scoop”.
- (60) Lines 2257-2264: Specify who must do the tasks required in the subsection.
- (61) Line 2267: Revise for clarity. Add comma before “such as”.

f. Throughout the chapter, review the text for punctuation, grammar, and use of plain language, including the following:

- (1) Line 6: Check for extra space between “for” and “enforcement”.
- (2) Line 9: Remove the comma after “Subchapter VII”. Review the entire chapter for whether a comma is necessary after a citation.
- (3) Line 13: Add the article “a” before condominium complex and housing complex having homeowners’ association to be consistent with the style of the other listed definitions.
- (4) Line 18: Remove the bold style applied to the period after “pool”.
- (5) Line 19: Add a comma after “water attraction”.
- (6) Line 52: Remove hyphen in “email”. Review chapter for similar occurrences.
- (7) Line 60: Add a comma before “including”.
- (8) Line 74: Add a comma after “wall”.
- (9) Line 85: Add a period at the end of the line.
- (10) Line 88: Remove the comma and add “is” after the “and”.
- (11) Line 97: Add a comma after “injury”.
- (12) Line 98: Remove the comma after “personnel”.
- (13) Line 99: Add a comma before “including”.
- (14) Lines 111-112: Consider revising to be in the active voice. For example, “means a chemical feed device that contains powder, tablets, briquettes, or sticks and allows a water stream to pass through it that erodes and dissolves the chemical”.
- (15) Line 113: Make “water slides” one word because that is how the term is defined.
- (16) Line 118: Add a closing quotation mark after “feature”.
- (17) Line 119: Add a comma after “feet” and before “or”.
- (18) Line 133: Add a comma after “skill”.
- (19) Line 134: Add a comma after “class”.
- (20) Line 136: Add a comma after “jetted”.
- (21) Line 142: Remove the extra space between “holding” and “a certificate”.
- (22) Line 143: Add a comma after “CPR”.
- (23) Line 151: Revise to be “. . . with a one-family or two-family dwelling . . .”.

- (24) Line 180: Add a space after “61”.
- (25) Lines 201-202: Add a comma after “equipment” and “documentation”.
- (26) Line 230: Check the dash between “above” and “water”.
- (27) Line 234: Make the metric form of measurement consistent with the other definitions.
- (28) Line 245: Move the comma after “spa” to inside the quotation marks.
- (29) Line 248: Use the Arabic numeral for zero. [s. 1.06 (3), Manual.]
- (30) Line 373: Replace “subs.” with “sub.” because the citation is to multiples disjunctively. [See s. 1.15 (2) (d), Manual.]
- (31) Lines 268-269: Revise to make “authorized representatives” the singular form.
- (32) Line 279: Add a comma after “agent”.
- (33) Line 288: Consider removing the semicolon and making the phrase following the semicolon a standalone sentence.
- (34) Line 294: Consider using the active voice; e.g., “issues” instead of “has issued”.
- (35) Line 318: Remove the comma after “C”. Check for similar occurrences throughout the chapter.
- (36) Line 336: Remove the dash in “e-mail”.
- (37) Line 395: Add “a” before “license”.
- (38) Lines 400 and 404: Consider whether the comma is grammatically correct.
- (39) Lines 400, 402, and 404: Consider replacing “whose” with “with a” and adding “that” after “value”.
- (40) Line 475: Add a space between “93.21” and “(5)”.
- (41) Line 532: Add “Stats.,” to complete the citation.
- (42) Line 533: Replace “him or her” with “that person” or another sex-neutral formulation. [s. 1.05 (2), Manual.]
- (43) Line 549: Change “which” to “that”.
- (44) Line 572: Add a space before “(5)”.
- (45) Line 682: Change “are” to “shall be”.
- (46) Lines 713-714 and 724-725: Harmonize the language between these two notes.
- (47) Line 734: Add a period at the end of the sentence.
- (48) Line 759: Remove the comma after “manufacturer”.
- (49) Lines 771 and 773: “Manufactures” does not need to be plural.
- (50) Line 780: Remove “The” to be consistent with the other items in the series.

- (51) Lines 812, 813, and 818: “Safety data sheets” should be singular. Begin the sentence with “For each chemical used, a safety data sheet shall . . .”. Remove the comma after “staff” and add “and”.
- (52) Line 846: Remove the comma after “b.”.
- (53) Line 858: Remove the capitalization of “federal”.
- (54) Lines 864, 867, and 892: “Sanitizer” should not be capitalized.
- (55) Line 871: Move the superscript to after the period.
- (56) Lines 885-886: Replace the comma after “position” with “and”.
- (57) Line 990: Delete the comma after “addition”.
- (58) Line 1036: Add a period after “1” in order to make a proper citation. Also, consider whether a comma before “according” is required.
- (59) Line 1040: Consider whether there should be a period after “A” and whether the title of the table is required when making a reference to it.
- (60) Line 1067: Remove the comma after “Table A”.
- (61) Lines 1071 and 1080: Add “at the following times” after “residual”.
- (62) Line 1072: Replace the comma with a period at the end of the line.
- (63) Line 1073: Remove the comma after “time”.
- (64) Line 1091: Remove the comma after “testing”.
- (65) Line 1098: Replace “chs.” with “ch.” because the citation is to multiples disjunctively. [See s. 1.15 (2) (d), Manual.]
- (66) Line 1112: Remove the comma before “and”. Also, change “shall not” to “may not”.
- (67) Line 1198: Delete the comma and add a period at the end of the line.
- (68) Line 1211: Insert “at” after “that”.
- (69) Line 1443: Delete “In addition,”.
- (70) Line 1467: Add a period at the end of the line.
- (71) Line 1477: Add a comma after “kit”.
- (72) Line 1478: Add “all of” after “contain”.
- (73) Lines 1479 and 1484: Add a period at the end of the line.
- (74) Line 1499: Add a period at the end of the line.
- (75) Line 1528: Remove “also”.
- (76) Line 1537: Specify the pools to which this provision applies. The title is not a part of the substantive rule. Remove the comma after “sub. (1)”. Remove “also”.
- (77) Lines 1539 and 1542: Remove the comma after “sub. (1)”. Remove “also”.
- (78) Line 1588: Add “all of the following” after “of”.

- (79) Lines 1601 to 1630:
- (a) Line 1601: Remove the comma after “death”.
 - (b) Lines 1601-1602: Either make “incidents” singular by making it “any incident” or change “requires” to “require”.
 - (c) Line 1603 and 1605: Add an Oxford comma.
 - (d) Lines 1609-1610: Remove capitalization of the departmental reference.
 - (e) Line 1614: Change the comma to a period.
 - (f) Lines 1616 and 1617: Change “US” to “U.S.”.
 - (g) Line 1629: Change “par.” to “pars.” and remove the comma after “(b)”.
- (80) Line 1642: Remove capitalization of “Shall”.
- (81) Line 1646: Replace “are” with “shall be”.
- (82) Line 1677: The phrase beginning with “any water aged” should be set off either as its own sentence or with a semicolon.
- (83) Beginning line 1729: Review s. ATCP 76.335 for the following:
- (a) Use of Oxford commas.
 - (b) Line 1729: Specify the type of event.
 - (c) Line 1736: Change the comma to a period in the title.
 - (d) Line 1745: Remove the comma.
 - (e) Line 1748: Revise “first dogs enter” to be singular.
 - (f) Consider whether sub. (3) imposes density limits on the number of dogs allowed, or, if not, whether that is desired.
 - (g) Consider whether the rule should specify a limit to the number of dogs a single patron can bring to the pool.
- (84) Line 1767: Consider revising “A self-closing latching and lockable mechanism” for clarity.
- (85) Line 1777: Change “shall not” to “may not”.
- (86) Line 1808: Remove the comma after the citation.
- (87) Line 1842: Change “which” to “that”.
- (88) Line 1900: The reference should be to “par. (b)” because it is within the same subsection. [s. 1.15 (2), Manual.]
- (a) The comma after the citation is not necessary.
- (89) Line 1888: Do not capitalize the department of safety and professional services.
- (90) Line 1900: Add “as” after “as long”.
- (91) Line 1923: Remove the comma after “(c)”.

- (92) Lines 1925, 1942, and 1947: Remove the dash in “e-mail”.
 - (93) Lines 1937, 1944, 1949, and 1951: Remove the comma after the citation. Review the rule text in its entirety for similar occurrences.
 - (94) Line 1954: Change “may refuse to” to “may not”.
 - (95) Lines 1955 and 1966: Change “shall refuse to” to “may not”.
 - (96) Line 1958: Move the hyphen from after “use” to between “limited” and “use”.
 - (97) Line 1960: Consider a hyphen after “health”.
 - (98) Line 1986: “subs.” should not be plural because of the disjunctive “or”.
 - (99) Line 1991: Consider removing the comma after the citation.
 - (100) Lines 2005 and 2023: Remove the comma after “Table A”. Review the text of the rule in its entirety for similar occurrences.
 - (101) Line 2015: Add fee in the fourth column.
 - (102) Line 2017: Add a hyphen between “limited” and “use”.
 - (103) Line 2028: Add a space between “93.21” and “(5)”.
 - (104) Line 2044: Consider adding “a fee of” before the dollar amount to be consistent.
 - (105) Line 2064: Add “a” before “frequency”.
 - (106) Line 2109: Add “all of the following” after “shall be”.
 - (107) Line 2119: Change “shall not” to “may not” and delete the comma after “public pool”.
 - (108) Line 2122: Remove capitalization of “Agent”.
 - (109) Line 2157: Change “shall not” to “may not”.
 - (110) Line 2211: Consider whether “is” should be “are”.
 - (111) Line 2215: Remove the comma after “hazard”.
 - (112) Line 2222: Consider whether the comma after the reference is required.
 - (113) Line 2241: Spell out the contraction “can’t”.
 - (114) Line 2270: Do not capitalize “date” in the substantive text.
- g. Throughout the chapter, review the text for proper use of the Oxford comma, as described in s. 1.06 (1) (b) of the Manual, including the following:
- (1) Line 67: Add a comma after “county”. Review the entire chapter for similar occurrences.
 - (2) Line 324: Add a comma after “architect”.
 - (3) Line 352: Add a comma after “applicant”.
 - (4) Line 356: Add a comma after “signed”.
 - (5) Lines 378 and 385: Add a comma after “late fees”.

- (6) Line 666: Add a comma after “tanks”.
- (7) Line 726: Add a comma after “valves”.
- (8) Line 729: Add a comma after “tags”.
- (9) Line 746: Add a comma after “cleaned”.
- (10) Line 775: Add a comma after “mixing” and “state”.
- (11) Line 788: Add a comma after “ventilated”.
- (12) Line 884: Add a comma after “therapy pool”.
- (13) Line 921: Add a comma after “performed”.
- (14) Line 1015: Add a comma after “instructions”.
- (15) Line 1018: Add a comma after “physical”.
- (16) Line 1066: Add a comma after “electronic”.
- (17) Lines 1069 and 1079: Add comma after “therapy”.
- (18) Line 1137: Add a comma after “76.16”.
- (19) Line 1166: Add a comma after “verify”.
- (20) Lines 1503 and 1504: Add Oxford comma in each line.
- (21) Line 1534: Add a comma after “dizziness”.
- (22) Line 1536: Add a comma after “pool”.
- (23) Line 1582: Add a comma after “actions”.
- (24) Beginning on line 1631: Review s. ATCP 76.33 for the need for Oxford commas, including the titles.
- (25) Line 1777: Add a comma after “code”.
- (26) Lines 1785 and 1786: Add a comma after “latching”.
- (27) Line 1790: Add a comma after “pots”.
- (28) Line 1801: Add a comma after “installed”.
- (29) Line 1807: Add a comma after “constructed”.
- (30) Lines 1817 and 1825: Add a comma after “barricaded”.
- (31) Line 1833: Add a comma after “constructed”.
- (32) Lines 1862 and 1864: Add a comma after “repaired”.
- (33) Line 1964: Add a comma after “applicant”.
- (34) Line 1968: Add a comma after “signed”.
- (35) Lines 1991 and 1998: Add a comma after “late fees”.
- (36) Line 2123: Add a comma after “patrons”.
- (37) Line 2175: Add a comma after “performed”.

- (38) Line 2193: Add a comma after “disinfectant”.
- (39) Line 2231: Add a comma after “time”.
- (40) Line 2248: Add a comma after “rescue” in the title.
- (41) Line 2256: Add a comma after “hand wipes”.
- (42) Line 2257: Add a comma after “deck”.