

Bruce Hoesly, Code Editor  
Legislative Reference Bureau  
Suite 200  
1 East Main Street  
Madison, Wisconsin 53703

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING  
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapters Comm 41 and 45

RELATING TO: Boilers and Pressure Vessels and Mechanical Refrigeration

AGENCY UNIT RESPONSIBLE: Commerce

PUBLIC HEARING REQUIRED:  YES  NO

CONTACT PERSON: Joe Hertel TITLE: Program Manager

TELEPHONE: (608) 266-5649 EMAIL: [joe.hertel@wisconsin.gov](mailto:joe.hertel@wisconsin.gov)

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Jack L. Fischer, A.I.A.  
Secretary

STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.02 (15) (h) to (j) and 101.17, Stats., the Department of Commerce will hold a public hearing on proposed rules under chapter Comm 41 relating to boilers and pressure vessels and mechanical refrigeration.

The public hearing will be held as follows:

**Date and Time:**

Wednesday, May 21, 2008  
10:00 a.m.

**Location:**

Thompson Commerce Building  
Third Floor Conference Room, #3C  
201 W. Washington Ave.  
Madison, Wisconsin

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until June 4, 2008, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to Joe Hertel, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at [joe.hertel@wisconsin.gov](mailto:joe.hertel@wisconsin.gov).

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at [www.commerce.wi.gov/SB/](http://www.commerce.wi.gov/SB/). Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at [roberta.ward@wisconsin.gov](mailto:roberta.ward@wisconsin.gov), or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at [carol.dunn@wisconsin.gov](mailto:carol.dunn@wisconsin.gov).



# INITIAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

RULE NO.: Chapters Comm 41 and 45

RELATING TO: Boilers and Pressure Vessels and Mechanical Refrigeration

1. Types of small businesses that will be affected by the rules.

The proposed rules will affect any business involved with the design, construction, installation, operation, inspection, testing, maintenance, repair or alteration of boilers or pressure vessels and mechanical refrigeration. The Department believes the rules will provide additional options for small businesses who want to use a solid fuel-fired water-heating appliance since the rules will permit an automatic feed system and the use of other fuels.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

There is no new reporting, bookkeeping or other procedure necessary for compliance with the rules.

3. Types of professional skills necessary for compliance with the rules.

There are no types of professional skills necessary for compliance with the rules.

4. Rules have a significant economic impact on small businesses.

No Rules not submitted to Small Business Regulatory Review Board

Yes Rules submitted to Small Business Regulatory Review Board

# NOTICE of ENVIRONMENTAL ANALYSIS

## Department of Commerce

Rule No.: Chapters Comm 41 and 45

Relating to: Boilers and Pressure Vessels

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.