



P.O. Box 7970  
Madison, Wisconsin 53707  
(608) 266-1018  
Contact Through Relay

Jim Doyle, Governor  
Richard J. Leinenkugel, Secretary

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 2, 41 and 45

RELATING TO: Mechanical Refrigeration

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED:  YES  NO

CONTACT PERSON: Sam Rockweiler TITLE: Code Development Consultant

TELEPHONE: 266-0797 EMAIL: [sam.rockweiler@wisconsin.gov](mailto:sam.rockweiler@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,

Richard J. Leinenkugel  
Secretary

OM-10546 (R.01/05)

COM-10527 (N.03/97)

STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to sections 101.02 (15) (j), 101.177 and 101.19 of the Statutes, the Department of Commerce will hold a public Hearing on proposed rules in chapters Comm 2, 41 and 45 relating to mechanical refrigeration, and affecting small businesses.

The public Hearing will be held as follows:

**Date and Time:**

Thursday  
March 4, 2010  
Commencing at 10:00 a.m.

**Location:**

Thompson Commerce Center, Third Floor, Room 3B  
201 West Washington Avenue  
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, via e-mail. Persons submitting comments will not receive individual responses. The Hearing record on this rulemaking will remain open until March 8, 2010, 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. E-mail comments should be sent to [sam.rockweiler@wi.gov](mailto:sam.rockweiler@wi.gov). If e-mail submittal is not possible, written comments may be submitted to Sam Rockweiler, Department of Commerce, Division of Environmental and Regulatory Services, P.O. Box 14427, Madison, WI 53708-0427.

This Hearing will be held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the Hearing, please call Sam Rockweiler at (608) 266-0797 or at Contact Through Relay 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 them are available on the Internet by entering "Comm 45" in the search engine at the following Web site: <https://health.wisconsin.gov/admrules/public/Home>. Paper copies may be obtained without cost from Sam Rockweiler at the Department of Commerce, Division of Environmental and Regulatory Services, P.O. Box 14427, Madison, WI 53707, or at [sam.rockweiler@wi.gov](mailto:sam.rockweiler@wi.gov), or at telephone (608) 266-0797, or at Contact Through Relay. Copies will also be available at the public Hearing.

Any inquiries for the small business regulatory coordinator for the Department of Commerce can be directed to Sam Rockweiler, as listed above.



State of Wisconsin \ Department of Commerce

# HEARING DRAFT OF PROPOSED RULES

**Rule No.:** Chapters Comm 2, 41 and 45

**Relating to:** Mechanical Refrigeration

# INITIAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

RULE NO.: Chapters Comm 2, 41 and 45

RELATING TO: Mechanical Refrigeration

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

Owners and operators of public buildings and places of employment that use mechanical refrigeration systems, or other premises if ozone-depleting refrigerants exist.

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

No new reporting or recordkeeping would be needed for compliance with these rules.

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

No new professional skills would be needed for compliance with these 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 2, 41 and 45

Relating to: Mechanical Refrigeration

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.