



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 21-063

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. After “SECTION”, the number “1.” should be added. In addition, a title for the rule chapter should be added. [See s. 1.10 (2) (a) 2., of the Manual.]

b. In s. NR 229.03 (1) (b) 8., “NR” should be added between “s.” and “229.05”. In sub. (2) (a) and (b), “shall not” should be changed to “may not”.

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

a. Section NR 229.01 (6) provides that “A dental discharger that does not place dental amalgam and does not remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances, and that certifies such to the control authority as required under s. NR 229.05 is exempt from any further requirements of this chapter.”. However, it appears that dental dischargers in this category are subject to a one-time compliance reporting requirement in s. NR 229.05 (1) (c) 1. (intro.). The department should consider rephrasing s. NR 229.01 or other sections of the rule to clarify that this reporting requirement will apply to these dischargers.

b. In s. NR 229.02 (9), “New sources” should be changed to “New source”.

c. In s. NR 229.03 (1) (a) 4., “amalgam” should be inserted before the first occurrence of “separator”.