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Jim Doyle, Governor  
Mary P. Burke, Secretary

Gary Poulson  
Assistant Revisor of Statutes  
Suite 800  
131 West Wilson Street  
Madison, Wisconsin 53703-3233

Dear Mr. Poulson:

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

RULE NO.: Chapters Comm 81 to 87

RELATING TO: Private Onsite Wastewater Treatment Systems

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED:  YES  NO

CONTACT PERSON: Roman Kaminski TITLE: Program Manager

TELEPHONE: (715) 345-5334 EMAIL: roman.kaminski@wi.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 Revisor of Statutes, 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,

Mary P. Burke  
Secretary

STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.02 (1), 145.02 (3) and (4), and 145.245 (7) (c), Stats., the Department of Commerce will hold a public hearing on proposed rules under chapters Comm 81 to 87 relating to private onsite wastewater treatment systems.

The public hearing will be held as follows:

**Date and Time:**

Tuesday, November 27, 2007  
10:00 a.m.

**Location:**

Conference Room 3B  
Thompson Commerce Center  
201 W. Washington Avenue  
Madison

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 December 7, 2007, 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 Roman Kaminski, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at [roman.kaminski@wi.gov](mailto:roman.kaminski@wi.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@wi.gov](mailto:roberta.ward@wi.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@wi.gov](mailto:carol.dunn@wi.gov).





State of Wisconsin \ Department of Commerce

# HEARING DRAFT of PROPOSED RULES

**Rule No.:** Chapters Comm 81 to 87

**Relating to:** Private Onsite Wastewater

Treatment Systems

# INITIAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

RULE NO.: Chapters Comm 81 to 87

RELATING TO: Private Onsite Wastewater Treatment Systems

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

The proposed rule revision will affect soil testers, designers, installers and maintainers of POWTS. The revisions implement portions of 2005 Wisconsin Act 347 regarding POWTS maintenance and are also intended to update and clarify existing rules that were last revised in 2004.

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

The proposed rule revision does not establish new requirements for soil testers, designers, installers and maintainers of POWTS.

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

The proposed rule revision will not establish the need for additional or new skills for soil testers, designers, installers or maintainers of POWTS.

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 ASSESSMENT**

## **Department of Commerce**

Rule No.: Chapters Comm 81 to 87

Relating to: Private Onsite Wastewater Treatment Systems

Notice is hereby given that the Department has prepared a preliminary Environmental Assessment (EA) on the proposed rules. The preliminary recommendation is a finding of no significant impact. Copies of the preliminary EA are available from the Department on request and will be available at the public hearings. Requests for the EA and comments on the EA should be directed to:

Roman Kaminski  
Division of Safety and Buildings  
Department of Commerce  
P.O. Box 2689  
Madison, Wisconsin 53701  
Telephone (715) 345-5334

Written comments will be accepted until December 7, 2007.