

Department of Commerce  
Safety and Buildings Division

**ENVIRONMENTAL ASSESSMENT FOR PROPOSED RULES  
RELATING TO WISCONSIN UNIFORM PLUMBING CODE  
Chs. Comm 81 to 84**

**1. Introduction**

This is an Environmental Assessment (EA) prepared in accordance with chapter Comm 1, Wisconsin Administrative Code. It is intended to be a concise, non-technical disclosure to the public of a proposed action's potential to significantly affect the human environment. It includes a discussion of reasonable alternatives and mitigation measures if appropriate.

The purpose of this assessment is to inform the public of possible environmental impacts of a proposed action, and to help the Department of Commerce ascertain the significance of those impacts. It will determine if the Department is required to prepare an Environmental Impact Statement (EIS) in accordance with section 1.11, Wisconsin Statutes.

**2. Purpose of, Description of and Need for the Proposed Action**

**2.1 Purpose of the Proposed Action**

The purpose of the proposed rule changes is to clarify current policies and requirements of the Wisconsin Uniform Plumbing Code, chapters Comm 81 to 84. These changes include updates that incorporate into the state plumbing code the most recent technology and nationally recognized standards.

The proposed rules were developed with the assistance of a 10-member advisory council. Department staff and the council conducted a comprehensive review and assessment of the latest editions of the national technical standards that serve as the basis for chapters Comm 81 to 84. The Department believes the national model codes reflect current societal values with respect to safeguarding people and property from hazards arising from the use of plumbing.

Because of the relationship to plumbing, the allowance of waterless antiseptic cleansing provisions is being revised in chapter Comm 62 of the Wisconsin Commercial Building Code, and it is included in this package.

The proposed revisions will allow chapters Comm 81 to 84, the Wisconsin Uniform Plumbing Code, to continue meeting the needs of the people of the state while fulfilling its statutory purpose.

**2.2 Description of the Proposed Action**

Under s. 145.02, Stats., the Department of Commerce has the responsibility of safeguarding public health and the waters of the state relative to the construction, installation and maintenance of plumbing. One mechanism of the Department to fulfill this responsibility has been the promulgation of the state plumbing code, chapters Comm 81 to 84.

The proposed revisions to Chapters Comm 81 to 84 clarify existing rules and bring the state Uniform Plumbing Code up to date with current technology and nationally recognized standards. The proposed rules contain a number of modifications to the technical requirements within these standards, reorganization of current requirements and editorial changes.

The proposed revisions for chapter Comm 82, which regulates the design, construction, installation, supervision and inspection of plumbing, include:

- Allowing the recycling of wastewater discharged from water closets and urinals.
- Creating code language to recognize alternate standards that have been used by the Department. (e.g. Pressurized sewer systems and water treatment device sizing).
- Expanding the requirement for demand regeneration controls for water treatment devices to devices that discharge to municipal sewers.
- Using the term “manufactured home” in place of the term “mobile home” in numerous places as referenced in s.101.91 (2), Stats.
- Changing the calculation of the load factor on drain piping so it reflects national model plumbing code requirements.
- Modifying the triggers for the installation of stack vents serving drain stacks from two to five or more branch intervals.

- Expanding and describing more fully the grease and oil treatment requirements for restaurants.
- Modifying the requirements for secondary roof drains so they more closely follow national standards.

Chapters Comm 81 and 84, which regulate plumbing products, are proposed to be revised to reflect the adoption of nationally-recognized standards for various plumbing products. These standards are published by nationally recognized organizations and they contain design and installation requirements for plumbing pipe, fittings, fixtures, valves and appliances. The revisions also upgrade the requirements for water conserving fixtures to more closely correspond to national standards.

### ***2.3 Need for the Proposed Action***

The proposed action is needed to update and revise Wisconsin’s Uniform Plumbing Code so that the code is best able to achieve its purposes of protecting public health, safety, and the waters of the state.

### **3. Factors in the Human Environment Affected by the Proposed Action**

The proposed action revises chapters Comm 81 to 84 that relate to the design, installation or construction, inspection and maintenance and repair of plumbing. Water is the primary resource affected by these proposed changes. Water efficiency and conservation also have an effect on socio-economic factors.

The implementation of the proposed rule changes would have no impact on air and land resources, plants and animals, energy

use and aesthetic elements of the environment.

#### 4. Environmental Effects of the Proposed Action

##### 4.1 Primary Effects

As specified in Comm 1.08 (1) (c) 1., “Primary effects are those on water, air, land, plants, animals, energy use, historic properties, wilderness, vistas, and tranquility which is affected by noise; and effects on society and the economy when those effects are directly inter-related with the effects on the natural and physical environment.”

##### 4.1.1 Water

The proposed rules should have a beneficial impact on water statewide. It is difficult to estimate how much water will be saved by allowing wastewater recycling from water closets and urinals. This rule change, however, will reduce the demand for water from private wells and from municipal water supply systems.

Expanding the requirement for demand regeneration controls of water softeners will also have a positive impact on Wisconsin’s water supply. This proposed change will reduce the discharge of chlorides into the hydrologic cycle.

##### 4.1.2 Air

The proposed action has no impact on indoor air or outdoor air.

##### 4.1.3 Land

The proposed action has no impact on land use.

##### 4.1.4 Plants and animals

The proposed action does not affect plant or animal populations.

##### 4.1.5 Energy

The proposed action does not affect energy use in the buildings regulated by the rules.

##### 4.1.6 Historic properties

The proposed action does not affect historic properties.

##### 4.1.7 Wilderness

Wilderness areas are generally on public lands and are otherwise protected by state and federal regulations to ensure that they are maintained in a specified state, where building construction is either entirely restricted or severely limited. Therefore, the proposed action has no affect on wilderness areas.

##### 4.1.8 Vistas

The proposed action does not affect the visual aesthetic qualities of the landscape.

##### 4.1.9 Tranquility affected by noise

The proposed action does not affect auditory tranquility.

##### 4.1.10 Society and the economy

Because of drought and groundwater contamination concerns, any savings due to increased water conservation and efficiency should have a beneficial impact on the state’s economy.

## 4.2 *Secondary Effects*

According to Comm 1.08 (1) (c) 2., “Secondary effects are, in relation to primary effects, the foreclosure of future options, establishment of precedents, cumulative impacts when actions of the type are repeated, stimulation of effects that are later in time or at a distance, conflicts with official plans of public agencies or with policies of governments at any level, and significant controversy that may be or is generated by the proposed action.”

### 4.2.1 *Foreclosure of future options*

No future options are foreclosed.

### 4.2.2 *Establishment of precedents*

No precedents are set.

### 4.2.3 *Cumulative impacts*

Water efficiency, reuse and regenerate reduction are expected to have a beneficial cumulative impact on the waters of the state.

### 4.2.4 *Conflicts with official plans of public agencies or with policies of governments at any level*

The Department is not aware of any conflicts with other official plans of public agencies or with policies of governments at any level.

### 4.2.5 *Significant controversy that may be or is generated by the proposed action*

The Department is not aware of any significant controversy related to the proposed rules.

## 5. **Alternatives to the Action**

### 5.1 *Take no action*

The effect of no action would be that the current rules relating to the design, installation and maintenance of plumbing would remain in effect. The current rules are inconsistent with nationally-recognized plumbing standards and practices. This would not be responsive to the requirements of state and federal law, or to the Department’s statutory responsibility of protecting public health and safety in Wisconsin.

### 5.2 *Alternative actions*

The Department has not identified any alternatives to these proposed rules. These requirements adhere to federal law and are based on national model standards that have been instituted for the betterment of society and the environment. The revisions should result in the continual improvement of the code, which will help the Department accomplish its statutory responsibilities of protecting public health and safety in Wisconsin.

## 6. **Other Unresolved Conflicts Concerning Alternative Uses of Available Resources**

The Department does not know of any unresolved conflicts concerning the use of available resources.

## **7. Other Agencies and Persons Consulted**

No other agencies or persons were consulted in the preparation of this environmental assessment.

## **8. Preliminary Recommendation**

The impact to the environment of the proposed action is expected to be minimal. The cumulative effects should have a minor but beneficial impact. No significant adverse impacts have been identified. The Department's preliminary finding is that an EIS is not required.