

# STATEMENT OF SCOPE

## Department of Commerce

Rule No. : Chapters Comm 9, Comm 83 to 85

Relating to Movable Soccer Goals and Private Sewage Systems (POWTS)  
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### 1. Description of the objective of the rule.

One objective of the potential rule-making projects is to establish or revise administrative rules regarding buildings, building components or structures affected by legislation enacted during the 2009-2010 legislative session. This includes mandates under:

- 2009 Wisconsin Act 390, regarding movable soccer goals.
- 2009 Wisconsin Act 392, regarding the inventory and maintenance of private sewage systems.

The rule-making project regarding private sewage systems may also involve technical revisions to address code inconsistencies and new technologies.

The objectives of these rule projects may be incorporated into more than one package and may include revisions to other chapters of department administrative rules affected by the proposal.

### 2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Under the statutory authority of chapters 101 and 145, Stats., the department has the responsibility to protect public health, safety and welfare in the design and construction of public buildings, places of employment and one- and 2- family dwellings and their components. The department has established building and construction codes that establish minimum standards for the protection of public health, safety and welfare.

Currently, the Department has no administrative rules governing soccer goals.

The primary alternative would be to delay the rule-making process. This delay would reduce the public benefits that would otherwise occur by beginning these projects now and would not be consistent with the implementation timelines mandated in the legislation.

### 3. Statutory authority for the rule.

Chapters 101, 145 and 167, Stats., as affected by 2009 legislation.

### 4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates it will take approximately 200 hours to develop the rules pertaining to soccer goals. This time includes reviewing national standards, drafting the rules and processing the rules through public hearings, legislative review and adoption. The department will assign existing staff to undertake this rule-making project.

The department estimates it will take approximately 400 hours to develop the rules pertaining to private sewage systems. This time includes reviewing current rules, drafting the rules and processing the rules through public hearings, legislative review and adoption. The department will assign existing staff to undertake this rule-making project.

**5. Description of all of the entities that will be affected by the rule.**

The rule project pertaining to soccer goals will affect public and private entities that own or utilize soccer goals for the activities; this would include public and private schools and soccer clubs and associations.

The rule project pertaining to private sewage systems will affect public and private entities that own private sewage systems or are involved in program administrative functions such as soil testing, design, construction, inspection and maintenance.

**6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.**

The US Consumer Product Safety Commission has published Guidelines for Movable Soccer Goal Safety, January 1995, publication #CPSC 326.

There are two existing federal regulations that address some aspects of private sewage systems, 40 CFR 144.80(e) and 40 CFR Part 122. Under federal regulations private sewage systems are classified as Class V Wells, Shallow Injection Wells and large private sewage systems require National Pollutant Discharge Elimination System (NPDES) permits which are currently administered by the Department of Natural Resources under its Wisconsin Pollutant Discharge Elimination System (WPDES) program.

There are no existing or proposed federal regulations that would address the matters that are regulated under this rule-making project.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Aaron Olver, Secretary

Approved for implementation at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Aaron Olver, Secretary