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**POWTS ADVISORY CODE COMMITTEE MEETING**  
**Room 121B, 1400 East Washington Avenue, Madison**  
**Contact: Mindy Allen (608) 261-4463**  
**March 28, 2017**

**9:00 A.M.**

*The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Committee.*

**AGENDA**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1)**

**B. Approval of Minutes of September 23, 2016 (2-3)**

**C. Department Updates**

**D. Review Department Changes and Recommendations to SPS 381 to 387, 391 Proposed Rules (4-17)**

1. SPS 381-Definitions and Standards
2. SPS 382- Design, Construction, Installation, Supervision, Maintenance, and Inspection of Plumbing
3. SPS 383-Private Onsite Wastewater Treatment Systems
4. SPS 384-Plumbing Products
5. SPS 385- Soil and Site Evaluations
6. SPS 386- Boat and On-Shore Sewage Facilities
7. SPS 387- Private Onsite Wastewater Treatment System Replacement or Rehabilitation Financial Assistance Program
8. SPS 391-Sanitation

**E. Public Comments**

**F. Committee Training Review – Public Records and Ethics and Lobbying – Discussion and Consideration (18-23)**

**G. Adjournment**

**POWTS CODE ADVISORY COMMITTEE  
MEETING MINUTES  
September 23, 2016**

**PRESENT:** Thomas Birrittieri; Steven Crosby; Dale Dimond; Alan Kaddatz, Robert Schmidt; Bryon Wooten

**STAFF:** Sandra Cleveland, Administrative Rules Coordinator; Bradley Johnson, Section Chief, Matt Janzen, Private Sewage Plan Reviewer; Nifty Lynn Dio, Bureau Assistant; and other Department staff

Bryon Wooten, Chair, called the meeting to order at 9:03 a.m. A quorum of six (6) members was present.

**ADOPTION OF AGENDA**

**MOTION:** Alan Kaddatz moved, seconded by Robert Schmidt, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF AUGUST 16, 2016**

**MOTION:** Dale Dimond moved, seconded by Steven Crosby, to approve the minutes from August 16, 2016 as published. Motion carried unanimously.

**CONTINUE REVIEW AND CONSIDERATION OF CHANGES TO SPS 381-387 AND 391**

**MOTION:** Steven Crosby moved, to leave the language of SPS 384.25(7)(h) as presented. Motion failed for lack of a second.

**MOTION:** Robert Schmidt moved, seconded by Thomas Birrittieri, to accept the draft language of SPS 384.25(7)(h) with revisions as discussed at the meeting today, and to emphasize the importance of (1) and (2) being contingent on each other. Motion carried unanimously.

**MOTION:** Thomas Birrittieri moved, seconded by Steven Crosby, to reject the suggested language in SPS 383.54(2)(b)2. as there are other methods to monitor performance without incurring such cost. Motion carried. Opposed: Schmidt

**MOTION:** Robert Schmidt moved, to recommend that DSPS treat all existing POWTS products as new products for the first renewal period and subsequent years as renewals. Motion failed for lack of a second.

**MOTION:** Robert Schmidt moved, seconded by Thomas Birrittieri, to recommend that renewed POWTS product approvals shall not be subject to a Public Comment period. Motion carried unanimously.

**MOTION:** Bryon Wooten moved, seconded by Thomas Birrittieri, to recommend the POWTS TAC meetings review all new POWTS product approvals submissions. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to recommend all new POWTS component manuals go through POWTS TAC review, POWTS TAC recommendation, and public comment period. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Thomas Birrittieri, to recommend all renewal POWTS component manuals go through POWTS TAC review and POWTS TAC recommendation and no public comment period. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Thomas Birrittieri, to recommend that all new POWTS products go through POWTS TAC review, POWTS TAC recommendation and public comment period. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to recommend all POWTS product renewals go through POWTS TAC review and POWTS TAC recommendation. Motion carried. Opposed: Dimond, Schmidt.

**MOTION:** Thomas Birrittieri moved, seconded by Robert Schmidt, to recommend that when a manufacturer is 270 days from the product approval expiration date, they are notified by the department and are required to have renewal documentation in to the department 180 prior to expiration. Motion carried. Abstained: Dimond

**MOTION:** Dale Dimond moved, seconded by Robert Schmidt, to recommend DSPS staff determine whether it is appropriate to change the language in SPS 384.30(6)(j) to clarify that this requirement applies to POWTS or to include the change in the component manual, and to report back to the committee at the next meeting. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Alan Kaddatz moved, seconded by Dale Dimond, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:54 p.m.

STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF RULEMAKING : NOTICE OF TIME PERIOD  
PROCEEDINGS BEFORE THE : FOR COMMENTS FOR THE  
DEPARTMENT OF SAFETY : ECONOMIC IMPACT ANALYSIS  
AND PROFESSIONAL :  
SERVICES :

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NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Department of Safety and Professional Services relating to Wisconsin Private Onsite Wastewater Treatment Systems and the Wisconsin Fund. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Mindy Allen, Administrative Rules Coordinator  
Division of Policy Development  
Department of Safety and Professional Services  
PO Box 8366  
Madison, WI 53708  
DSPSAdminRules@wisconsin.gov

**The deadline for submitting economic impact comments is \*.**

PROPOSED ORDER

An order of the department of safety and professional services **to repeal** SPS 383.44 (4) (a) 1. f., Table 383.44-1, 384.10 (3) (e) 2. b., and 387.30 (4); **to renumber** SPS Table 383.44-2, Table 383.44-3, and 383.54 (2) (b); **to renumber and amend** SPS 384.10 (3) (e) 2. a.; **to amend** SPS Table 381.20-11, 383.44 (3) (b) 1., and (4) (a) 1.a., 383.44 (4) (b) and (5) (a) 1. and (6) (a) 2., 383.45 (2) and (6) (b), 383.54 (2) (a), Table A-383.43-1, 384.10 (3) (d) 2., 384.25 (7) (h), 384.30 (6) (j), 385.40 (2) (b) 1. a., 385.60 (2) (a), 391.10 (4) (a), and 391.20 (1) and (2) and (3) (a) and (b); **to repeal and recreate** SPS 384.10 (3) (e) 2. a. (Note), and Tables 387.30-1 and 387.30-2 and 387.30-3 and 387.30-4 and 387.30-5 and 387.30-6; **to create** SPS 381.01 (13m) and (93m) and (154r), 383.21 (Note), 383.22 (Note), 383.44 (2) (d), 383.45 (7), and 385.40 (2) (b) 2. (Note), relating to Private Onsite Wastewater Treatment Systems and the Wisconsin Fund.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** s. 145.20, Stats.

**Statutory authority:** Sections 145.02, 145.23, and 145.245 (7), Stats.

**Explanation of agency authority:**

Section 145.02, Stats. - Provides the department with general authority to establish standards and rules to ensure that buildings and facilities in the state shall be safe, sanitary and safeguard the public health.

Section 145.23, Stats. - Authorizes the department to make and enforce rules relating to lot size and lot elevation necessary for proper sanitary conditions in the development and maintenance of subdivisions not served by a public sewer, where provision for such service has not been made.

Section 145.245 (7), Stats. - The department shall prepare and publish private on-site wastewater treatment system grant funding tables which specify the maximum state share limitation for various components and costs involved in the rehabilitation or replacement of a private on-site wastewater treatment system based upon minimum size and other requirements specified in the state plumbing code promulgated under s. 145.02. The maximum state share limitations shall be designed to pay approximately 60 percent of the average allowable cost of private on-site wastewater treatment system rehabilitation or replacement based upon estimated or actual costs of that rehabilitation or replacement. The department shall revise the grant funding tables when it determines that 60 percent of current costs of private on-site wastewater treatment system rehabilitation or replacement exceed the amounts in the grant funding tables by more than 10 percent, except that the department may not revise the grant funding tables more often than once every 2 years.

**Related statute or rule:** Not applicable.

**Plain language analysis:** The objective of this rule revision was to review and update administrative rules related to private onsite wastewater treatment systems (POWTS) and the POWTS replacement and rehabilitation financial assistant fund, otherwise known as the Wisconsin Fund. These administrative rules were last reviewed in their entirety in April 2000. The rule was reviewed to identify and update outdated provisions, to improve language clarity and to update references and notes as needed.

This rule revision also updates funding tables for the Wisconsin Fund. The Wisconsin Fund is a program that provides grants to offset a portion of the cost for the repair, rehabilitation of existing or failing POWTS. Sixty-seven counties, the City of Franklin, and the Oneida Tribe of Wisconsin participate in the program. The department is required under s. 145.245 (7) (c), Stats., to review and update funding tables for the Wisconsin Fund if it is determined that 60% of costs for rehabilitating or replacing private sewage systems exceeds the amounts in the grant funding tables by more than 10%. The funding tables were last revised in February 1999.

The rule does the following:

- Creates definitions for an “at-risk” POWTS; “Fats, Oil, and Grease” or “FOG”; and “Moh’s Scale of Hardness.”

- Updates Table SPS 381.20-11 to include more recent editions of three standards related to POWTS.
- Creates notes throughout the rule clarifying that nothing in the chapter prohibits the submission and acceptance of planning documents in an electronic or digital media. To further facilitate the submission of planning documents electronically, the rule also removes the requirement that an original signature is needed on soil evaluation reports.
- Allows the department to require facilities determined to be “at-risk” to submit additional testing data to the department and local governmental unit within one year of installation of the POWTS component to determine whether the facility is producing influent in excess of the quantities specified in s. SPS 383.44 (2). If the facility exceeds the parameters in s. SPS 383.44 (2), then the owner will be required to reduce wastewater strength in accordance with the facility’s management plan.
- Removes references to percolation rates. In the past, percolation testing was used to determine the suitability of soil for a POWTS but this approach is no longer used. The rule removes these outdated references to percolation rates.
- Requires the top of effluent lines and forcemains to be covered by a minimum of 12 inches of soil to prevent freezing and provide protection from damage.
- Updates the footnotes in Table A-383.43-1 in SPS 383 Appendix regarding public facility wastewater flows.
- Revises the composition of the technical advisory committee.
- Modernizes and clarifies the process for soliciting public input on POWTS components. Removes the requirement that solicitations for public comment be published in the official state newspaper and allows the department to post requests for public comment on the department’s website. This change will decrease associated costs and provide the public with improved access to information about POWTS components. Clarifies that public comment will be solicited for a minimum of 14 days.
- The current rule states that covers located at or above ground for openings larger than 8 inches in a POWTS must be “provided with locking devices or other effective measures” to prevent unauthorized access. The rule revision allows an owner to secure the POWTS with a cover that is a minimum of 59 pounds or a cover that has a locking device or other effective measures that prevent unauthorized access and a secondary safety apparatus on all inspection service and maintenance openings. This revision is expected to provide greater clarity as to how POWTS systems should be secured.
- The rule further clarifies the standards for sand used as a treatment medium.
- The rule revises the format and updates financial tables used for the Wisconsin Fund.

- Additional revisions were made throughout the rule to update references and clarify rule language.

### **Summary of, and comparison with, existing or proposed federal regulation:**

Under 7 CFR 1924.107, utilities, all development under this subpart must have adequate, economic, safe, energy efficient, dependable utilities with sufficient easements for installation and maintenance. (Utilities include POWTS.)

Under 40 CFR 35.918, individual systems and the requirements for discharge of effluents, the U.S. EPA has the authority to prescribe requirements for individual on-site wastewater treatment systems, as well as the provisions of financial assistance. In addition, best practicable waste treatment criteria published by EPA under section 304 (d) (2) of this Act shall be met for disposal of effluent on or into the soil from individual POWTS systems.

Under 40 CFR, subch. B, part 31, this rule establishes uniform criteria for POWTS where financial assistance is available on the state and local levels.

### **Comparison with rules in adjacent states:**

**Illinois:** Illinois administrative code, Title 77: Public Health, Chapter I: Department of Public Health, Subchapter r: Water and Sewage, Part 905 Private Sewage Disposal Code regulates all private sewage disposal systems. The Illinois Department of Public Health (IDPH) regulates the installation of all private sewage disposal systems that have no surface discharge. There are approximately 90 local health agencies in Illinois that review plans, either by authority of a local ordinance or as an "agent" of the Department. IDPH also licenses or certifies Private Sewage Disposal Installation Contractors, Private Sewage Disposal Pumping Contractors, Portable Sanitation Businesses, Portable Sanitation Technicians and Portable Sanitation Technician Trainees. Illinois licenses installers and pumpers under separate licenses and requires no license to perform site evaluations/inspections. Soil investigations must be done by a certified person. No funding program or mechanism exists in Illinois to assist homeowners replacing failing systems or installing new systems.

**Iowa:** Requirements relating to the design, location, installation, use and maintenance of installation private sewage systems can be found in Chapters 64 and 69 of the Iowa Administrative Code. IAC 567-Chapter 69, Private Sewage Disposal Systems of the Iowa Department of Natural Resources regulates domestic wastewater from 4 homes or less or non-residential wastewater with a flow of less than 1,500 gallons per day. Private sewer systems are regulated by local boards of health in conjunction with the Iowa Department of Natural Resources. The DNR standards are primarily a prescriptive code giving design criteria for each alternative type of secondary treatment system permitted. Counties have the authority to allow alternative or innovative performance based systems and are required to enter basic information about the systems into the state onsite wastewater database system. An estimated 100,000 septic systems in Iowa are at substandard levels. Funding is available for loans to individuals to replace inadequate onsite sewer systems.

**Michigan:** Michigan does not have a statewide onsite sewage system code or a licensing/certification program for individual onsite wastewater systems. The Michigan Department of Environmental Quality under the authority of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and the Part 22 Groundwater Quality Administrative Rules, being R 323.2201 et seq., promulgated pursuant to Part 31. These criteria are used by the Michigan Department of Environmental Quality and by 44 local health departments that develop their own rules to regulate single- and two-family systems. No funding program or mechanism exists in the state to assist homeowners replacing failing systems or installing new systems.

**Minnesota:** Onsite wastewater regulations are split between one or more agencies in Minnesota. Statute, Chapter 115, relating to water pollution control and sanitary districts, establishes rules for “Individual and Alternative Discharging Sewage Treatment Systems.” The rules require counties to adopt local ordinances “containing minimum standards and criteria for the design, location, installation, use, maintenance, and closure of subsurface sewage treatment systems (SSTS).” These regulations detail: Minimum technical standards for individual and mid-size SSTS (Chapter 7080 and 7081); A framework for local administration of SSTS programs (Chapter 7082) and; Statewide licensing and certification of SSTS professionals, SSTS product review and registration, and establishment of the SSTS Advisory Committee (Chapter 7083). The Minnesota Pollution Control Agency (MPCA) administers MN Rule 7080, the state wide rule regarding onsite sewage treatment systems and licensing program for onsite professionals. A funding program exists to assist homeowners replacing failing systems or installing new systems.

**Summary of factual data and analytical methodologies:**

The department established an advisory council to comprehensively review administrative rules related to POWTS. The council members represent stakeholders involved in the private sewage system industry including designers, contractors, regulators, academics and manufacturers. The council met periodically from November 2015 to March 2017 to review rule provisions and best practice standards and made recommendations to revise the department’s rules related to POWTS.

The department solicited financial information from private onsite wastewater treatment system installers and used financial information collected as part of the replacement and rehabilitation program to estimate the maximum state share of support for rehabilitation or replacement of private onsite wastewater treatments as authorized under s. 145.245, Stats.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect small businesses, local government units, and individuals.

**Fiscal Estimate and Economic Impact Analysis:**

The department is currently soliciting information on the potential fiscal and economic impact of the proposed rule.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Kirsten.Reader @wisconsin.gov, or by calling (608) 267-2435.

**Agency contact person:**

Mindy Allen, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4463; email at DSPSAdminRules@wisconsin.gov.

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Mindy Allen, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before \* to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. SPS 381.01 (13m), (93m), and (154r) are created to read:

**SPS 381.01 (13m)** “At-risk” means a POWTS serving a new public or commercial facility that may produce influent to a POWTS treatment or dispersal component, consisting in part of in situ soil in excess of the quantities specified in s. SPS 383.44 (2). This definition does not include existing facilities where the influent has been tested and determined to produce influent below the quantities specified in s. SPS 383.44 (2) or facilities which are known to produce influent exceeding the influent quantities.

**(93m)** “Fats, Oil and Grease” or “FOG” means organic polar compounds derived from vegetable, plant, or animal sources that are composed of long chain triglycerides that are insoluble in water. Fats are generally solid particles, oils are usually liquid at room temperature, and grease is usually solid at room temperature.

**(154r)** “Moh’s Scale of Hardness” means a test for a mineral’s hardness based on a mineral’s resistance to visible scratching by another mineral. The scale classifies a mineral from 1 to 10, with the softest mineral having a value of 1 and the hardest mineral having a value of 10.

SECTION 2. Table SPS 381.20-11 is amended to read:

Table 381.20-11

NSF	<b>NSF International</b> <b>789 Dixboro Road</b> <b>P.O. Box 130140</b> <b>Ann Arbor, Michigan 48113-0140</b> <b>Phone: (800) 673-6275</b> <b>Web page: www.nsf.org</b>	
Standard Reference Number	Title	
1.	Standard 14-2007	Plastic Piping System Components and Related Materials
2.	Standard <del>40-2005</del> 40-2013	Residential Wastewater Treatment Systems
3.	Standard <del>41-2005</del> 41-2011	Non-liquid Saturated Treatment Systems
3m.	Standard <del>41-2005</del> 41-2011 Addendum 1	Non-liquid Saturated Treatment Systems
4.	Standard 44-2004	Residential Cation Exchange Water Softeners
5.	Standard 51-2007	Food Equipment Materials
6.	Standard 61-2012	Drinking Water System Components — Health Effects
7.	Standard 372-2011	Drinking Water System Components — Lead Content

SECTION 3. SPS 383.21 (Note) and 383.22 (Note) are created to read:

**SPS 383.21 (Note) Note:** Nothing in this chapter is intended to prohibit the submission and acceptance of planning documents in an electronic or digital media.

**SPS 383.22 (Note) Note:** Nothing in this chapter is intended to prohibit the submission and acceptance of planning documents in an electronic or digital media.

SECTION 4. SPS 383.44 (2) (d) is created to read:

**SPS 383.44 (2) (d)** The department may designate a new facility as “at-risk” if the department determines that the facility may generate waste with influent quality in excess of the parameters under par. (a). A facility designated as “at-risk” shall submit additional testing data as specified in par. (b) to the department and the governmental unit within one year of installation of the POWTS components. A facility that continues to produce influent with parameters above the limits in par. (a) or the approved design shall reduce wastewater strength according to the facility’s management plan required under s. SPS 383.54 (1).

SECTION 5. SPS 383.44 (3) (b) 1., and (4) (a) 1. a., are amended to read:

**SPS 383.44 (3) (b) 1.** A POWTS designed utilizing a component manual recognized under s. SPS 383.60 (1) shall have at least 6 inches of the soil separation required under par. (a) consisting of an in situ soil type for which soil treatment capability has been credited under Table ~~383.44-3~~ 383.44-2.

**(4) (a) 1. a.** Except as provided under subd. 2., the dispersal capability of a POWTS treatment or dispersal component consisting in part of unsaturated soil shall be limited to that specified in Table ~~383.44-1~~ or Table 383.44-2 based upon the influent quality concentrations being applied.

SECTION 6. SPS 383.44 (4) (a) 1. f. is repealed.

SECTION 7. SPS 383.44 (4) (b) and (5) (a) 1. are amended to read:

**SPS 383.44 (4) (b)** The treatment capability of a POWTS treatment component consisting of unsaturated soil shall be limited to that specified in Table ~~383.44-3~~ 383.44-2, unless otherwise approved by the department.

**(5) (a) 1.** Except as provided in subd. 2., the distribution of effluent to a treatment or dispersal component shall be by means of pressure distribution as specified in Tables ~~383.44-2~~ 383.44-1 and ~~383.44-3~~ 383.44-2.

SECTION 8. Table 383.44-1 is repealed.

SECTION 9. Table 383.44-2 and Table 383.44-3 are renumbered Table 383.44-1 and Table 383.44-2.

SECTION 10. SPS 383.44 (6) (a) 2. is amended to read:

**SPS 383.44 (6) (a) 2.** The longest dimension of a POWTS treatment or dispersal component ~~consisting in part of in situ soil located at or above the original grade~~ shall be oriented along within 1% of the surface contour of the component site location unless otherwise approved by the department.

SECTION 11. SPS 383.45 (2) and (6) (b) are amended to read:

**SPS 383.45 (2) FROZEN SOIL.** POWTS treatment and dispersal components consisting in part of in situ soil may not be installed if the soil is frozen at or below the infiltrative surface of the component.

**(6) (b)** Vent pipes ~~and observation pipes~~ serving POWTS components that are located in floodplain areas shall terminate at least 2 feet above regional flood levels.

SECTION 12. SPS 383.45 (7) is created to read:

**SPS 383.45 (7) MINIMUM DEPTH.** The top of the effluent lines and forcemains shall be covered by a minimum of 12 inches of soil.

SECTION 13. SPS 383.54 (2) (a) is amended to read:

**SPS 383.54 (2) (a) General.** The management plan specified in sub. (1) shall include ~~the~~ procedures for metering or monitoring ~~of~~ POWTS influent or effluent as specified in this subsection.

SECTION 14. SPS 383.54 (2) (b) is renumbered SPS 383.54 (2) (b) 1.

SECTION 15. SPS 383 Appendix Table A-383.43-1 is amended to read:

**Table A-383.43-1  
Public Facility Wastewater Flows**

<b>Source</b>	<b>Unit</b>	<b>Estimated Wastewater Flow (gpd)</b>
Apartment or condominium	Bedroom	100
Assembly hall (no kitchen)	Person (10 sq. ft./person)	1.3
Bar or cocktail lounge (no meals served) <sup>a</sup>	Patron (10 sq. ft./patron)	4
Bar or cocktail lounge <sup>a</sup> (w/meals – all paper service) <sup>a</sup>	Patron (10 sq. ft./patron)	8
Beauty salon	Station	90
Bowling alley	Bowling lane	80
Bowling alley <sup>a</sup> (with bar)	Bowling lane	150
Camp, day and night	Person	25
Camp, day use only (no meals served)	Person	10
Campground or camping resort	Space, with sewer connection and/or service building	30
Campground sanitary dump station <sup>a</sup>	Camping unit or RV served	25
Catch basin	Basin	65
Church (no kitchen)	Person	2
Church <sup>a, b</sup> (with kitchen)	Person	5
Dance hall	Person (10 sq. ft./person)	2
Day care facility (no meals prepared)	Child	12
Day care facility <sup>a, b</sup> (with meal preparation)	Child	16
Dining hall <sup>a</sup> (kitchen waste only without dishwasher and/or food waste grinder)	Meal served	2
Dining hall <sup>a</sup> (toilet and kitchen waste without dishwasher and/or food waste grinder)	Meal served	5
Dining hall <sup>a</sup> (toilet and kitchen waste with dishwasher and/or food waste grinder)	Meal served	7
Drive-in restaurant <sup>a</sup> (all paper service with inside seating)	Patron seating space	10
Drive-in restaurant <sup>a</sup> (all paper service without inside seating)	Vehicle space	10
Drive-in theater	Vehicle space	3
Employees (total all shifts)	Employee	13
Floor drain (not discharging to catch basin)	Drain	25
Gas station / convenience store <sup>b</sup>	Patron	3
<del>Gas station (with service bay)</del>		
<del>— Patron</del>	<del>Patron</del>	<del>3</del>
<del>— Service bay</del>	<del>Service bay</del>	<del>50</del>
Hospital <sup>a</sup>	Bed space	135
Hotel, motel, or tourist rooming house	Room	65
Manufactured home (served by its own POWTS)	Bedroom	100

Manufactured home community	Manufactured home site	200
Medical office building <sup>b</sup>		
Doctors, nurses, medical staff	Person	50
Office personnel	Person	13
Patients	Person	6.5
Migrant labor camp (central bathhouse)	Employee	20
Nursing, rest home, community-based residential facility <sup>a,b</sup>	Bed space	65
Outdoor sport facilities (toilet waste only)	Patron	3.5
Parks (toilets waste only)	Patron (75 patrons/acre)	3.5
Parks (toilets and showers)	Patron (75 patrons/acre)	6.5
Public shower facility	Shower taken	10
Restaurant <sup>a</sup> , 24-hr. (dishwasher and/or food waste grinder only)	Patron seating space	4
Restaurant <sup>a</sup> , 24-hr. (kitchen waste only without dishwasher and/or food waste grinder)	Patron seating space	12
Restaurant, 24-hr. (toilet waste)	Patron seating space	28
Restaurant <sup>a</sup> , 24-hr. (toilet and kitchen waste without dishwasher and/or food waste grinder)	Patron seating space	40
Restaurant <sup>a</sup> , 24-hr. (toilet and kitchen waste with dishwasher and/or food waste grinder)	Patron seating space	44
Restaurant <sup>a</sup> (dishwasher and/or food waste grinder only)	Patron seating space	2
Restaurant <sup>a</sup> (kitchen waste only without dishwasher and/or food waste grinder)	Patron seating space	6
Restaurant (toilet waste)	Patron seating space	14
Restaurant <sup>a</sup> (toilet and kitchen waste without dishwasher and/or food waste grinder)	Patron seating space	20
Restaurant <sup>a</sup> (toilet and kitchen waste with dishwasher and/or food waste grinder)	Patron seating space	22
Retail store (no food preparation)	Patron (70% of total retail area / 30 sq. ft. per patron)	1
School <sup>a</sup> (with meals and showers)	Classroom (25 students/classroom)	500
School <sup>a</sup> (with meals or showers)	Classroom (25 students/classroom)	400
School (without meals or showers)	Classroom (25 students/classroom)	300
Self-service laundry <sup>e</sup> (toilet waste only)	Clothes washer	33
Self-service laundry <sup>e</sup> (with only residential clothes washers)	Clothes washer	400
Swimming pool bathhouse	Patron	6.5

<sup>a</sup> May Expected to be high in Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS), or Fats, Oils or Grease (FOG).

<sup>b</sup> ~~May be high in medication and personal care products~~ At-risk system (potentially high in Biochemical Oxygen Demand (BOD)<sub>5</sub>, Total Suspended Solids (TSS), or Fats, Oils or Grease (FOG).

<sup>e</sup> ~~May contain a high level of lint.~~

SECTION 16. SPS 384.10 (3) (d) 2. is amended to read:

(3) (d) 2. The members on the technical advisory committee under ~~subd. 1.~~ par. a shall be appointed by the department for staggered 3-year terms and shall include representatives of at least the following groups or organizations:

- a. The department of natural resources familiar with large scale POWTS systems to serve as a non-voting member.
- b. ~~Local~~ A representative of a local governmental unit.
- c. POWTS designer.
- d. Academic or scientific community.
- e. ~~Plumber~~ Journeyman or master plumber involved in POWTS installation.
- f. ~~Environmental group~~ Professional soil scientist or certified soil tester.
- g. POWTS component manufacturer.
- h. At-large member.
- i. A representative from the department of safety and professional services familiar with POWTS approval to serve as a non-voting member.

SECTION 17. SPS 384.10 (3) (e) 2. a. is renumbered SPS 384.10 (3) (e) 2. and, as renumbered, is amended to read:

**SPS 384.10 (3) (e) 2.** The department shall ~~place the notice requesting~~ provide an opportunity for public comment under subd. 1. in the official state newspaper for a minimum of 14 days.

SECTION 18. SPS 384.10 (3) (e) 2. a. (Note) is repealed and recreated to read:

**SPS 384.10 (3) (e) 2. a. (Note) Note:** Requests for public comment shall be posted on the department of safety and professional services website at: <http://dsps.wi.gov/Programs/Industry-Services/Industry-Services-Programs>.

SECTION 19. SPS 384.10 (3) (e) 2. b. is repealed.

SECTION 20. SPS 384.25 (7) (h) is amended to read:

**SPS 384.25 (7) (h)** Covers located at or above ground for openings larger than 8 inches in diameter shall ~~be provided with locking devices or other effective measures to prevent unauthorized access.~~ meet one of the following:

1. The cover shall be a minimum of 59 pounds.
2. The cover shall be provided with a locking device or other effective measure to prevent unauthorized access and with a secondary safety apparatus on all inspection service and maintenance openings.

SECTION 21. SPS 384.30 (6) (j) is amended to read:

**SPS 384.30 (6) (j) Sand.** Sand that is placed as a filtering treatment medium in a stormwater subsurface infiltration system shall ~~conform to ASTM Standard C33 for fine aggregate~~ meet all of the following requirements:

1. The sand shall conform to ASTM Standard C33 for fine aggregate.
2. The sand shall be comprised of an outwash parent material.
3. The sand shall have a hardness value of at least 3 on Moh's scale of hardness.

SECTION 22. SPS 385.40 (2) (b) 1. a. is amended to read:

**SPS 385.40 (2) (b) 1. a.** The ~~original~~ signature of the certified soil tester who collected the data;

SECTION 23. SPS 385.40 (2) (b) 2. (Note) is created to read:

**SPS 385.40 (2) (b) 2. (Note) Note:** Nothing in this chapter is intended to prohibit the submission and acceptance of planning documents in an electronic or digital media.

SECTION 24. SPS 385.60 (2) (a) is amended to read:

**SPS 385.60 (2) INTERPRETIVE DETERMINATIONS.** (a) A written report by a certified soil tester evaluating and interpreting redoximorphic soil features, or other soil color patterns, may be submitted to the department in lieu of high groundwater determination data. The written report shall conclusively ~~demonstrate that the existing soil morphological features or color patterns are not indicative of~~ determine current conditions of periodic soil saturation and assess their effect upon the operation of a POWTS.

SECTION 25. SPS Tables 387.30-1 to 387.30-6 are repealed and recreated to read:

**Table 387.30-1**

**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF A REPLACEMENT POWTS ANAEROBIC TREATMENT COMPONENT**

**Installation of a Replacement POWTS Anaerobic Treatment Component by Design Flow**

Design Flow in Gallons per Day	Financial Assistance Amount
≤ 300 gpd	\$2,280
301-450 gpd	\$2,400
451-600 gpd	\$3,000
601+ gpd	\$4,200

**Table 387.30-2**

**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF A REPLACEMENT COMPONENT AND LIFT PUMP OR SIPHON**

**Installation of a POWTS Dosing Component and Lift Pump or Siphon**

Design Flow in Gallons per Day	Financial Assistance Amount
≤ 300 gpd	\$2,400
301-450 gpd	\$2,700
451-600 gpd	\$3,000
601+ gpd	\$3,600

**Table 387.30-3**

**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF NON-PRESSURIZED AND IN-GROUND PRESSURE POWTS TREATMENT OR DISPERSAL COMPONENT**

**Installation of a Non-Pressurized and In-Ground Pressure POWTS Treatment or Dispersal Component**

Design Loading Rate in Gallons Per Square Foot Per Day	≤300 gpd	301-450 gpd	451-600 gpd	Per 150 gpd over 600
0.7 or more	\$3,300	\$3,900	\$5,100	\$6,300
0.60 to 0.69	\$3,600	\$4,200	\$5,400	\$6,600
0.50 to 0.59	\$3,900	\$5,100	\$5,700	\$6,900
0.49 or less	\$4,200	\$5,400	\$6,000	\$7,200

**Table 387.30-4**

**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF AT-GRADE OR MOUND POWTS TREATMENT OR DISPERSAL COMPONENT**

**Installation of an At-Grade or Mound POWTS Treatment or Dispersal Component**

Type of Design	≤300 gpd	301-450 gpd	451-600 gpd	601+ gpd
At-Grade	\$5,400	\$6,000	\$6,600	\$7,000
Greater than 24" of Suitable Soil Mound	\$7,000	\$7,000	\$7,000	\$7,000
Less than 24" of Suitable Soil Mound	\$7,000	\$7,000	\$7,000	\$7,000

**Table 387.30-5**  
**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF A POWTS HOLDING TANK COMPONENT**  
**Installation of a POWTS Holding Tank Component**

Estimated Flow of Gallons Per Day	Financial Assistance Amount
≤400	\$3,900
401-600	\$4,200
601+	\$4,500

**Table 387.30-6**  
**MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF REPLACEMENT EXTERIOR GREASE INTERCEPTOR**  
**Installation of Replacement Exterior Grease Interceptor by Capacity**

Capacity (in gallons)	Financial Assistance Amount	Capacity (in gallons)	Financial Assistance Amount
Up to 1,249	\$3,000	1,750 to 1,999	\$3,900
1,250 to 1,499	\$3,300	2,000 or more	\$4,500
1,500 to 1,749	\$3,600		

SECTION 26. SPS 387.30 (4) is repealed.

SECTION 27. SPS 391.10 (4) (a) is amended to read:

**SPS 391.10 (4)** (a) The disposal of the compost shall be in accordance with ~~EPA 40 CFR~~ part 503.

SECTION 28. SPS 391.20 (1), (2), and (3) (a) and (b) are amended to read:

**SPS 391.20 (1)** CONSENT. Pursuant to s. 227.21, Stats., the attorney general ~~and the revisor of statutes have~~ has consented to the incorporation by reference of the standards listed in sub. (3).

**(2)** COPIES. Copies of the adopted standards are on file in the offices of the department, ~~the secretary of state~~ and the legislative reference bureau. Copies of the standards may be purchased through the respective organizations listed in sub. (3).

**(3)** (a) ANSI Z21.61-1983: Gas-Fired Toilets, American National Standard Institute, 25 West 43<sup>rd</sup> Street, 4<sup>th</sup> Floor, New York, NY 10036. ~~Ine., 1430 Broadway, New York, New York 10018, GAS FIRED TOILETS, Z21.61-1983.~~

(b) NSF 41-2011-2016: Liquid Saturated Treatment Systems, NSF International, 6300 Interfirst Drive, Ann Arbor, MI 48108. 3475 Plymouth Road, P.O. Box 130140, Ann Arbor, Michigan 48113-0140, NON LIQUID SATURATED TREATMENT SYSTEMS, NSF 41-1998.

SECTION 29. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

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 (END OF TEXT OF RULE)  
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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Brittany Lewin, Executive Director		2) Date When Request Submitted: 03/01/2017	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections:  All Boards, Committees, Councils and Sections			
4) Meeting Date:  03/28/2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Board Training Review – Public Records and Ethics and Lobbying – Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  Please review the materials previously emailed, and included herein, in preparation for discussion at the meeting. <ul style="list-style-type: none"> <li>1) Public Records and Ethics and Lobbying Training             <ul style="list-style-type: none"> <li>i. Email from 3/1/17</li> <li>ii. Wisconsin Public Records Law Basics</li> <li>iii. DSPPS Public Records Information</li> <li>iv. Ethics and Lobbying Law One Pager</li> </ul> </li> </ul>			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Wood, Kimberly - DSPS

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**From:** Wood, Kimberly - DSPS  
**Sent:** Wednesday, March 01, 2017 3:27 PM  
**To:** Boullion, James - DSPS  
**Cc:** Lewin, Brittany - DSPS; Ryan, Thomas - DSPS; Williams, Dan - DSPS; Zadrzil, Chad J - DSPS  
**Subject:** Completion Reminder: Public Records and Ethics and Lobbying Training  
**Attachments:** WisconsinPublicRecordsLawBasics\_PPT.pdf; Ethics and Lobbying Law One Pager.pdf; DSPS Public Records Information.pdf

*DSPS Board, Council or Committee member,*

*For those of you that have not already done so, this is a reminder to review the training materials we sent you a few weeks ago regarding what you need to know about Wisconsin's ethics and lobbying laws and how to handle public records. You will have a chance to raise any questions and discuss these topics at your next board, council or committee meeting.*

*We have also included an additional document called "DSPS Public Records Information.pdf" that identifies who you should talk to at DSPS about public records questions. Some people had difficulty opening the public records training file, therefore we have also attached a PDF version of the training called "WisconsinPublicRecordsLawBasics\_PPT.pdf".*

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Hello,

Below you will find information about two requirements recently communicated to state agencies.

All Board, Council, Section and Committee members are required to receive training in two separate areas: 1) Public Records, and; 2) Ethics and Lobbying. **These required trainings must be completed at your earliest opportunity. Please complete the web-based public records training and review the attached ethics and lobbying guidance document by March 1<sup>st</sup>.** At your next meeting, you will have the opportunity to discuss the public records training and we will review the ethics and lobby law training.

Background information and instructions for both trainings is included below.

### 1) Public Records

On March 11, 2016, the Governor issued [Executive Order #189](#) reaffirming the importance of transparency in state government. Specifically, the Governor asked agencies to implement best practices to promote the public's access to the records of their government under Wisconsin's Public Records Law. The Governor also directed each state agency to provide public records resources and training for all employees and members of all boards, councils, commissions and committees attached to the agency.

This training has been developed and is available online at the following web link:

[http://dsps.wi.gov/Documents/Board%20Services/Other%20Resources/RecordsTraining/Wisconsin\\_Public\\_Records\\_Law\\_Basics.pdf](http://dsps.wi.gov/Documents/Board%20Services/Other%20Resources/RecordsTraining/Wisconsin_Public_Records_Law_Basics.pdf)

*Please note that this link will require Adobe Flash Player which may not be available for your hand held device. \*If you are unable to open the training, you may view the attached PDF titled "WisconsinPublicRecordsLawBasics\_PPT" instead.*

If you have difficulty in accessing this information please contact Kimberly Wood at [Kimberly.Wood@wisconsin.gov](mailto:Kimberly.Wood@wisconsin.gov) and she will assist you.

## 2) **Ethics and Lobbying**

Recently the Wisconsin Ethics Commission withdrew a formal opinion that had created a pathway for agency officials to remove themselves from the prohibitions of the lobbying law. A number of questions were received in response to the action by the Ethics Commission.

A guidance document is attached in an effort to clarify the current status of the law. The attachment is a one-page overview of specific provisions in the state ethics and lobbying laws that apply to persons appointed by Governor Walker throughout state government.

While the ethics law provisions apply to all appointees of the Governor, the lobbying law only applies to members of boards, councils, or commissions and committees that are involved with rule writing.

If you have any questions, please feel free to reach out to your Executive Director or the Wisconsin Ethics Commission at any time.

Thank you,

### ***Jim Boullion***

Administrator, Division of Policy Development  
Department of Safety and Professional Services

[james.boullion@wisconsin.gov](mailto:james.boullion@wisconsin.gov)

Phone: (608) 266-8419

## What Is a Public Record?

Anything paper or electronic with information about government business, with a few exceptions

Public records can be paper or electronic.

Examples of electronic public records:

- Emails
- Videos
- Audio files
- Database content
- Instant messages



## Record Location

The location of the record does not matter!

Emails, text messages, or files about government business on your personal device are public records. You must keep them and turn them over upon request.



## Public Records Responsibility 3

When you have a public record, understand how to properly retain it.

- If it **is** a public record, follow your agency's record retention schedule.
- Check with your agency's records officer(s) or records coordinator(s) to learn:
  - How long to keep records.
  - Where to send records when time expires.
- Before you get rid of a record, make sure there are no pending records requests, audits, or lawsuits that require you to hold on to it.



## Key Points

Key points to remember:

- Don't delete emails or any other records unless you know that you don't need to keep them.
- Organize hard copy documents so you know where to find them if a member of the public requests them.
- Know how long you are required to keep **your** records and what to do with them when that time is up.



## Key Points, Continued

- Keep all your emails in a place where someone can search them when requests come in.
- Manage your own emails. Don't rely on disaster recovery backup systems. If you run out of storage in your mailbox, ask your agency's help desk for assistance with .pst files or similar solutions.
- Text messages on your personal cell phone are public records if they pertain to government business.
- Emails in your personal email are public records if they pertain to government business.

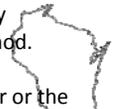


## Public Records Responsibility 4

Recognize a public records request and handle the request appropriately.

A public records request:

- Is any request for government records.
- Does not require magic words or precise format.
- Can be submitted by email, by letter, by phone, in person, or by any other method.
- Can be written or verbal.
- Does not need to identify the requestor or the purpose of the request.



# Department of Safety and Professional Services

## Agency Specific Public Records Information

February 24, 2017

*The purpose of this memo is to provide information on public records requests that is specific to the Department of Safety and Professional Services (DSPS).*

DSPS receives public record requests in a number of ways. Most public record requests are received via US mail or by email. DSPS has a public records mailbox accessible from the DSPS website. In addition, the DSPS website contains a public records notice which sets out the procedure for making a request and information about fees. Here is the link to the public records notice: <http://dsps.wi.gov/other-services/open-records-notice-and-requests>

Records requests should always be considered a priority. If you are an employee of DSPS and you receive a request you should immediately notify your supervisor or a record custodian. Any records that may be covered by the request should be preserved. **If you are a member of a board or council and you receive a request you should immediately notify your primary contact at DSPS, normally the executive director of your board or council.** Again, any records that may be covered by the request should be preserved. The record request should be forwarded to the supervisor, custodian or executive director within one business day.

Deputy record custodians process the requests. The custodians will work in conjunction with the DSPS public information officer on requests involving media or legislative issues. The custodians will also work with the employees or board/council members if there is a need to search emails or other records in possession of the employee or board/council member. The goal is for the custodian to provide a response as soon as practicable. For this reason, cooperation with the custodians is essential.

The agency record custodian is Michael Berndt.

The following lists reflect deputy record custodians for each agency division:

**DLSC**  
Meena Balasubramanian  
Beth Cramton  
Zach Hendrickson  
Terri Rees

**DPCP**  
Kris Hendrickson  
**DMS/Office of Sec.**  
Michael Berndt  
Alicia Bork

**DPD**  
Shawn Leatherwood  
**DIS/Field Offices**  
Peggy Thran

Public records are retained for periods of time set out in Record Destruction Authorizations, commonly called RDAs, or as required by the General Record Schedules. If you have questions about how long some record is supposed to be retained, please talk with you supervisor. Record officers update the agency RDAs and are familiar with the General Record Schedules. The agency record officers are Michael Berndt and Peggy Thran.

The guidance below provides a summary of the prohibitions on solicitation and acceptance of items of value under Wisconsin law. This guidance does not provide a comprehensive overview of the regulations that apply to state officials. For further information, please consult the Wisconsin Ethics Commission (<http://ethics.wi.gov/content/resources>) and Chapters 13 and 19 of the Wisconsin Statutes.

**Lobbying law.** Chapter 13, Wisconsin Statutes.

**General Rule:** Members of state agencies, boards, commissions, or councils that have rulemaking authority cannot **solicit** or **accept** anything of pecuniary value from a lobbyist or lobbying principal, even if they offer to pay for it. (§13.62, §13.625, 80 OAG 205). [Involvement in rulemaking is defined very broadly; you are likely considered to be involved in rulemaking just by virtue of the fact that you are appointed to a board, commission or council with rulemaking authority. §13.62(3)]. *Note that the Wisconsin Ethics Commission recently withdrew a formal opinion that allowed agency officials to remove themselves from the prohibitions of the lobbying law by refraining from engaging in rulemaking activities.*

**Applies to members of boards with rule-making authority (“agency officials”). [Defined in §13.62(3)].**

**Exceptions:**

- If the thing provided by a principal (not an individual lobbyist) is available to the general public on the same terms and conditions and is available to anyone who wants it and who meets the criteria for eligibility. [§13.625(2); 80 OAG 205]. For example, a member of the State Bar could attend a generally advertised continuing legal education conference put on by the State Bar (a lobbying principal) so long as it was available to anyone who wished to attend and met the criteria for eligibility, such as membership in the State Bar.
  - The criteria for eligibility must be:
    - Established and readily identifiable; and
    - Drawn without the purpose or effect of giving a preference to or conferring an advantage upon you.
  - There must be no offer or notice of availability directed to you that gives you an advantage.
- The lobbyist or principal is your employer and the thing provided does not exceed what the employer customarily provides to all employees (e.g., a paycheck). [§13.625(6r)]. (*Note that one’s status as a lobbyist does not prevent service as an agency official.*)
- The expense is provided as a benefit to the state, such as meals, transportation or lodging in connection with an event related to your state duties, which the state would otherwise pay. [§13.625(7); §19.56(3)(a)].
- Informational or educational materials. [§13.625(6t)].
- The lobbyist is a relative or resides in the same household [§13.625(6)].

\*All lobbyists and lobbying principals are required to register here: <https://lobbying.wi.gov/Home/Welcome>.

**Ethics Law.** Chapter 19, Wisconsin Statutes.

**General Rule:** No state public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. [§19.45(2); §19.42(2)].

**Applies to individuals appointed by the governor, and other positions defined in Wis. Stat. 19.42(13).**

Exceptions: (*Note that these exceptions are to the ethics code only. They are not exceptions to prohibitions under the lobbying code.*)

- The thing offered is unrelated to your state position (e.g. a family member or long-time friend).
- The expense is provided as a benefit to the state, such as meals, transportation or lodging in connection with an event related to your state duties which the state would otherwise pay. [§19.56(3)(a)].

**IF YOU HAVE ANY DOUBT IF SOMETHING IS PERMITTED,  
ASK YOUR LEGAL OFFICE OR THE ETHICS COMMISSION**