



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

DATE: March 2, 2023

TO: Board of Agriculture, Trade and Consumer Protection

FROM: Randy Romanski, Secretary
Michelle Reinen, Acting Administrator, Division of Trade and Consumer Protection

SUBJECT: ATCP 93: Flammable, Combustible, and Hazardous Liquids; Rulemaking Scope Statement Public Hearing Approval

TO BE PRESENTED BY: David A. Woldseth, Policy Analyst

REQUESTED ACTION:

At the March 2, 2023 Board meeting, the Department of Agriculture, Trade and Consumer Protection (DATCP) will ask the DATCP Board to approve a public hearing for proposed technical amendments to ATCP 93, dealing with flammable, combustible, and hazardous liquids.

A scope statement spells out the general purpose and scope of a proposed rule. In accordance with Wis. Stat. § 227.135 (2), the Governor approved this scope statement for permanent rule changes on January 19, 2023, thereby allowing DATCP to submit this scope statement for publication and to seek approval of the scope statement by the DATCP Board.

DATCP formally published this draft scope statement in the January 30, 2023 *Wisconsin Administrative Register* and filed a copy with the Department of Administration (DOA) at least 10 days before the Board could approve the scope statement. After publication, the Joint Committee for the Review of Administrative Rules required DATCP to hold a public hearing on the scope statement under Wis. Stat. § 227.136 (1). DATCP plans to hold that hearing on Monday, March 27, 2023, at 1:00 p.m. in the DATCP Board Room.

If the Board approves the scope statement hearing, the Department will consider any public comments to the scope statement and seek approval of it at a future Board meeting.

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**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

NOTICE OF PUBLIC HEARING AND COMMENT PERIOD FOR SS 009-23

Permanent Rule Regarding Flammable, Combustible, and Hazardous Liquids

The Wisconsin Department of Agriculture, Trade and Consumer Protection (Department) announces that, pursuant to Wis. Stat. § 227.136 (1), it has been ordered by the Joint Committee for the Review of Administrative Rules to hold a preliminary public hearing and comment period on its proposed revised statement of scope pertaining to Wis. Admin. Code ch. ATCP 93 regarding flammable, combustible, and hazardous liquids.

The Department will hold the public hearing at the time and place shown below. The Department invites the public to attend the public hearing on the proposed scope statement or to comment on the proposed statement of scope no later than Tuesday, March 28, 2023. Written public comments may be sent to the Division of Trade and Consumer Protection, Department of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, WI 53708-8911 or by e-mail to DavidA.Woldseth@wisconsin.gov.

Hearing Date and Location:

Monday, March 27, 2023
Commencing at 1:00 P.M.
Board Room 106, Prairie Oaks State Office Building
Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
Madison, WI 53718

You may obtain a copy of the Statement of Scope for this proposed rule by contacting the Wisconsin Department of Agriculture, Trade and Consumer Protection, Office of the Secretary, 2811 Agriculture Drive, P.O. Box 8911, Madison, Wisconsin 53708. You may also obtain a copy by contacting the division policy analyst, David A. Woldseth, at DavidA.Woldseth@wisconsin.gov or by calling (608) 224-5164. Copies will also be available at the hearing. To view the statement of scope online, go to: [Wisconsin Legislature: SS 009-23](#).

Hearing-impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter by March 20, 2023, by writing, calling, or emailing the analyst, David A. Woldseth.

Dated this 20 day of February, 2023

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By 
Randy Romanski, Secretary