

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

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SEP 9 1992
4:05 pm
Revisor of Statutes
Bureau

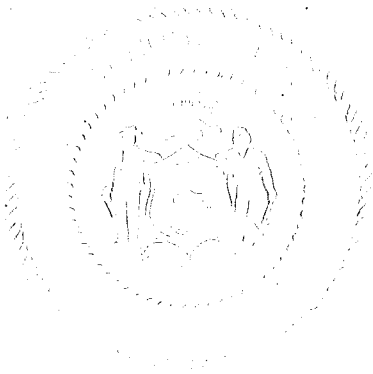
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carol Skornicka, Secretary of the Department of Industry,
Labor and Human Relations, and custodian of the official records of said department, do hereby certify that
the annexed rule(s) relating to space for recyclable materials

(Subject)

were duly approved and adopted by this department on September 9, 1992.
(Date)

I further certify that said copy has been compared by me with the original on file in the department
and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the official seal of the
department at 1:30 p.m.
in the city of Madison, this 9th
day of September A.D. 19 92.

Carol Skornicka
Secretary

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s)

101.126

Stats., the Department of Industry, Labor and Human Relations



creates;



amends;



repeals and recreates;



repeals and adopts rules of Wisconsin Administrative Code chapter(s):

ILHR 51 and 52

(Number)

Building and Heating, Ventilating and

Air Conditioning

(Title)

The attached rules shall take effect on

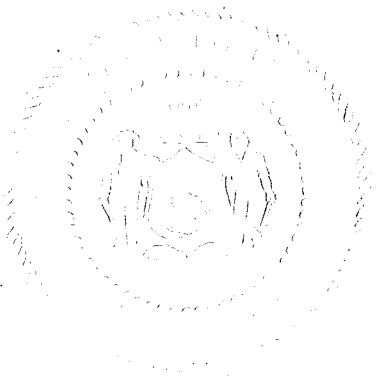
May 1, 1993

pursuant to section 227.22, Stats.

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Adopted at Madison, Wisconsin this

date: September 9, 1992

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS

A handwritten signature in black ink, appearing to be "L. J. ...", is written over a horizontal line.

Secretary



State of Wisconsin \ Department of Industry, Labor and Human Relations

RULES in FINAL DRAFT FORM

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Rule No.: Chapters ILHR 51-52

Relating to: Space for Recyclable Material

 Clearinghouse Rule No. 92-56

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to renumber ILHR 50.12 (4) (d) as (4) (e); amend ILHR 50.12 (3)(b) 1., 50.12 (3) (b) 2.; and create ILHR 50.12 (4) (d), 51.01 (105e), 52.24 and Appendix C relating to the designation of space for recyclable materials.

ANALYSIS OF PROPOSED RULES

Statutory authority: Section 101.126, Stats.
Statutes interpreted: Section 101.126, Stats.

In April of 1990, 1989 Wisconsin Act 335 was signed into law. Act 335, which relates to recycling, requires the department to establish rules such that public buildings designate adequate space for the separation, temporary storage and collection of recyclable materials likely to be generated by the building occupants.

The passage of Act 335 will effectively reduce the amount of solid waste disposed of in landfills. The law prohibits the landfilling and burning of various materials defined as recyclable materials; encourages the development of markets for post-consumer waste; and specifies the allocation of adequate space for the separation, temporary storage and collection of recyclable materials.

Section 101.126, Stats., as created by 1989 Wisconsin Act 335, contains provisions for new buildings for the inclusion of a separate room or designated area for the separation, temporary storage and collection of recyclable materials. This section also requires all public buildings built after the effective date of this rule and all buildings where an addition or alteration results in more than a 50% increase in area to comply with this rule.

The proposed rules establish which public buildings must comply with this rule and specify the approximate size of the room or area designated for the separation, temporary storage or collection of recyclable materials.

The law requires that the department consult with the Recycling Council in developing these rules. These rules were presented to the Recycling Council at their March 11, 1992 meeting with general agreement.

SECTION 1. ILHR 50.12 (3) (b) 1. is amended to read:

ILHR 50.12 (3) (b) 1. 'Plot plan.' The location of the building with respect to property lines and lot lines and adjoining streets, alleys and any other buildings on the same lot or property shall be indicated on the plot plan. For recycling space designated adjacent to a building, as specified in s. ILHR 52.24, the area and dimensions shall be indicated on the plot plan. A small scale plot plan shall be submitted on a 8 1/2" X 11" sheet for projects containing multiple buildings. For purposes of this requirement, a plot plan does not have to be a certified survey.

SECTION 2. ILHR 50.12 (3) (b) 2. is amended to read:

ILHR 50.12 (3) (b) 2. 'Floor plans.' Floor plans shall be provided for each floor. The size and location of all rooms, doors, windows, fire walls, toilet facilities, structural features, exit passageways, exit lights, fire alarms, standpipes, stairs and other pertinent information, including but not limited to adequate space within a building designated for collection, separation and temporary storage of recyclable materials, shall be indicated. Schematic exit plans shall be provided for large buildings, indicating normal paths of egress.

SECTION 3. ILHR 50.12 (4) (d) is renumbered ILHR 50.12 (4) (e).

SECTION 4. ILHR 50.12 (4) (d) is created to read:

ILHR 50.12 (4) (d) Data for recycling space. Verifiable data or calculations and specifications shall be submitted in accordance with s. ILHR 52.24 for determining adequate space for the separation, temporary storage and collection of recyclable materials, unless the space designated is based on the requirements identified in this code.

SECTION 5. ILHR 51.01 (105e) is created to read:

ILHR 51.01 (105e) "Recyclable material" means solid waste material prohibited for land disposal and incineration, that is separated, temporarily stored and collected. These materials include, but are not limited to, aluminum and glass containers, corrugated paper or container board, magazines, newspapers, office paper, foam polystyrene packaging, and plastic or steel containers.

SECTION 6. ILHR 52.24 is created to read:

ILHR 52.24 RECYCLING SPACE. (1) APPLICABILITY. All buildings under the scopes of chs. ILHR 54 to 62 shall provide a separate room or designated space within or adjacent to the building for the separation, temporary storage and collection of recyclable materials likely to be generated by the building occupants, under any of the following conditions:

- (a) The construction of a new public building;
- (b) An increase in the existing area of a public building which increases the gross floor area of the structure by 50% or more; or
- (c) An alteration of 50% or more of the existing area of a public building that is 10,000 square feet or more in area.

Note: The collection and temporary storage of flammable and combustible materials is regulated in chs. ILHR 10 and 59. Owners of buildings where these materials are stored should consult these chapters for isolation and storage standards.

(2) DESIGNATED SPACE. Designated space for the separation, temporary storage and collection of recyclable materials shall be provided within or adjacent to all buildings under sub. (1), except where a separate trash collection room is provided. In buildings where a trash collection room is provided, a clearly designated space for recyclables shall be provided.

Note: See Appendix C for guidelines for recommended designated space.

(3) ROOMS FOR SEPARATION, COLLECTION AND STORAGE. (a) Separate rooms provided for the separation, collection and temporary storage of recyclable materials shall comply with s. ILHR 52.012 (2).

(b) When an automatic fire sprinkler system is provided, the system shall be designed and installed in an acceptable manner, and material may not be placed closer than 3 feet below sprinkler deflectors or discharge orifices.

(c) For buildings regulated under ch. ILHR 58, rooms provided for the separation, collection and temporary storage of recyclable materials shall comply with s. ILHR 58.24 or 58.62.

Note: Structural support for safe floor loads shall be in accordance with s. ILHR 53.11 (1) (d).

(4) STORAGE HEIGHT. The height of recyclable materials temporarily stored shall be limited so that stacked material is stable and secured against sliding or collapse.

(5) CLEARANCE. (a) Containers for the collection or temporary storage or the space designated as a collection or storage point may not be located so as to limit the use of exits, exit passageways, stairways, fire escapes or areas normally used for safe egress for the building occupants or in such a manner as to obstruct normal movement of employes in the performance of their duties.

(b) Where mechanical equipment is used in the collection, separation, temporary storage or removal of recyclable materials, sufficient safe clearance shall be provided for equipment turning and passage.

(6) PROHIBITIONS. Storage of recyclable materials is prohibited within furnace or mechanical rooms. If designated space is adjacent to a building, the area provided may not be within 5 feet of combustible walls, wall openings or roof eaves.

SECTION 7. Chapters ILHR 50 to 64 Appendix C is created to read:

APPENDIX C

The 1989 Wisconsin Act 335 requires the department to establish rules for public buildings such that adequate space is provided within or adjacent to buildings for the separation, temporary storage and collection of recyclable materials likely to be generated by the occupants of the building.

When verified amounts of previously generated recyclable materials are available, the following may be used to determine adequate space for the separation, temporary storage and collection of recyclable materials:

One cubic yard should be allocated for each 200 pounds of newspaper and mixed paper.

One cubic yard should be allocated for each 80 pounds of mixed or commingled recyclable materials.

The guidelines in the following table are provided for determining adequate space allocation when verified amounts of previously recyclable materials are not available. These guidelines are based on accumulation of recyclable materials likely to be generated by the building occupants for one week and one month, respectively.

**Guidelines for Recommended Space Allocation
by Type of Building Occupancy ^a**

Type of Building Occupancy	Space Allocation (cu. ft./1,000 sq. ft. floor area)	
	One Week	One Month
Assembly Hall, Theater	2.2	10.0
Child Day Care		
with meals served.	4.5	20.0
without meals served.	3.0	12.0
Detention and Correctional.	13.5	60.0
Garage		
Storage.	0	0
Repair.	0	0
Health Care		
Hospital.	13.5	60.0
Clinic, without meals served.	8.0	36.0
Nursing/Rest Home.	4.5	20.0
Hotel, Motel		
without meals served	3.5	15.0
Industrial.	b	b
Library.	2.2	10.0
Mercantile		
Department Store, Shopping Mall.	9.0	40.0
Grocery.	18.0	80.0
Museum, Art Gallery.	2.2	10.0
Office.	7.0	30.0
Residential, multi-family dwelling	9.0	40.0
Restaurant or Food Service.	c	c
School, Places of Instruction	3.0	12.0
Warehouse.	b	b

^a This information is to be used only as a guide in determining space allocation. Space allocation may differ from the listed value when using verified amounts of previously generated recyclable materials.

^b Varies with type of activity.

^c Varies with number of meals served and type of meal service.

ADDITIONS TO INDEX, chs. ILHR 50-64.

RECYCLABLE MATERIAL, definition 51.01 (105e)

RECYCLING SPACE 52.24

TRASH COLLECTION ROOM

 Individual rooms. 52.012

 Recyclable materials, collection, separation and storage. . . 52.24

(End)

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on the first day of the 7th month following publication in the Wisconsin Administrative Register.

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CODES1:17:JMM:07/02/92:#16

Tommy G. Thompson
Governor
Carol Skornicka
Secretary



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State of Wisconsin Department of Industry, Labor and Human Relations

September 9, 1992

Gary Poulson
Assistant Revisor of Statutes
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Douglas LaFollette
Secretary of State
10th Floor
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Madison, Wisconsin 53703

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Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 92-56
RULE NO. Chapters ILHR 51 and 52
RELATING TO: Space for Recyclable Materials

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol Skornicka".

Carol Skornicka
Secretary