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*Governor's Small Business Regulatory Review Board*

May 29, 2007

Secretary Mary Burke  
Department of Commerce  
201 West Washington Avenue  
PO Box 7970  
Madison, WI 53707

Re: COMM 10 - Flammable, Combustible and Hazardous Liquids  
CR 07-029 - Wisconsin Administrative Register No. 616

Dear Secretary Burke:

Wisconsin 2004 Act 145 created the Small Business Regulatory Review Board (SBRRB) to serve as a voice for small businesses as defined in Wis. Stats. 227.114(1). The SBRRB's statutory authority for review of new rules is contained in 227.14(2g) and for emergency rules in 227.24(3m). The SBRRB respectfully submits this letter to the Wisconsin Department of Commerce following the SBRRB's review of COMM 10 - Flammable, Combustible and Hazardous Liquids. The SBRRB's comment on this rule are based on the testimony heard by both representatives of the Department of Commerce and a representative of the Wisconsin Petroleum Marketers and Convenience Store Association at the board's May 14, 2007 meeting.

The function of the SBRRB is to assure each regulatory agency's compliance with the statutory administrative rulemaking requirements relating to small businesses economic impacts. The Department of Commerce submitted their analysis of the rule's economic impact to the SBRRB because the agency had made the determination that the rule would have a significant economic impact on small businesses. After consideration of the testimony heard, the SBRRB is satisfied that the Department of Commerce has complied with the statutory rulemaking requirements in considering the impact of the rule on small business and the methods to reduce economic impacts.

As Chairman of the SBRRB, I appreciate the Department of Commerce's efforts to study the effects of this rule on small business so that the Department of Commerce, the SBRRB and the legislature have an accurate picture of how small businesses will be affected by this rule.

Sincerely,



Richard E. Petershack, Chairman  
Governor's Small Business Regulatory Review Board

Cc: Ron Sklansky, Joint Legislative Council  
Matt Hauser, Wisconsin Petroleum Marketers and Convenience Store Assoc.  
Chandra Miller-Fienen, Executive Assistant, Commerce  
Bernie Mattsson, Division Administrator, Environmental and Regulatory Services  
Sheldon Schell, Storage Tank Section Chief  
Carol Dunn, Small Business Ombudsman, Commerce