

MEMORANDUM

DATE: 10/27/08

TO: County Code Administrators
POWTS Plan Reviewers
Wastewater Specialists
Other Interested Parties

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SUBJECT: Comm 83.22(1)(b), (c) & (d), Wis. Adm. Code
Table 83.22-1; Table 83.22-2 & Table 83.22-3

It has come to our attention that there is some confusion regarding which plan review entity (Commerce, designated agent or county) may review plans for holding tanks that receive co-mingled wastewater. Co-mingled wastewater is considered combined domestic and industrial wastewater. Part of the confusion may be due to our tendency to sometimes use the words "commercial" and "industrial" interchangeably.

There is a difference where a plan may be submitted when wastewater is co-mingled. The wastewater type is used to determine where the plan must be submitted. Wastewater may be generated from a commercial building but not be considered co-mingled even though the sources of wastewater generation may be other than or in addition to public restroom facilities. Examples of commercial buildings that usually do not produce an industrial wastewater discharge include but are not limited to office buildings, restaurants, and retail/office buildings. A commercial building may generate co-mingled wastewater if there is industrial wastewater discharging from the building in addition to discharges from public restroom facilities. Examples of commercial/public facilities that may produce an industrial wastewater discharge include but are not limited to service stations, municipal garages and town fire stations. (See the "Note" after s. Comm 83.32(3)(a), Wis. Adm. Code for a partial list of facilities recognized by the DNR as discharging industrial wastewater.)

Generally, if a commercial building does not generate co-mingled wastewater there is no need for DNR involvement. In a case like this if the estimated wastewater flow is < 3,000 gpd; the holding tank plan would be reviewed under the provisions of Table 83.22-3. In other words, a county would perform the holding tank plan review. If the estimated wastewater flow is ≥ 3,000 gpd; the holding tank plan would be reviewed under the provisions of Table 83.22-2. In other words, Commerce or a county designated agent would perform the holding tank plan review.

However, if the co-mingled wastewater consists of domestic wastewater and industrial wastewater, the provision listed in 4. in Table 83.22-1 applies. In this situation the holding tank plan must be submitted to the department for review. DNR does become involved. Someone from their staff will make a determination if the industrial wastewater may be combined with domestic wastewater. If the wastewater can be co-mingled, DNR will issue a letter of concurrence and Commerce will conduct the plan review. If the wastewater cannot be co-mingled, the industrial wastewater holding tank plan review becomes the purview of the DNR. Neither Commerce, a designated agent or county would review a plan for a holding tank intended solely for industrial wastewater and a state Sanitary Permit would not be required because this type of holding tank design is not considered a POWTS.

Enclosed is a document that summarizes the information cited above in a table format. This document also includes a second table that lists types of tank components and how the product approval process impacts holding tank plan review.

A future update will include additional information regarding the holding tank plan review process. Specifically, some of the code requirements that should be checked when reviewing a holding tank plan.

Encl.