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**POWTS ADVISORY CODE COUNCIL MEETING**  
**Room 121C, 1400 East Washington Avenue, Madison**  
**Contact: Sandra Cleveland (608) 266-0797**  
**August 16, 2016**

**9:00 A.M.**

*The following agenda describes the issues that the Council 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 Council.*

**AGENDA**

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

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

**B. Approval of Minutes of June 29, 2016 (2-3)**

**C. Department Updates**

**D. Continue Review and Consideration of Changes to SPS 381-387 and 391 (4-16)**

1. SPS 383.44(2) (d) - At-Risk Facilities
2. SPS 383.52(1) and 384.27(7) (h) - Locked or Secured Opening Covers
3. SPS 384.10 - POWTS Component and Product Review
4. SPS 387.30 - Maximum Allowable Financial Assistance Amount
  - a. Tables SPS 387.30-1, 2, 3, 4, 5 and 6
5. Review of SPS 381-387 and 391 Draft

**E. Public Comments**

**F. Adjournment**

**POWTS CODE ADVISORY COMMITTEE  
MEETING MINUTES  
June 29, 2016**

**PRESENT:** Thomas Birrittieri, Dale Dimond; Alan Kaddatz, Robert Schmidt

**EXCUSED:** Steven Crosby; Bryon Wooten

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

Dale Dimond, Vice Chair, called the meeting to order at 9:04 a.m. A quorum of four (4) members was present.

**ADOPTION OF AGENDA**

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

**APPROVAL OF MINUTES OF APRIL 12, 2016**

**MOTION:** Alan Kaddatz moved, seconded by Robert Schmidt, to approve the minutes from April 12, 2016 as published. Motion carried unanimously.

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

**Elevation of Forcemains**

**MOTION:** Tony Birrittieri moved, seconded by Alan Kaddatz, to affirm the Committee did not make any changes to the issue of requiring forcemains to be six inches higher than distribution piping. Motion carried unanimously.

**Review of Table of Proposed Administrative Rule Changes and Draft SPS 381-387, 391**

**MOTION:** Dale Dimond moved, seconded by Robert Schmidt, that the POWTS Code Advisory Committee make a recommendation to the Plumbing Code Advisory Committee requesting they consider revising the requirements for exterior ejector pits which discharge to a POWTS to make installation requirements similar to those of a POWTS holding component with regards to anchoring, locked or secured covers, and setbacks. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, that the Committee include SPS 383.44(2)(d) to the code and to be reviewed at the next meeting after DSPS Staff revises the language concerning the words **not** and **excess** used in the first sentence and what constitutes an at-risk system. Motion carried. Opposed: Birrittieri

**MOTION:** Tony Birrittieri moved, seconded by Robert Schmidt, to add a definition of at-risk system to SPS 381.01. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Tony Birrittieri, to modify the language of 383.44.(6)(a)(2) to include 'located at or above the original grade' and to remove

‘consisting in part of situ soil’ and of the component site location’. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to accept the draft language for SPS 383.45(6)(b) and (7) with the modification made at the Committee meeting today. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to table the discussion on SPS 383.52(1) and SPS 384.27(7)(h) until the next Committee meeting. Motion carried unanimously.

**MOTION:** Tony Birrittieri moved, seconded by Alan Kaddatz, to reject the suggested addition to SPS 383.54(2)(b)(2). Motion failed. For: Kaddatz, Birrittieri. Opposed: Schmidt. Abstained: Dimond

**MOTION:** Tony Birrittieri moved, seconded by Robert Schmidt, to delegate Tony Birrittieri to present the draft updated Tables 387.30-1-6 to WOWRA and to report back to the Committee with feedback at the next meeting. Motion carried unanimously.

**MOTION:** Dale Dimond moved, seconded by Robert Schmidt, to accept the changes to the SPS 387-30-1 to SPS 387.30-6 Table Format as the Committee made in the meeting today. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to eliminate SPS 387.30(4). Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Dale Dimond, to accept the changes in the Table A-383.43-1 footnotes a, b and c as made in the Committee meeting today. Motion carried unanimously.

**MOTION:** Alan Kaddatz moved, seconded by Dale Dimond, to accept the changes made to Table A-383.43-1 at the Committee meeting today. Motion carried unanimously.

**MOTION:** Robert Schmidt moved, seconded by Alan Kaddatz, to delegate Robert Schmidt draft a new section to SPS 384.10 to address the duties of the Technical Advisory Committee (TAC). Motion carried unanimously.

### **ADJOURNMENT**

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

The meeting adjourned at 3:07 p.m.

**(3) POWTS COMPONENT AND PRODUCT REVIEW.**

**(a) 1. Each type of POWTS Holding, POWTS Treatment and POWTS Dispersal Component which falls into one of the categories specified in Table 384.10 shall be approved by the department in accordance with this section 384.10 (2) before the product may be sold for use in a plumbing system or installed in a plumbing system.**

**2. The department may issue an approval, upon request and review, for specific methods or technologies that are proposed to be utilized as POWTS holding, treatment or dispersal components which conform to the standards or specifications referenced in chs. SPS 381, 382, 383 and this chapter, but do not require approval under sub. (2)**

(b) Each request for approval shall be made on a form provided by the department.

**Note:** See ch. SPS 384 Appendix for a reprint of the form and addresses of the department where the form may be obtained.

(c) The submittal shall be accompanied by sufficient data and information to determine if the method or technology complies with the provisions of chs. SPS 381, 382 and 383, and this chapter. The submittal shall include, but not be limited to, all of the following:

1. Plans and specifications.
2. Theory of operation.
3. Testing protocol.
4. Testing data.
5. Limits of reliable operation.
6. Installation requirements and procedures.
7. Inspection checklist and worksheet.
8. Inspection requirements and procedures.
9. Operation and maintenance requirements.
10. Operation and maintenance schedule.
11. Operation and maintenance checklist and worksheet.

**(d) 1. If requested by the department, plumbing products reviewer or by the POWTS Division Supervisor, The POWTS Technical Advisory Committee shall review and make a recommendation of the submittal under this subsection.**

2. The members on the technical advisory committee 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 **POWTS** to serve as a non-voting member.
- b. A representative of a local governmental unit responsible for administration and regulation of POWTS.
- c. POWTS designer.
- d. Academic, **engineering**, or scientific community member **involved with POWTS, Soil Testing, or Plumbing.**

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- e. Plumber Journeyman or master plumber involved in POWTS installation.
- f. Professional soil scientist or certified soil tester.
- g. POWTS component manufacturer.
- h. At-large member.

**3. The POWTS Technical Advisory Committee shall formulated a policy and procedure to be used by the committee for the review of POWTS Holding, Treatment, and Dispersal components and component manuals.**

(e) 1. After review by the technical advisory committee under par. (d) but prior to issuing an approval under par. (f), the department shall seek public comments on a submittal under this subsection.

2. a. The department shall place the notice requesting public comment under subd. 1. in the official state newspaper.

**Note:** The official state newspaper at the time this rule goes into effect, July 1, 2000, is the Wisconsin State Journal.

b. The department shall include a time limit for public comment in each notice.

3. If the department receives a significant amount of public comment under subd. 2., the department may elect to recognize the specific method or technology through the rule-making process under ch. 227, Stats.

(f) 1. If, upon review, the department determines that the method or technology conforms to the provisions of chs. SPS 381, 382 and 383 and this chapter, the department shall issue an approval in writing.

2. The department may impose specific conditions in granting an approval, including a provision to provide training to POWTS installers and POWTS inspectors.

3. Violations of the conditions under which an approval is granted shall constitute a violation of this chapter.

(g) If, upon review, the department determines that the method or technology does not conform to the provisions of chs. SPS 381, 382 and 383 and this chapter, the request for approval shall be denied in writing.

(h) The department shall review and make a determination on an application for a method or technology approval within 3 months of receipt of all fees, plans, drawings, specifications and other information required to complete the review, unless the department elects to review the method or technology as part of the rule-making process under ch. 227, Stats.

(i) If an approved method or technology is modified or additional assertions of function or performance are made, the approval shall be considered null and void, unless the change is submitted to the department for review and the approval is reaffirmed.

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**FOR DISCUSSION ONLY**  
**SUBJECT TO CHANGE**  
**AUGUST 5, 2016**  
STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : DEPARTMENT OF SAFETY AND  
DEPARTMENT OF : PROFESSIONAL SERVICES  
SAFETY AND PROFESSIONAL : ADOPTING RULES  
SERVICES CR-

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PROPOSED ORDER

An order of the department of safety and professional services to \*

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

Sections 145.20 and 145.245, Stats.

**Statutory authority :**

Sections 145.02, 145.245(5), and 145.245(7)(c).

**Explanation of agency authority:**

Section 145.02, Stats., provides that all plumbing in connection with buildings and facilities in the state, including buildings owned by the state or any political subdivision thereof, shall be safe, sanitary and such as to safeguard the public health and the waters of the state.

Section 145.245 (5) ,Stats., requires the department to promulgate rules implementing criteria for income requirements related to the POWTS replacement or rehabilitation program.

Section 145.245 (7) (c), Stats., requires the department to 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, Stats.

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**Related statute or rule:**

Not applicable.

**Plain language analysis:**

**(To be completed at a later date.)**

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

Under 7 CFR 1924.107-Utilities. All construction and repair projects under covered by these regulations 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.

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

**Comparison with rules in adjacent states:**

To be completed.

**Illinois:**

**Iowa:**

**Michigan:**

**Minnesota:**

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

POWTS regulations from neighboring states were analyzed. This rule was developed in consultation with an advisory group of stakeholders.

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

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The department will solicit information from industry and other stakeholders to determine the effect the rule may have on small business.

**Fiscal Estimate and Economic Impact Analysis:**

The department will solicit information from industry and other stakeholders to develop the Fiscal Estimate and Economic Impact Analysis

**Effect on small business:**

These proposed rules are not anticipated to have a significant 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 [Jeffrey.Weigand@wisconsin.gov](mailto:Jeffrey.Weigand@wisconsin.gov), or by calling (608) 267-2435.

**Agency contact person:**

Sandra Cleveland, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-266-0797; email at [sandy.cleveland@wisconsin.gov](mailto:sandy.cleveland@wisconsin.gov).

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

Comments may be submitted to Sandra Cleveland, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to [sandy.cleveland@wisconsin.gov](mailto:sandy.cleveland@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 due to the operations that are proposed to occur within it may produce influent to a POWTS treatment or dispersal component in excess of the quantities specified in s. SPS 383.44 (2) New facilities that intend to serve food and beverages such as convenience stores, daycares, and other operations as determined by the department to be at-ris. 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); and restaurants, dining and banquet halls, and other facilities which are known to produce influent exceeding the influent quantities.



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**SPS 381.01(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.

**SPS 381.01 (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. SPS 381.01 (185) is amended to read:

**SPS 381.01 (185)** “POWTS holding component” means any receptacle intended to collect wastewater for a period of time, including holding and dosing tanks, and exterior ejector tank in a POWTS system.

SECTION 3. Table SPS 381.20-11 is amended to read:

| <b>Table 381.20-11</b>           |  |  |
|----------------------------------|--|--|
| <b>NSF</b>                       | <b>NSF International<br/>789 Dixboro Road<br/>P.O. Box 130140<br/>Ann Arbor, Michigan 48113-0140<br/>Phone: (800) 673-6275<br/>Web page: www.nsf.org</b> |  |
| <b>Standard Reference Number</b> | <b>Title</b>   |  |
| 1.                               | Standard 14-2007   | Plastic Piping System Components and Related Materials |
| 2.                               | Standard <del>40-2005</del> <u>40-2013</u>   | Residential Wastewater Treatment Systems               |
| 3.                               | Standard <del>41-2005</del> <u>41-2011</u>   | Non-liquid Saturated Treatment Systems                 |
| 3m.                              | Standard <del>41-2005</del> <u>41-2011</u><br>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 4. SPS 383.21 (Note) and 383.22 (Note) are created to read:

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

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SECTION 5. 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 to the department and the governmental unit within one year of installation of the POWTS components. A facility that continues to produce 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 6. 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.

**SPS 383.44(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 8. SPS 383.44(4)(a)1.f. is repealed.

SECTION 9. 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.

**SPS 383.44(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 10. Table 383.44-1 is repealed.

SECTION 11. Table 383.44-2 and Table 383.44-3 are renumbered Table 383.44-1 and Table 383.44-2.

SECTION 12. 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.

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SECTION 13. 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.

**SPS 383.45(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 14. 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 15. 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~~ the procedures for metering or monitoring ~~of~~ POWTS influent or effluent as specified in this subsection.

SECTION 16. SPS 383.54(2)(b) is renumbered SPS 383.54(2)(b)1.

SECTION 17. SPS 383.54(2)(b)2. is created to read:

**SPS 383.54(2)(b)2.** A POWTS that utilizes one or more mechanical treatment components, including aerobic treatment units or a complete treatment unit within a tank, shall, on an annual basis, be tested the effluent from the component for TSS, BOD<sub>5</sub>, and FOG.

SECTION 18. 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)                          | Patron (10 sq. ft./patron) | 4                                      |
| Bar or cocktail lounge <sup>a</sup> (w/meals – all paper service) | Patron (10 sq. ft./patron) | 8                                      |

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|  |  |     |
|--|--|-----|
| 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</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  | Patron   | 3   |
| Gas station (with service bay)   |  |     |
| — Patron   | Patron   | 3   |
| — Service bay  | Service bay  | 50  |
| 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   | 3.5 |

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|  | patrons/acre)   |     |
|--|---|-----|
| 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 ( <u>no food preparation</u> )  | 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), Total Suspended Solids (TSS), and 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), Total Suspended Solids (TSS), or Fats, Oils or Grease (FOG).

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

SECTION 19. SPS 384.10 (3) is repealed and replaced to read:

**SECTION TO BE DISCUSSED AT AUGUST 16 MEETING**

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SECTION 20. 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. Conform to ASTM Standard C33 for fine aggregate.
2. Be comprised of an outwash parent material.
3. Have a hardness value of at least 3 on Moh's Scale of Hardness.

SECTION 21. 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 22. 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 23. SPS 385.60 (2)(a) is amended to read:

**SPS 385.60 (2) (a) (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 24. SPS Tables 387.30-1 to 387.30-6 are repealed and recreated to read:

**-DRAFT-  
FOR DISCUSSION ONLY  
SUBJECT TO CHANGE  
AUGUST 5, 2016**

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<br>Gallons Per Square Foot Per<br>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  | \$4,080     | \$5,400     | \$6,600              |
| 0.50 to 0.59   | \$3,900  | \$5,080     | \$5,700     | \$6,900              |
| 0.49 or less   | \$4,200  | \$5,210     | \$5,600     | \$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     | \$7,200  |
| Greater than 24" of Suitable Soil | \$7,200  | \$8,400     | \$9,600     | \$10,800 |
| Mound                             | \$7,200  | \$8,400     | \$9,600     | \$10,800 |
| Less than 24" of Suitable Soil    | \$7,800  | \$9,000     | \$10,200    | \$11,400 |
| Mound                             | \$7,800  | \$9,000     | \$10,200    | \$11,400 |

**-DRAFT-  
FOR DISCUSSION ONLY  
SUBJECT TO CHANGE  
AUGUST 5, 2016**

**Table 387.30-5  
MAXIMUM ALLOWABLE FINANCIAL ASSISTANCE AMOUNT FOR INSTALLATION OF A POWTS  
HOLDING TANK COMPONENT**

| <b>Installation of a POWTS Holding Tank Component</b> |                                    |
|---|------------------------------------|
| <b>Estimated Flow of Gallons Per Day</b>              | <b>Financial Assistance Amount</b> |
| <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**

| <b>Capacity (in gallons)</b> | <b>Financial Assistance Amount</b> | <b>Capacity (in gallons)</b> | <b>Financial Assistance Amount</b> |
|------------------------------|------------------------------------|------------------------------|------------------------------------|
| 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 25. 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 26. SPS 391.20 (1), (2) and (3) (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).

**SPS 391.20 (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).

**SPS 391.20 (3) (b)** NSF International, 3475 Plymouth Road, P.O. Box 130140, Ann Arbor, Michigan 48113-0140, NON-LIQUID SATURATED TREATMENT SYSTEMS, NSF ~~41-1998~~ 41-2011.

SECTION 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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