



POWTS ADVISORY CODE COUNCIL MEETING
Room 121C, 1400 East Washington Avenue, Madison
Contact: Sandra Cleveland (608) 266-0797
September 23, 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 August 16, 2016 (2-3)

C. Department Updates

D. Continue Review and Consideration of Changes to SPS 381-387 and 391 (4-12)

1. SPS 383.52(1) and 384.27(7) (h) - Locked or Secured Opening Covers
2. SPS 383.54(2)-Metering and Monitoring
3. SPS 384.10 - POWTS Component and Product Review

E. Discussion of SPS 381 to 387 and 391 for Final Drafting Input

1. SPS 381-Definitions and Standards
2. SPS 382- Design, Construction, Installation, Supervision, Maintenance and Inspection Of Plumbing
3. SPS 383-Private Onsite Wastewater Treatment Systems
4. SPS 384-Plumbing Products
5. SPS 385- Soil And Site Evaluations
6. SPS 386- Boat And On-Shore Sewage Facilities
7. SPS 387- Private Onsite Wastewater Treatment System Replacement Or Rehabilitation Financial Assistance Program
8. SPS 391-Sanitation

F. Public Comments

G. Adjournment

**POWTS CODE ADVISORY COMMITTEE
MEETING MINUTES
August 16, 2016**

PRESENT: Thomas Birrittieri, Steven Crosby (*arrived at 9:15 a.m.*); Dale Dimond; Alan Kaddatz, Robert Schmidt

EXCUSED: Bryon Wooten

STAFF: Sandra Cleveland, Administrative Rules Coordinator; Jeff Grothman, Policy Advisor; Bradley Johnson, Section Chief (*arrived at 9:30 a.m.*), Matt Janzen, Private Sewage Plan Reviewer; Nifty Lynn Dio, Bureau Assistant; and other Department staff

Dale Dimond, Vice Chair, called the meeting to order at 9:10 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 JUNE 29, 2016

MOTION: Alan Kaddatz moved, seconded by Robert Schmidt, to approve the minutes from June 29, 2016 as published. Motion carried unanimously.

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

SPS 383.44(2)(d) – At-Risk Facilities

MOTION: Thomas Birrittieri moved, seconded by Steven Crosby, to modify the draft language of SPS 381.01(13m) to add consisting in part of in situ soil as discussed at the meeting today. Motion carried unanimously.

MOTION: Thomas Birrittieri moved, seconded by Robert Schmidt, to request DSPS staff place a comma (,) after dispersal component when referencing influent to POWTS treatment or dispersal component. Motion carried unanimously.

MOTION: Robert Schmidt moved, seconded by Steven Crosby, to modify the draft language of SPS 383.44(2)(d) to add as specified in par. (b) as discussed at the meeting today. Motion carried unanimously.

MOTION: Steven Crosby moved, seconded by Thomas Birrittieri, to approve the changes to table A-383.43-1 as discussed at the meeting today. Motion carried unanimously.

(Bradley Johnson excused himself and left the meeting at 1:07 p.m.)

MOTION: Robert Schmidt moved, seconded by Thomas Birrittieri, to request DSPS staff to draft language for SPS 384.10 to include suggestions of the committee for the following:

1. Proprietary products and technologies
2. Conflicts of interest of members
3. Timeframe between submittal and approval
4. Difference between new and renewal submittals
5. Conflicts in wording between SPS 384.10(2) and SPS 384.10(3)

Motion carried unanimously.

MOTION: Robert Schmidt moved, seconded by Steven Crosby, to table further discussion on 383.52(1). Motion carried unanimously.

SPS 384.10 – POWTS Component and Product Review

MOTION: Robert Schmidt moved, seconded by Thomas Birrittieri, to continue discussion on 383.54(2)(b)(2) relating to testing at the next meeting. Motion carried unanimously.

ADJOURNMENT

MOTION: Alan Kaddatz moved, seconded by Steven Crosby, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:54 p.m.

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RECOMMENDATIONS OF THE POWTS ADVISORY COMMITTEE MEETING
TO
STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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-

PROPOSED ORDER

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

Analysis prepared by the Department of Safety and Professional Services.

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, consisting in part of in situ soil 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-risk. 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.

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

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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:

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

SECTION 5. SPS 383.44(2)(d) is created to read:

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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 as specified in par. (b) 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.~~
The longest dimension of a POWTS treatment or dispersal component 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.

SECTION 13. SPS 383.45 (2) and (6)(b) are amended to read:

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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~~ 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, BOD₅, and FOG.

SECTION 18. Table A-383.43-1 is amended to read:

**Table A-383.43-1
Public Facility Wastewater Flows**

Source	Unit	Estimated Wastewater Flow (gpd)
Apartment or condominium	Bedroom	100
Assembly hall (no kitchen)	Person (10 sq. ft./person)	1.3
Bar or cocktail lounge (no meals served) ^a	Patron (10 sq. ft./patron)	4
Bar or cocktail lounge ^a (w/meals – all paper service) ^a	Patron (10 sq. ft./patron)	8
Beauty salon	Station	90
Bowling alley	Bowling lane	80

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Bowling alley ^a (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 ^a	Camping unit or RV served	25
Catch basin	Basin	65
Church (no kitchen)	Person	2
Church ^{a b} (with kitchen)	Person	5
Dance hall	Person (10 sq. ft./person)	2
Day care facility (no meals prepared)	Child	12
Day care facility ^{b-a} (with meal preparation)	Child	16
Dining hall ^a (kitchen waste only without dishwasher and/or food waste grinder)	Meal served	2
Dining hall ^a (toilet and kitchen waste without dishwasher and/or food waste grinder)	Meal served	5
Dining hall ^a (toilet and kitchen waste with dishwasher and/or food waste grinder)	Meal served	7
Drive-in restaurant ^a (all paper service with inside seating)	Patron seating space	10
Drive-in restaurant ^a (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 ^b	Patron	3
Gas station (with service bay)		
— Patron	Patron	3
— Service bay	Service bay	50
Hospital ^a	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 ^b		
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 ^{a b}	Bed space	65
Outdoor sport facilities (toilet waste only)	Patron	3.5
Parks (toilets waste only)	Patron (75 patrons/acre)	3.5

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Parks (toilets and showers)	Patron (75 patrons/acre)	6.5
Public shower facility	Shower taken	10
Restaurant ^a , 24-hr. (dishwasher and/or food waste grinder only)	Patron seating space	4
Restaurant ^a , 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 ^a , 24-hr. (toilet and kitchen waste without dishwasher and/or food waste grinder)	Patron seating space	40
Restaurant ^a , 24-hr. (toilet and kitchen waste with dishwasher and/or food waste grinder)	Patron seating space	44
Restaurant ^a (dishwasher and/or food waste grinder only)	Patron seating space	2
Restaurant ^a (kitchen waste only without dishwasher and/or food waste grinder)	Patron seating space	6
Restaurant (toilet waste)	Patron seating space	14
Restaurant ^a (toilet and kitchen waste without dishwasher and/or food waste grinder)	Patron seating space	20
Restaurant ^a (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 ^a (with meals and showers)	Classroom (25 students/classroom)	500
School ^a (with meals or showers)	Classroom (25 students/classroom)	400
School (without meals or showers)	Classroom (25 students/classroom)	300
Self-service laundry ^e (toilet waste only)	Clothes washer	33
Self-service laundry ^e (with only residential clothes washers)	Clothes washer	400
Swimming pool bathhouse	Patron	6.5

^a ~~May~~ Expected to be high in Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), and or Fats, Oils or Grease (FOG).

^b ~~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).

^e ~~May contain a high level of lint.~~

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

SECTION UNDER REVISION

SECTION 20. SPS 384.30 (6) (j) is amended to read:

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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:

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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 Gallons Per Square Foot Per 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 Mound	\$7,200	\$8,400	\$9,600	\$10,800
Less than 24" of Suitable Soil Mound	\$7,800	\$9,000	\$10,200	\$11,400

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

Installation of a POWTS Holding Tank Component	
Estimated Flow of Gallons Per Day	Financial Assistance Amount
<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

Capacity (in gallons)	Financial Assistance Amount	Capacity (in gallons)	Financial Assistance Amount
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.

(END OF TEXT OF RULE)
