

SPECIAL COMMITTEE ON SEPTAGE DISPOSAL
September 16, 2004

SEPTAGE DISPOSAL ISSUES
IN
SOUTHEASTERN WISCONSIN

By

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1. Sewage Treatment Plant Capacity and Committed Users. Example from Northwestern Waukesha County Sewerage System Planning Program
 - a. Planning Done in 2000-2001
 - b. Three Public Sewage Treatment Plants
 - c. Tributary Septage Contribution Areas and Potential Septage Loading Identified for Use in Sewage Treatment Plant Planning
 - d. Options for Funding Septage Receiving Facilities and Capacities at Sewage Treatment Plants Explored in Meetings with Community Officials and Septage Haulers
 - e. No Agreed-Upon Solution
 - 1.) Septage Haulers Wanted Freedom of Choice for Disposal Options—Both Sewage Treatment Plant Location and Land Application Sites
 - 2.) Unsewered Communities Were Supportive, But Noncommittal for Funding
 - f. This Example Supports the Issue Formed on Page 1 of the Wisconsin Legislative Council Staff Brief 04-2
2. Chapter NR 113.07(1)e. Requirement That Developments Served by Large Holding Tanks Be Added to Sewer Service Area. This Helps to Require Consideration of Such Facilities in Sewage Treatment Plant Facilities Planning. Rules Are Not Now Consistently Enforced, Causing Concern By Local Officials. Waukesha County Requires that the Rule Be Followed

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(d) Any land application of holding tank waste or septic tank waste on frozen or snow covered ground is also subject to restrictions in sub. (3). Injection or incorporation may be utilized while the depth of frost is less than 4 inches.

(e) Large commercial, industrial, recreational or residential development holding tank systems that singly or when added together or increased by successive additions generate 3000 gallons of septage per day or greater shall contract with a wastewater treatment facility for treatment of the septage. The contract terms shall provide assurance that the septage from the system will continually be conveyed to, and accepted, at the wastewater treatment facility. If a service area designation exists, the wastewater treatment facility shall amend the service area to include the commercial, industrial, recreational or residential development. The department may not indicate sufficient disposal capacity to the department of commerce, until the service area adjustments have been completed and approved.

Note: By agreement and administrative code, the department of commerce will not issue a plan approval for a 3000 gallons per day or greater holding tank system without the department's approval of the method of wastewater disposal as provided in s. Comm 83.22 (2) (b) 2.

(f) Disposal of wastewater from small holding tank and septic tank systems that generate less than 3000 gallons of septage per day shall be by discharge into a POTW if the following conditions apply:

1. The holding tank is located in the POTW's sewer service or holding tank service areas.
2. The septic tank is located in the POTW's sewer service area.
3. The holding tank is located outside the POTW's sewer service and holding tank service areas if the POTW will accept the wastewater and if the cost to the hauler is less than or equal to the costs in Table 2.
4. The holding tank or septic tank is located outside of Wisconsin and the point at which the wastewater is conveyed into the state is within 20 miles (shortest direct route by road) of a POTW that is willing to accept, treat and dispose of the wastewater at a cost of less than or equal to the amount in Table 2.

TABLE 2

Years	Maximum Fee/1000 Gallons
1996-1998	\$16.00
1999-2001	\$18.00
2002-2004	\$20.00

5. The holding tank is located within 20 miles (shortest direct route by road) of a POTW that is willing to accept, treat and dispose of the wastewater at a cost of less than or equal to the amount in Table 2. This provision only applies to those holding tank systems located in the following counties:

- a. Brown
- b. Calumet
- c. Dane
- d. Dodge
- e. Door
- f. Fond du Lac
- g. Jefferson
- h. Kenosha
- i. Kewaunee
- j. Manitowoc
- k. Milwaukee
- l. Outagamie
- m. Ozaukee
- n. Racine
- o. Rock

- p. Sheboygan
- q. Walworth
- r. Washington
- s. Waukesha
- t. Winnebago

(g) The requirement in par. (f) does not apply if storage has been utilized and the wastewater from small holding tank and septic tank systems will be landspread or treated and disposed of in accordance with a WPDES permit, or if the owner of the holding or septic tank is exempt from licensing under s. 281.48, Stats.

(2) DISPOSAL OF SEPTAGE AT A POTW. (a) The following shall apply to disposal of septage for the period between April 16 and November 14:

1. Licensed businesses may apply to a POTW for permission to discharge septage.
2. A POTW may deny or approve an application for disposal of septage at that facility. If approved, the POTW may set conditions for disposal.

3. The only requirements that licensed disposers discharge to POTWs or that POTWs accept and treat septage during nonwinter months are those in sub. (1) (e) and (f).

(b) The following shall apply to disposal of septage for the period between November 15 and April 15:

1. Each year, prior to September 1, licensed disposers may apply to POTWs for permission to dispose of septage during winter.

2. Applications submitted to POTWs by licensed disposers are subject to review by POTWs pursuant to s. 281.49, Stats.

Note: Section 281.49, Stats. requires that POTW's shall:

1. Review septage applications and provide a written denial or approval to the licensed disposer by October 1 of each year.
2. Develop a disposal plan for each licensed disposer approved for septage acceptance. A disposal plan, at a minimum, shall contain the following terms and conditions:

a. Specific quantities, locations, times, and methods for discharge of septage into the sewerage system.

b. Requirements to report the source and amount of septage placed in the sewerage system.

c. Requirements for the licensed disposer to pay to analyze other than residential septage.

d. Actual and equitable disposal fees based on the septage introduced into the sewerage system and calculated at the rate applied to other users of the sewerage system, and including the costs of additional facilities or personnel necessary to accept septage at the point of introduction into the sewerage system.

e. All the terms and conditions imposed on the disposer of septage.

f. A formal approval that the licensed disposer has permission to discharge septage to a specific POTW under specific conditions.

3. Accept and treat septage from licensed disposers unless:

a. Treatment of the septage would cause the POTW to exceed its operating design capacity or to violate any applicable effluent limitations or standards, water quality standards or any other legally applicable requirements, including court orders or state or federal statutes, rules, regulations or orders; or

b. The septage is not compatible with the sewerage system; or

c. The disposer has not applied for and received approval to dispose of septage in the sewerage system or the disposer fails to comply with the disposal plan; or

d. The licensed disposer fails to comply with septage disposal rules promulgated by the POTW or the conditions of the disposal plan in subd. 2.

(c) Licensed disposers shall cooperate with POTW's in the implementation of a septage acceptance priority system pursuant to s. NR 205.07 (2) (e).

Note: The priority system for septage acceptance at POTW's in s. NR 205.07 (2) (e) is as follows:

1. 'First priority.' Wastes from existing or new holding and septic tanks within the POTW's sewer service area and holding tanks within the POTW's holding tank service area.

2. 'Second priority.' Wastes from existing holding tanks for residential or commercial establishments outside the POTW's sewer service area and holding tank service area but inside the POTW's planning area where the holding tank was installed to replace an inadequate private sewerage system.

3. 'Third priority.' Wastes from existing septic tanks and holding tanks that were installed not as a replacement to an inadequate sewer system for residential or commercial establishments outside the POTW's sewer service and holding tank service areas but inside the POTW's planning area.

4. 'Fourth priority.' Wastes from new or existing septic and holding tanks for residential or commercial establishments outside the POTW's planning area.