

Testimony from Roman Kaminski, Department of Commerce

Special Committee on Septage Disposal
Thursday September 16, 2004

Background Information

- Commerce estimates that as of calendar year 2003 there are approximately 780,000 Private Onsite Wastewater Treatment Systems (POWTS) installed in WI.
This estimate does not take into account POWTS that may have been taken out of service as municipal sewer is extended to existing properties.
A more precise number is not available because a statewide inventory of properties served by POWTS has never been conducted.
- Annual Sanitary Permit totals for POWTS for the previous four years are as follows:

2000	22,663
2001	21,493
2002	21,651
2003	22,557
- We assume that approximately 12,000 to 14,000 of these permits each year are for new construction sites with the balance for some type of replacement activity. (Repair, rehabilitation or replacement.)
- The comprehensive revision to chapter Comm 83, Wis. Adm. Code, in 2000 included a greater emphasis on long-term operation and management of all POWTS. This is in line with the 1997 USEPA report to Congress that "adequately managed decentralized wastewater treatment systems are a cost effective and long-term option for meeting public health and water quality goals".
- Subchapter V of chapter Comm 83, Wis. Adm. Code, contains the management provisions of the code. Section Comm 83.50(1), Wis. Adm. Code, states: The purpose of this subchapter is to (1) Establish monitoring and maintenance requirements for POWTS in order to ensure that POWTS will operate as designed and thereby protect the public health and the water of the state...

The goal is to operate and maintain all POWTS in the state either according to criteria listed in Comm 83, management plans developed for specific POWTS designs or according to requirements specified by the manufacturer or designer of a POWTS component.

As stated in the "Committee Staff Brief", the governmental units (counties) have authority to establish mandatory POWTS management programs, including management or maintenance programs undertaken directly by a county. Also, the management requirements clearly identify the owner of a POWTS as being ultimately responsible for the proper operation and maintenance of their POWTS and the reporting to the governmental unit that an inspection, maintenance or servicing event has taken place.

Issues identified since 2000 Comm 83 code revision

- While most counties have some form of maintenance reporting mechanism in place, there is a wide range of capability at this time. Some counties have a comprehensive reporting mechanism in place. Others are in the process of expanding their capabilities either through in-house database upgrades or contracts with outside providers. Paying for the reporting infrastructure has been contentious at times.
- Most counties, particularly those that participate in the WI Fund Grant Program have a reporting mechanism in place that is designed to accept reports on a tri-annual basis based partially on language present in s. 145.245, Wis. Stats., and previous versions of Comm 83. Some counties are reluctant to modify these existing databases to allow for entry of data on a flexible schedule.
- Some counties have adopted a rigid pump out schedule that is not based on demonstrated servicing needs but rather on a calendar cycle that is more conducive to their programs based on limited staff and workload considerations.
- It appears that POWTS Service Providers in WI have not found it financially feasible yet to foster the development of services that monitor POWTS on a periodic basis to determine optimal service intervals.

Summary for Consideration by Committee Members

- USEPA has started to promote the concept of management of onsite systems. The agency recently released a document titled “Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems”. These guidelines focus on five management models, each more comprehensive. (Level 1 – Homeowner awareness; Level 5 – Responsible Management Entity (RME) ownership.)
- The POWTS program in WI currently meets some of the elements of each level but does not meet all of the elements for any individual level.
- Those involved (private and public sector) in inspection, maintenance and servicing activities in WI should start thinking about managing POWTS based on the most efficient, cost effective and beneficial way possible that provides value for the property owner and promotes long-term POWTS operational life. This means being willing to provide only those services needed, at the time they are needed, based on specific POWTS designs rather than on an arbitrary, inflexible schedule that may in some cases be detrimental to the operation of a POWTS.

Commerce is very interested in working to develop a framework that mirrors USEPA direction that promotes POWTS sustainability. We recognize that septage management is a crucial part of this overall strategy.