

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date June 1, 2026
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3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)
NR 108, Requirements for Plans and Specifications Submittal for Reviewable Projects and Operations of Community Water Systems, Sewerage Systems and Industrial Wastewater Facilities
NR 110, Sewerage Systems

4. Subject
Updating approval requirements for sewerage projects and facilities (WY-09-24)

5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected N/A
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7. Fiscal Effect of Implementing the Rule

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	

8. The Rule Will Impact the Following (Check All That Apply)

<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors
<input checked="" type="checkbox"/> Local Government Units	<input checked="" type="checkbox"/> Public Utility Rate Payers
	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)

9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).

The rule is not expected to result in additional implementation or compliance costs to businesses, local governmental units, or individuals.

10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?

Yes No

11. Policy Problem Addressed by the Rule

The primary goals are to update code requirements to codify customary practices, existing guidance, and broadly accepted engineering standards for sewerage systems, remove code requirements that may be conflicting or are no longer applicable, address grammatical or citation errors and inconsistencies, and otherwise improve clarity and ease of use for owners and design engineers of sewerage systems.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

These rule revisions will primarily affect municipal sewerage (wastewater) systems, consulting engineering firms that work with those entities, and regional planning commissions. Six technical advisory committee meetings, which were comprised of stakeholders from these entities, were held throughout 2025 to solicit input on code revisions. During the public comment process, the department contacted the individuals that participated in the technical advisory meetings and the following organizations for comment on the proposed rule and its economic impact:

- American Council of Engineering Companies – WI
- Municipal Environmental Group – Wastewater Division
- Southeastern Wisconsin Regional Planning Commission

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

During the advisory committee meetings held during the rule drafting process, municipal wastewater systems and regional planning commissions were invited to provide comments on the department's identified areas for code revisions.

During the solicitation for comment on the EIA, the department received written comments from one municipal wastewater system (Milwaukee Metropolitan Sewerage District), an organization of over 100 municipalities statewide that own and operate wastewater treatment plants (Municipal Environmental Group – Wastewater), one regional planning commission (Southeastern Wisconsin Regional Planning Commission), and one private for-profit firm that provides wastewater engineering services to municipalities (Town & Country Engineering, Inc.). The comments generally expressed concerns that select parts of the rule would result in increased costs to municipalities that own sewerage systems. Some comments also raised non-economic concerns with select parts of the rule (e.g., technical design criteria).

The department has carefully considered the comments provided but respectfully disagrees with the concerns raised. The department believes that the cost impacts of the rule to municipalities that own sewerage systems will be negligible. This is because the rule codifies customary practices, existing guidance, and broadly accepted engineering standards for sewerage systems, removes code requirements that may be conflicting or are no longer applicable, increases transparency of applicable requirements, improves clarity and ease of use for owners and designers of sewerage systems, and helps to streamline the department's plan review process for proposed sewerage system improvements. The rule will continue to require, with very limited exceptions, selection of the most cost-effective alternative for implementation under s. NR 110.08(6), Wis. Adm. Code. The most cost-effective alternative is that which will result in minimum total resource costs on a net present value basis over the planning period (typically 20-years). In addition, the rule also encourages greater consideration of potentially lowest-cost compliance alternatives such as watershed-based approaches (water quality trading and watershed adaptive management). Moreover, the rule will continue to allow the department to approve alternative requirements under s. NR 110.04, Wis. Adm. Code, if a municipality establishes that compliance with the design requirements of ch. NR 110, Wis. Adm. Code, is impracticable whether based on cost or other reasons. The department will continue to approve requested alternative requirements if the reasons are fully communicated in writing and the alternative requirements are otherwise in substantial compliance with the requirements of ch. NR 110, Wis. Adm. Code.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

(A) Economic Impact on Businesses:

The businesses that might be affected by the rule consist of firms that provide engineering or construction services to municipal wastewater treatment systems. The majority of rule revisions involve codifying customary practice, existing guidance, or broadly accepted engineering standards for sewerage systems. Positive impacts are expected from improved clarity of the rule and ease of use for engineers and construction firms who perform work with sewerage systems.

(B) Economic Impacts on Local Governments, Utility Rate Payers, and Public Entities:

The rule revisions principally consist of codifying customary practice, existing guidance, and broadly accepted engineering standards for sewerage systems, which will affect how infrastructure improvements are implemented. This inherently affects local governments and utility rate payers in the sense that these code updates will further clarify accepted engineering practices in wastewater treatment system design. However, the rule is not expected to have an economic impact on local governments or public entities that own or operate sewerage systems or to utility rate payers.

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

(C) State Economy:

The department does not anticipate impacts to the state's economy. Improved planning and design of sewerage (sewage/wastewater) systems protect public health and the environment and avoid future costs.

(D) Fiscal Impacts:

There are no fiscal impacts to this rule. This rule will not require additional state staff to implement or affect state revenues.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The proposed changes are expected to improve understanding of regulatory requirements, streamline certain review processes, clarify and update existing code requirements, and update requirements to allow the use of new technologies and wastewater industry standards.

16. Long Range Implications of Implementing the Rule

The long-range implication will be the same as the short-range implication of this rule. Over the long term, the proposed changes will ensure that sewerage systems are designed based upon broadly accepted engineering practices, which will further protect human health and natural resources.

17. Compare With Approaches Being Used by Federal Government

States develop their own technical design standards for sewerage systems, as there are no federally equivalent design regulations. The U.S. Environmental Protection Agency (EPA) approves the department's sewerage system plan review program as part of their program delegation agreement with the department in accordance with Title 40, Code of Federal Regulations Section 122.

The section of ch. NR 110 dealing with areawide water quality management plans is in conformance with Title 40, Code of Federal Regulations Section 130.5, which requires a continuing planning process for those plans.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The revisions are in general alignment with the "Ten States Standards for Wastewater Facilities" (formally the "Recommended Standards for Wastewater Facilities: Policies for the Design, Review, and Approval of Plans and Specifications for Wastewater Collection and Treatment Facilities," 2026 Edition, a Report of the Wastewater Committee of the Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers). The Ten States Standards is a set of technical standards for planning and design of municipal wastewater systems in the Great Lakes Region, including Iowa, Illinois, Michigan, Minnesota, and Wisconsin. The Ten States Standards for Wastewater Facilities are available to view free of charge at:

<https://www.health.state.mn.us/communities/environment/water/tenstates/index.html>.

The four states surrounding Wisconsin – Illinois, Michigan, Iowa, and Minnesota – are members of the committee that develops the Ten State Standards for Wastewater Facilities and each use the standards as the basis for regulatory requirements for municipal wastewater systems in their respective states.

ADMINISTRATIVE RULES
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