

SEPTAGE STUDY GROUP MEETING MINUTES

Date: December 13, 2017

Time: 1:00pm - 4:00pm

Location: Dane County UW Extension Office, Madison, WI

Attendees

Group Members	Guests
Aaron Ausen, WI Onsite Water Recyclers	Al Morrison, citizen
Corey Bowen, WI Liquid Waste Carriers	Sharon Gayan, DNR
Bill Dyer, Herzog-Dyer Excavating & Sanitation	Adrian Stocks, DNR
Brad Johnson, DSPTS POWTS Program	Jason Knutson, DNR
George Klaetsch, Klaetsch Public Affairs Strategies	Steve Warrner, DNR
Joe Knilans, DOA Business Development	Lisa Ashenbrenner Hunt, DNR
David Kons, Kons Septic Service, Inc.	Nate Willis, DNR
Chris Olson, WI County Code Adm.	
Sue Porter, DATCP	
Dale Stanford, Stanford's Septic Service	
Megan Taylor, Cans to Go	
Vanessa Wishart, Stafford Rosenbaum LLP	
Jim Arch, WI Land & Water Conservation Assoc. (Alternate for Jim VandenBrook)	
Brian Cunningham, WI County Code Adm. (Alternate)	
Fred Hegeman, DNR	
Alexis Peter, DNR	
Emily James, DNR	
Rachel Angel, DNR	

Absent: Dan Bahr, WI Counties Association; Jim VandenBrook, WI Land & Water Cons

Meeting Summary

Welcome – Sharon Gayan, Water Quality Bureau Director

Gayan thanked Study Group members for participation. There are three study groups: Septage Study Group, Wastewater Permitting, and Aquatic Plant Management. The role of this group is to advise the department on issues facing the industry and to discuss potential changes.

Review Purpose of Septage Study Group – Adrian Stocks, Wastewater Field Op Director (Presentation available online)

Stocks provided background and structure of the department and environmental management division. Within the division, the wastewater and permits sections work with septage industry for permits, licenses, and certifications. Highlights of the group

charter were discussed included purpose, membership, potential for ad-hoc groups to discuss particular topics in more detail and present to group at large.

Taylor suggested implementing a way for the study group members to submit agenda topic ideas in order to increase group buy in.

DNR Response: The agenda for the second meeting was focused on a topic (storage) identified in the previous meeting by members as priority. Members have been encouraged to communicate with the group coordinators for feedback, topic ideas, etc. A formal method for submitting agenda topics by committee members will be investigated and brought back to the group members for discussion.

Last Meeting Review – Alexis Heim Peter, NER Septage Coordinator & Emily James, SER Septage Coordinator

James and Heim Peter provided a summary of last meeting's minutes and brainstorming topics that were discussed during the last meeting.

Hegeman asked if there were any additions, corrections, or deletions from the minutes. Hearing non, Hegeman called for a motion to accept the minutes. Dyer moved to accept the septage study group minutes. Stanford second the motion.

Minutes approved.

Minutes available on the septage study group website.

Update: Septage Storage – Fred Hegeman, Statewide Residuals Coordinator **(Presentation available online)**

Hegeman presented information on the volume of sites approved by the DNR and the estimated acres available across the state for septage land application compared with other waste types.

Dyer asked about how many acres are available to the average septage pumper. Hegeman stated that there are not many acres available and the acres are not necessarily where the people are making it difficult for some businesses to find appropriate acres.

Knilians asked what are the criteria that the Department considers for septage land application site approval. Hegeman stated that the requirements are listed in NR 113, Wis. Adm. Code but include features such as depth to bedrock and groundwater, and distance from surface water, wetlands, residences and drinking water wells are all considered.

Kons stated that the amount of land for septage application can be sufficient for the amount pumped but there is an issue with finding the right/best acres. Dyer added that quality land is not available in the northern part of the state. The number of septage systems are increasing and it difficult when land is unavailable.

Hegeman continued by presenting the DRAFT Septage Storage Flow diagram for the group. The diagram provides updates to NR 110 Wis. Adm. Code procedures for plan and spec review of large storage units specifically the elimination of the press release requirement. There is also a Wisconsin Pollutant Discharge Elimination System (WPDES) general permit in draft that would cover the permitting requirement of large storage units as an alternative to the individual permit. This process is highlighted in the “Pink Boxes” on the right side of the diagram.

Klaetsch asked how the flow diagram was derived from code. Klaetsch stated that 25,000 gallons is not enough storage. NR 113 has not been updated in roughly twenty years and does not meet modern times. Code changes should be considered.

Gayan stated that this study group serves as a platform to open code for revisions. That process is long and the general permit and other options were developed to provide solutions within the current framework of code.

Taylor stated that a code changes should be a topic for the next meeting’s agenda.

Hegeman stated that the Septage Storage General Permit is an option. The idea is that a facility covered under this general permit would also have a high-use field to spread the maximum amount of waste possible. Hegeman stated that issuing coverage under a general permit would be faster than issuing an individual permit or making code changes.

Bowen asked if there would be a time frame in which the facility would receive coverage under the general permit. Would forty-five days be enough time for a decision. Bowen stated that 25,000 gallons is not enough because of the three year septage pumping requirements.

Kons stated the streamlining and quicker review process with the general permit is fine but wants to ensure that the review of the storage facilities is done thoroughly and ensure an owner has enough land to spread. The industry does not need the attention of “rickety” structures being approved and then failing.

Kons stated that while a larger volume could be modified in code, the number will likely be dictated by economics. Larger businesses and businesses in ideal locations for larger storage will deal with the larger volume. The smaller firms will not likely utilize a large volume of storage as it simply won’t make sense economically.

ACTION ITEM for NEXT MEETING: The group coordinators will provide an example individual septage storage permit for group review. The group members are asked to review the permit and provide comments on how the general permit is developed.

Individual permit and flow chart of approval process will be provided for review

Update: Optional Forms and Logs & DRAFT *Sandy Sites: Exploring a Streamlined

Variance - Fred Hegeman, Statewide Residuals Coordinator

Hegeman introduced the DRAFT optional septage servicing forms and logs. These forms were developed in response to the industries request for optional forms that would satisfy NR 113 Wis. Adm. Code log requirements. Hegeman highlighted these are not meant to be required forms, but as an option or a tool for businesses in place of developing their own forms.

Kons clarified that the forms were truly optional as his firm uses their daily logs to collect additional information for their business operation. Kons indicated he did not want to duplicate efforts. Hegeman confirmed these forms are optional and are simply provided because many smaller firms have requested some sort of standard forms. **Comments to the department are requested by 12/20/2017.**

Hegeman introduced the DRAFT Sandy Site Variance request form. This form was developed in response businesses in areas of the state that have sandy soils which do not meet the permeability and available water holding capacity requirements for NR 113 Wis. Adm. Code. The variance form is proposed as a streamlined option for businesses to submit proper documentation to the department in consideration of approving the fields based on other management and site conditions. **Comments and suggestions to the variance are requested by 12/20/2017.**

Stanford provided comment on the incorporation within 6 hours and slope requirements on these fields. Stanford would like to discuss the potential for leniency on these requirements based on cover crop management and the increased penetration on sandier soil fields.

Hegeman stated these issues can be looked at in the future and worked out in other variances.

New Issues - Fred Hegeman, Statewide Residuals Coordinator

Hegeman requested suggestions for issues the study group members would like to be addressed in the next meeting.

Dyer suggested discussion of Department staffing issues. Taylor disagreed. Taylor stated that the Department does not need additional staff members but strongly advocated for stronger regulations and enforcement of the industry in order to keep operations in line that are not “playing by the rules”.

Taylor suggested group members read through NR 113 Wis. Adm. Code and have a discussion on each section that the members would like to see addressed with code changes and suggestions for the changes.

Kons suggested discussion of treatment plant accountability for site management. He would also like to discuss ways to promote the industry as materials recyclers and provide positive messaging on the activities.

ADJORNED – Hegeman thanked the group members for participating and the time commitment for the group. Action Items were reviewed and comments on the DRAFT items presented were solicited from the group members. Department staff concurred that future meetings will have time dedicated for discussion on issues with current code language. The next meeting date will be determined based on a poll of group members' availability for Spring 2018. Members should expect the poll to be available in early 2018.

Summary of Ideas/Issues to Discuss for Future Meetings from Previous Meetings

1. Development of Resources/Information for Businesses of Institutional Knowledge
 - a. Potential guidance or information sheets provided to externals for further clarification of the code.
 - b. Potentially dedicate staff member as a specialist who visits businesses statewide to answer lingering questions
 - c. Potentially enlist county liaisons to act as an extension of the DNR
2. Updates and/or Modification to Operator Certification Program
 - a. Allow for business courses to count as Continuing Education credits for septage haulers
 - b. Modify the certification exams with “tougher” questions on the exams (WLWCA is willing to submit questions they would like to see on the exam)
3. Treatment Plant Accountability for Site Management
4. Septage Public Image as Material/Nutrient Recyclers
5. DNR Staffing and Resources
6. Septage Storage WPDES General Permit
 - a. Distinguish differences from individual permit
 - b. Clarification of Permit Process
7. Sandy Site Streamlined Variance Request
8. Septage Disposal Options beyond Treatment Plants
 - a. Storage
 - b. Land Application