



Alliance for Regulatory Coordination

Testimony in Opposition to 2019 Senate Bill 820

To the Senate Committee on Economic Development, Commerce and Trade

February 19, 2020

Hello; thank you for the opportunity to provide testimony today. I am Bob DuPont, founder of the Alliance for Regulatory Coordination. The ARC is a consortium of 21 business, professional, and trade organizations involved in building design, construction and regulatory services.

The Alliance for Regulatory Coordination is opposed to Senate Bill 820. We believe this bill will place Wisconsin citizens and visitors at greater risk to their health and safety by negatively affecting building occupants, the waters of the state, and municipal sewer and water utilities in Wisconsin. We believe that code changes regarding triggers for state level plan review should be researched and considered by the Commercial Building Code Council and the Plumbing Code Advisory Committee in coordination with the Department of Safety and Professional Services.

Regarding commercial buildings, under this bill, state level plan review would not be required for single story buildings containing less than 200,000 cubic feet of volume that fall entirely in the following occupancy groups: Business Group B; Factory Industrial Group F; Mercantile Group M; Storage Group S; and Utility and Miscellaneous Group U. Municipalities would maintain their authority to require local plan review, permits and inspections of any sized commercial building. To get a sense of the scope of this plan review exemption, consider this.

A 200,000 cubic foot mercantile establishment with a 20-foot ceiling would have a footprint of 10,000 square feet. That equates to a strip mall 200 feet in width by 50 in depth; a significant building, with an allowable occupancy load of over 300 men, women and children.



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This bill removes a significant safety net from the state's building safety program and shifts the burden of plan review to communities throughout the state. Many communities lack the financial and staff resources to pick up the plan review workload abandoned by the state under this bill. [And we can't rely on field inspections to catch problems not caught by plan review because building inspections are not required for commercial buildings under state law or code.](#)

Regarding plumbing systems, under this bill, state level plan review would not be required for plumbing installations, additions or alterations involving fewer than 25 plumbing fixtures within any sized building that falls entirely in the above listed occupancy groups. Municipalities would maintain their authority to require local plan review, permits and inspections of any sized plumbing project.

This bill removes a significant safety net from the state's plumbing safety program and shifts the burden of plumbing plan review to communities throughout the state. Many communities lack the financial and staff resources to pick up the plumbing plan review workload abandoned by the state under this bill. [And, just as for building plans, we can't rely on field inspections to catch problems not caught by plumbing plan review because plumbing inspections are not required for commercial buildings under state law or code.](#)

[In addition, by focusing solely on the trigger of 25 plumbing fixtures](#), this bill removes many important plumbing components from state level plan review. These plumbing components protect municipal water supply systems, sewerage systems, wastewater treatment plants, and the waters of the state, in addition to protecting building occupants from harm.

Following is a table showing plumbing components that would no longer require state level plan review under this bill. For each plumbing component listed, the table shows the purpose of the component as well as other elements and systems impacted by the plumbing component. These primary and secondary impacts are at the heart of systems designed to protect the health, safety and welfare of building occupants and entire communities.



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Plumbing Component	Purpose of Component	Other Elements & Systems Impacted
Cross connection control devices in dental and outpatient health clinics	Protect drinking water for building occupants and the entire community.	Protects groundwater, water wells, and the water quality in municipal waterworks systems.
Private interceptor main sewers	Safely convey domestic wastewater, from multiple buildings, to the municipal sewerage system; installed on private property.	Current approval coordination between the DSPS and local officials prevents overloading of municipal sewerage systems and municipal wastewater treatment plants.
Grease/oil interceptors, garage catch basins, car wash interceptors	Remove materials that clog sewers and negatively affect wastewater treatment.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Chemical waste drainage and treatment systems	Convey and treat caustic waste from laboratories, and neutralize such waste before discharge to municipal sewerage system.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Mixed wastewater holding devices	Holds wastewater from industrial processes for removal and transport to specialized treatment facilities.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Stormwater systems	Convey stormwater from buildings and grounds to safe place of disposal.	Protects waters of the state and municipal stormwater systems.
Stormwater/clearwater infiltration systems	Disperse stormwater and clearwater to surface or subsurface soils.	Protects waters of the state and municipal stormwater systems; and recharges groundwater.
Water treatment systems other than privately owned wastewater treatment systems, POWTS	Treat wastewater for reuse within buildings or on the property; for toilet flush water, turf irrigation, etc.	Protects groundwater and reduces loads on municipal waterworks, municipal sewerage systems, and wastewater treatment plants.
Alternate and experimental plumbing systems	Facilitate the use of new or innovative materials, products and methods within plumbing systems.	May reduce loads on municipal waterworks, sewerage systems, and wastewater treatment plants.



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Avoiding overloads on municipal wastewater treatment plants is an important aspect of DSPS plumbing plan review. Before the DSPS approves a plan for a new private interceptor main sewer, which is to discharge to a municipal treatment facility, the designated planning or management agency must indicate conformance with the locally developed areawide water quality management plan meant to protect the waters of the State. Such efforts to avoid wastewater treatment plant overloads would be ended under this bill.

The state plan review program for individual plumbing components began forty-five years ago. In 1975, the impact of plumbing systems, not only on building occupants, but on entire communities, was recognized by public health and safety officials, as well as the State Legislature. Those impacts are just as important today as they were forty-five years ago.

The Alliance for Regulatory Coordination agrees that the problem is real; it takes too long to get plans reviewed by the Department of Safety and Professional Services. However, we believe the problem is primarily caused by a cumbersome appointment process, not by an overabundance of plan submittals. We see the Department making progress by reducing the number of duplicate plan review appointments and engaging in more outreach and communications with their customers. We applaud those efforts and encourage more.

We believe that the best way forward is for the DSPS to engage the Commercial Building Code Council and the Plumbing Code Committee in a project focused on solely on plan review. That project would include many industry practitioners and stakeholders from throughout the State. It would provide an opportunity to more thoroughly consider both process and policy changes.

Thank you for this opportunity to offer testimony on this Bill.

I would be happy to answer any questions you may have.

ARC members are listed on the following page.

Alliance for Regulatory Coordination

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Classic Members

International Association of Electrical Inspectors, Wisconsin Chapter
International Brotherhood of Electrical Workers, Wis. State Conf.
National Electrical Contractors Association, Wisconsin Chapter
Northwest Wisconsin Building Inspectors Association
Plumbers Union Local 75
Plumbing-Heating-Cooling Contractors, Wisconsin Association
Plumbing Mechanical Sheet Metal Contractors Alliance
Sheet Metal Air Rail Transportation Local 18
Water Quality Association of Wisconsin
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Wisconsin Fire Protection Coalition
Wisconsin State Fire Chief's Association
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