

Follow-up Report to the Alliance for Regulatory Coordination

Preliminary Draft Legislation Concerning DSPS Commercial Building and Plumbing Plan Review Triggers

LRB-5307/P2

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This is a follow-up report concerning LRB-5307/P2, a preliminary bill draft developed to change state statutes concerning DSPS plan review for commercial buildings and plumbing systems. This follow-up augments my original report dated February 7, 2020. It addresses negative impacts that stem from the preliminary bill draft. These impacts 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.

Regarding the prohibition of state level plan review for commercial buildings containing less than 200,000 cubic feet of volume, the proposal 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 workload to be abandoned by the state under the proposal.

A 200,000 cubic foot mercantile establishment with a 20-foot ceiling would have a footprint of 10,000 square feet. It could have an occupancy load of over 300 people if ten percent of the building were for storage, etc. Such a 10,000 sq. ft. building could be a strip mall 200 feet in width by 50 in depth; a significant building size.

Regarding the state level plan review for plumbing installations, additions and alterations involving fewer than 25 plumbing fixtures, the proposal removes many important plumbing components from state level plan review. In addition to protecting building occupants from harm, these plumbing components protect municipal water supply systems, sewerage systems, wastewater treatment plants, and the waters of the state.

Following is a table showing plumbing components that would no longer require state level plan review under the preliminary bill draft. 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.

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 the legislative proposal.

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.

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.