



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 386**

November 9, 1995 – Offered by COMMITTEE ON ENVIRONMENT AND ENERGY.

1 **AN ACT to create** 144.4385 and 147.0175 of the statutes; **relating to:** exempting
2 certain fruit and vegetable washing facilities from certain permitting, plan
3 approval and licensing requirements.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 144.4385 of the statutes is created to read:

5 **144.4385 Exemption for certain fruit and vegetable washing facilities.**

6 (1) DEFINITIONS. As used in this section:

7 (b) “Washing station” has the meaning given in s. 147.0175 (1) (b).

8 (c) “Wash water” has the meaning given in s. 147.0175 (1) (c).

9 (d) “Wash water storage facility” has the meaning given in s. 147.0175 (1) (d).

10 (2) EXEMPTION. No permit, license or, except as provided in par. (d), plan
11 approval is required under this chapter for the owner of a washing station to
12 establish, construct or operate a solid waste facility for the treatment, storage or
13 disposal of wash water or to compost or land spread plant parts separated from wash
14 water if all of the following requirements are met:

1 (a) The washing station is not adjacent to or operated as part of a food
2 processing plant, as defined in s. 97.29 (1) (h).

3 (b) All wash water is either stored in a sealed wash water storage facility or is
4 dispersed on land owned or leased by the owner of the washing station in a manner
5 which avoids ponding, runoff or nuisance conditions and in accordance with
6 acceptable agricultural practices or acceptable practices for the land spreading of
7 waste.

8 (c) All plant parts that are separated from wash water are either composted or
9 stored in a plant parts storage facility and disposed of using an environmentally safe
10 land spreading technique. The treatment, storage, disposal or composting under this
11 paragraph must be confined to property owned or leased by the owner of the washing
12 station.

13 (d) For a washing station that anticipates operating at least 100 days per year
14 or that operated at least 100 days during the immediately preceding year, do all of
15 the following:

16 1. Register annually with the department as a washing station.

17 2. Submit annually an operating plan that implements best management
18 practices and that is approved by the department.

19 3. Operate only in accordance with the approved operating plan.

20 **SECTION 2.** 147.0175 of the statutes is created to read:

21 **147.0175 Exemption for certain fruit and vegetable washing facilities.**

22 **(1) DEFINITIONS.** As used in this section:

23 (b) “Washing station” means a facility where fruits or vegetables are washed
24 or cleaned after harvesting and before further processing.

1 (c) "Wash water" means water that has been used at a washing station to wash
2 or clean fruits or vegetables and that may contain dirt or other substances removed
3 from the fruits or vegetables during the washing process or biodegradable additives
4 used during the washing process.

5 (d) "Wash water storage facility" means a facility, including a settling pond or
6 lagoon, that is used to store wash water.

7 **(2) EXEMPTION.** The owner of a washing station may discharge or dispose of
8 wash water, and may land spread or compost plant parts separated from the wash
9 water, without a permit under this chapter if all of the following requirements are
10 met:

11 (a) The washing station is not adjacent to or operated as part of a food
12 processing plant, as defined in s. 97.29 (1) (h).

13 (b) All wash water is either stored in a sealed wash water storage facility or is
14 dispersed on land owned or leased by the owner of the washing station in a manner
15 which avoids ponding, runoff and nuisance conditions and in accordance with
16 acceptable agricultural practices or acceptable practices for the land spreading of
17 waste.

18 (c) All plant parts that are separated from the wash water are either composted
19 or stored in a plant parts storage facility and disposed of using an environmentally
20 safe land spreading technique. The disposal or composting must be confined to
21 property owned or leased by the owner of the washing station.

22 (d) For a washing station that anticipates operating at least 100 days per year
23 or that operated at least 100 days during the immediately preceding year, do all of
24 the following:

- 25 1. Register annually with the department as a washing station.

