

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/23/2001

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM94,

Topic:

Combined sewer bypasses

Instructions:

See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|------------------------|------------------------|----------------|----------------------------|-----------------|-----------------|
| /? | traderc 06/24/2001 | csicilia 06/25/2001 | | _____ | | | |
| /1 | | | jfrantze 06/25/2001 | _____ | lrb_docadmin 06/25/2001 | | |
| /2 | traderc 06/26/2001 | csicilia 06/27/2001 | pgreensl 06/27/2001 | _____ | lrb_docadmin 06/27/2001 | | |

FE Sent For:

<END>

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| /1 | | 1/2 cs 6/27 01 | jfrantze 06/25/2001 6/27 PS | 6/27 PS/RT | lrb_docadmin 06/25/2001 | | |

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| 1? | traderc | 1 cjs 10/25 01 | curran 6/28 /1 | _____ | _____ | _____ | _____ |
| FE Sent For: | | | | | | | |

<END>

repealed, but that authority was not recreated for DNR. This provision gives DNR authority to disburse funds.

C. South Fork of the Hay River Watershed Funding

Maintain Joint Finance action, however change the sunset date from June 30, 2006 to June 30, 2005.

Location/Status [~~Comparative summary of Governor and Joint Finance Committee Budget Recommendations, page 546 – DNR Water Quality~~]

Ret

D. Combined Sewer Bypasses

Intentional diversions of untreated waste streams from any portion of a treatment facility are prohibited unless (1) the bypass does not cause effluent to exceed limits, and (2) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, and (3) there was no feasible alternatives, and the proper notification was submitted.

Ret

In addition, delete exception under NR 205.07 (1)(u) 1: An inadvertent bypass resulting from equipment damage or temporary power interruption.

Agency affected: DNR

Fiscal Impact: \$0

Location/Status: New motion (Kedzie)

E. High capacity wells

Agency affected: DNR

Move to require that the DNR permit only high capacity wells that will not have a significant impact on waters of the state as in 2000 Assembly Bill 311 with the intent to grandfather all wells in existence upon enactment of this legislation and which need to be maintained or replaced at their existing capacity. In addition, require a joint legislative council study on the overall issue of high capacity wells in Wisconsin.

Ret

Fiscal impact: DNR estimates that these provisions will have an annualized impact of \$303,200 if they had to screen 200 permit applications a year.

Location/Status: Assembly Bill 311, with addition of Legislative Council study (Johnsrud)

F. Facility Plans and Environmental Impact on Residential Wells

Amend Section 196.491(3)(a)3.a. to include "residential wells" as part of the engineering plan for siting of public utility facilities.

Agency affected: DNR

2001

Date (time) needed SOON

LRB b 1637 / 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

RET : gjs :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

Note

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1057, line 2....: after that line insert:

Ⓟ " Section 3218 m. CR; 283.86

Ⓟ #. Page, line: Ⓟ 283.86 Certain discharges prohibited.

Ⓟ No owner or operator of a publicly owned treatment work

#. Page, line: one word may intentionally discharge untreated wastewater unless all of the following apply:

#. Page, line: Ⓟ (1) The discharge does not cause any effluent limitation to be exceeded.

#. Page, line: Ⓟ (2) The discharge is necessary to prevent personal injuries loss of lives or severe property damage.

#. Page, line: Ⓟ (3) There is no feasible alternative to the discharge.

③

¶ (4) The owner or operator provides any required notification of the discharge. "

(end)

Ret: cjs

Note

This draft corresponds to item D of part 7 of the environment and natural resources package.

Please review this draft carefully because I am

uncertain as to the meaning of the instructions. I

do not know what, if anything, needs to be drafted

to correspond to the sentence of the instructions that reads:

no # "In addition, delete exception under NR 205.07(1)(u)18

no # An inadvertent bypass resulting from equipment damage

or temporary power interruption." I have looked

at that rule ^{it is difficult to understand but} ~~and~~ it seems to relate to reporting

requirements. Is the intent of this item to ^{provide that} ~~prohibit~~ the owner or operator of a publicly owned treatment work may inadvertently discharge untreated wastewater?

RET one word

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1637/1dn
RCT:ejc:cmh

June 25, 2001

This draft corresponds to item D of part 7 of the environment and natural resources package. Please review this draft carefully because I am uncertain as to the meaning of the instructions. I do not know what, if anything, needs to be drafted to correspond to the sentence of the instructions that reads: "In addition, delete exception under NR 205.07 (1) (u) 1: An inadvertent bypass resulting from equipment damage or temporary power interruption." I have looked at the rule. It is difficult to understand, but it seems to relate to reporting requirements. Is the intent of this item to provide that the owner or operator of a publicly owned treatment work may inadvertently discharge untreated wastewater?

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Tradewell, Becky

From: Johnson, Dan (Legislature)
Sent: Tuesday, June 26, 2001 12:45 PM
To: Tradewell, Becky
Subject: RE: LRBb1637

Becky,

It is our intent to remove "power failures" as an allowable exception for discharges of untreated wastewater.

Dan Johnson
Research Assistant
Clerk, Committee on Environment
State Representative Neal Kedzie
43rd Assembly District
(608) 266-9650

I noticed that there is an error in the last sentence of my drafter's note for LRBb1637, which relates to bypasses from sewage treatment plants. It should read: Is it the intent of this item to provide that the owner or operator of a publicly owned treatment work may **not** inadvertently discharge untreated wastewater?

Becky Tradewell



State of Wisconsin
2001 - 2002 LEGISLATURE

SOA

LRBb16371/2

RCT:cjs:cmh

YMY

ARC:.....Tessmer – AM94, Combined sewer bypasses

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

Insert
1-12

At the locations indicated, amend the substitute amendment as follows:

~~1~~. Page 1057, line 2: after that line insert:

3 "SECTION 3218m. 283.86 of the statutes is created to read:

4 **283.86 Certain discharges prohibited.** No owner or operator of a publicly
5 owned treatment work may intentionally discharge untreated wastewater unless all
6 of the following apply:

7 (1) The discharge does not cause any effluent limitation to be exceeded.

8 (2) The discharge is necessary to prevent personal injury, loss of life, or severe
9 property damage.

10 (3) There is no feasible alternative to the discharge.

1 (4) The owner or operator provides any required notification of the discharge.”

2 (END)

Inset 1-1

#. Page 1055, line 8: after that line insert:

¶ " Section 2810s. CR; 283.31 (4m)

¶ 283.31 (4m) ^z ³ The department may not ~~not~~, in the
permit for a publicly owned treatment works, authorize
the discharge of ^{one word} untreated wastewater resulting from
a temporary power interruption."



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1637/2
RCT:cjs:pg

ARC:.....Tcssmcr - AM94, Combined sewer bypasses

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS ASSEMBLY AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1055, line 8: after that line insert:

3 “SECTION 3210s. 283.31 (4m) of the statutes is created to read:

4 283.31 (4m) The department may not, in the permit for a publicly owned
5 treatment work, authorize the discharge of untreated wastewater resulting from a
6 temporary power interruption.”

7 **2.** Page 1057, line 2: after that line insert:

8 “SECTION 3218m. 283.86 of the statutes is created to read:

