

2007 ASSEMBLY BILL 687

January 11, 2008 – Introduced by Representatives SUDER, MUSSER and HAHN.
Referred to Committee on Natural Resources.

1 **AN ACT to amend** 281.48 (4m) (b) (intro.) and 1. and 281.48 (4m) (c); and **to**
2 **create** 281.48 (4m) (b) 2. of the statutes; **relating to:** an exemption from the
3 requirement to obtain approval for a location where septage is disposed of on
4 land.

Analysis by the Legislative Reference Bureau

Under current law, a person is generally required to obtain a site approval from the Department of Natural Resources (DNR) for any location where septage is disposed of on land. A farmer is exempt from the requirement to obtain a site approval if the septage is disposed of on land owned or leased by the farmer, the septage is removed from a septic tank that is located on the same land where the septage is disposed of, and the farmer complies with legal requirements relating to disposing of septage.

This bill modifies the exemption from the requirement to obtain a site approval from DNR for disposing of septage on land. Under the bill, the exemption is not limited to farmers and the septage may be removed from facilities other than septic tanks, such as holding tanks. Under the bill, in order to qualify for the exemption, no more than 3,000 gallons of septage per week may be disposed of on the land.

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

ASSEMBLY BILL 687**SECTION 1**

1 **SECTION 1.** 281.48 (4m) (b) (intro.) and 1. of the statutes are amended to read:

2 281.48 **(4m)** (b) (intro.) Notwithstanding par. (a), the department may not
3 require a site approval for a location where septage is disposed of on land if ~~the person~~
4 ~~who disposes of the septage is a farmer who owns or leases that location and if:~~

5 1. The septage is removed from a septic tank, soil absorption field, holding tank,
6 grease trap, or privy which is located on the same parcel where the septage is
7 disposed of; and

8 **SECTION 2.** 281.48 (4m) (b) 2. of the statutes is created to read:

9 281.48 **(4m)** (b) 2. No more than 3,000 gallons of septage per week are disposed
10 of on the property; and

11 **SECTION 3.** 281.48 (4m) (c) of the statutes is amended to read:

12 281.48 **(4m)** (c) If a location is exempt from site approval under par. (b), the
13 department may require the person who services the septic tank, soil absorption
14 field, holding tank, grease trap, or privy to provide the department with information
15 to show that sufficient land area is available for disposal.

16 **SECTION 4. Nonstatutory provisions.**

17 (1) Beginning on the effective date of this subsection, no person is subject to
18 prosecution for the failure, before the effective date of this subsection, to obtain a site
19 approval under section 281.48 (4m) (a) of the statutes if the person would be exempt
20 from the requirement to obtain a site approval under section 281.48 (4m) (b) of the
21 statutes, as affected by this act. A court shall dismiss any case that is pending on
22 the effective date of this subsection against a person for the failure, before the
23 effective date of this subsection, to obtain a site approval under section 281.48 (4m)

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1 (a) of the statutes if the person would be exempt from the requirement to obtain a site
2 approval under section 281.48 (4m) (b) of the statutes, as affected by this act.

3 (END)