

Wisconsin Department of Safety and Professional Services  
Division of Industry Services  
4822 Madison Yards Way  
PO Box 7302  
Madison WI 53707-7302



Phone: 608-266-2112  
Web: <http://dsps.wi.gov>  
Email: [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov)

**Tony Evers, Governor**  
**Dawn B. Crim, Secretary**

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January 31, 2022

Wisconsin State Senate  
Chief Clerk  
PO Box 7882  
Madison, WI 53707-7882

Wisconsin State Assembly  
Chief Clerk  
PO Box 8952  
Madison WI 53708-8952

Dear Chief Clerks:

As specified in Wis. Stat. §145.20(3)(a)2, I am submitting the 2021 Private On-Site Wastewater Treatment System Program Exempt Governmental Units Report. Additional copies of the report are available by contacting Assistant Deputy Secretary Dan Hereth at (608) 267-2435.

Sincerely,

Dawn B. Crim, Ph.D.  
Secretary

# 2021 ANNUAL REPORT

## PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM PROGRAM EXEMPT GOVERNMENTAL UNITS REPORT



January 2022

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## **Authority**

This report is submitted in accordance with Section 145.20(3)(a)2, Wisconsin Statute which states:

The department may exempt a governmental unit from any category of private on-site wastewater treatment systems for which departmental approval is required prior to sanitary permit issuance under subd. 1., upon a determination, in accordance with rules promulgated by the department, that past performance of the governmental unit on reviews and audits under par. (b) has been satisfactory and that the governmental unit has the capacity to give the same level of application and plan review as that provided by the department. The department may revoke an exemption upon a finding that performance of the governmental unit on a review or audit conducted subsequent to the granting of the exemption is unsatisfactory or that the governmental unit is not giving the same level of application and plan review as that provided by the department. Findings in a revocation action may be made only after a public hearing upon 30 days' advance notice to the clerk of the governmental unit. The department shall submit a report under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning of each legislative session, describing the exemptions under this subdivision.

The department specifies categories of private on-site wastewater treatment systems (POWTS) for which department or designated agent approval is required prior to sanitary permit issuance under Section SPS Table 383.22-2, Wisconsin Administrative Code:

**Table 383.22-2  
Plan Submissions to Department or Designated Agent**

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Type of Installation
1. POWTS that will completely utilize treatment and dispersal technologies or methods either approved under s. SPS 384.10 (2) or (3) or recognized under s. SPS 383.60 (1).
2. POWTS that collect and hold all wastewater of the facilities served and utilize holding components designed based on $\geq 3,000$ gpd [ <i>gallons per day</i> ] estimated flow either recognized under s. SPS 384.10(2) or (3) or recognized under s. SPS 383.60 (1).

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**Note:** Pursuant to s. 145.19(2), Stats, governmental units may require separate plan examination fees or include these fees in the cost of the sanitary permit.

## **Designated (or Exempted) Agents**

The department has approved the delegation of plan review authority to 33 Designated Agents for POWTS. Designated Agents of the department and their specific level of delegation are current as of January 2022.

<b>County</b>	<b>Category of Review</b>
Adams	<ul style="list-style-type: none"> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems that receive a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Ashland	<ul style="list-style-type: none"> <li>• Plan review for replacement septic and pump tanks for facilities with a design wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> </ul>
Brown	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Calumet	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Chippewa	<ul style="list-style-type: none"> <li>• Plan review for pre-cast or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> </ul>

County	Category of Review
Clark	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Dane	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 5,000 gpd or less.</li> </ul>
Eau Claire	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Fond du Lac	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> </ul>
Juneau	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Langlade	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> </ul>

<b>County</b>	<b>Category of Review</b>
Lincoln	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 2,500 gpd or less.</li> </ul>
Manitowoc	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> <li>• Pressurized in-ground systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• Mound systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• At-grade systems that receive a design wastewater flow of 5,000 gpd or less.</li> </ul>
Marathon	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> </ul>
Marinette	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> </ul>
Marquette	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for at-grade systems with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems with a design wastewater flow of 1,000 gpd or less.</li> </ul>
Monroe	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for at-grade systems with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for in-ground pressure systems with a design wastewater flow of 1,000 gpd or less.</li> </ul>

<b>County</b>	<b>Category of Review</b>
Oconto	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> </ul>
Oneida	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> </ul>
Outagamie	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 3,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 3,000 gpd or less.</li> </ul>
Ozaukee	<ul style="list-style-type: none"> <li>• Plan review for pre-cast or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems with a design wastewater flow of 1,000 gpd or less.</li> </ul>
Rusk	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> </ul>
Sauk	<ul style="list-style-type: none"> <li>• Plan review for at-grade systems with a design wastewater flow of 1,000 gpd or less.</li> </ul>
Sheboygan	<ul style="list-style-type: none"> <li>• Plan review for replacement septic and pump tanks for facilities with a design wastewater flow of 5,000 gpd or less.</li> </ul>
Shawano	<ul style="list-style-type: none"> <li>• Plan review for mound systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 5,000 gpd or less for one and two-family dwellings.</li> </ul>
Trempealeau	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> </ul>



<b>County</b>	<b>Category of Review</b>
Vilas	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gallons per day or less.</li> </ul>
Washington	<ul style="list-style-type: none"> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for in-ground pressure distribution systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>
Waukesha	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 5,000 gpd or less.</li> <li>• Pressurized in-ground systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• Mound systems that receive a design wastewater flow of 5,000 gpd or less.</li> <li>• At-grade systems that receive a design wastewater flow of 5,000 gpd or less.</li> </ul>
Waupaca	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> </ul>
Waushara	<ul style="list-style-type: none"> <li>• Plan review for pre-cast, or manufactured holding tanks for public or commercial facilities with an estimated wastewater flow of 4,500 gpd or less.</li> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 3,000 gpd or less.</li> </ul>
Winnebago	<ul style="list-style-type: none"> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for non-pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less for one and two-family dwellings.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less for one and two-family dwellings.</li> </ul>
Wood	<ul style="list-style-type: none"> <li>• Plan review for non-pressurized in-ground systems for public or commercial facilities with a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for pressurized in-ground systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for mound systems that receive a design wastewater flow of 1,000 gpd or less.</li> <li>• Plan review for at-grade systems that receive a design wastewater flow of 1,000 gpd or less.</li> </ul>

## **Audits**

From January 1, 2021–December 31, 2021, the department conducted audits of governmental programs in accordance with Section 145.20(3)(b), Wisconsin Statutes. These audits consisted of self-reporting electronic audits of all 71 counties and 8 municipalities with historical sanitary permit programs in Milwaukee County. These self-reporting audits collect essential data, self-compliance and ordinance changes through the year. During this time period, the department also conducted 1 office audit which consisted of a review of sanitary permit, plan review and inspection files. Access to county offices was generally limited to employees only due to the pandemic and prevented department staff from conducting audits of county files. No counties received a complete audit which consists of a self-reporting electronic-audit, office audit and field audit. Field audits consist of verifying that onsite features of installed systems and those under construction follow the applicable approved plans and codes. Field audits must be conducted when the weather allows systems to be inspected. Unfortunately, that time of year also coincides when demand for plan review services peak for the department. To meet seasonal plan review demands all program staff are needed to conduct plan reviews in lieu of performing field audits so no field audits have been performed for several years.

In summary, the department concluded with the information available, that all audited delegated agent programs were satisfactory under s. 145.20(3)(b), Wisconsin Statutes, and were conducting plan reviews at the same level provided by the department. The department did not revoke or attempt to revoke any plan review exemptions under this section.