



BUREAU OF WATER QUALITY PROGRAM GUIDANCE

WASTEWATER POLICY MANAGEMENT TEAM

Wisconsin Department of Natural Resources
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Clean Water Fund Eligibility for Security Related Components of Wastewater Projects

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This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

relates to the security system. A meeting with the engineer could be conducted so the reviewer could inspect detailed plans (but still not include the detailed plans as part of the department file). In general, reviewers should accept all items that can reasonably be associated with security systems. Keep in mind it is our intent to promote improved security measures.

Security equipment might be separated out as an equipment item in a construction contract and not be subject to competitive bidding requirements.

The Bureau of Watershed Management encourages facilities to complete a Vulnerability Assessment (VA) to determine their security equipment needs. No federal or state regulations currently exist requiring the completion of a VA for wastewater treatment facilities. The CWF program will not require that a VA be completed in order to receive funding for security equipment. If new federal regulations are promulgated which require that wastewater treatment facilities complete a VA, then the CWF will consider requiring that the facility complete a VA prior to funding security equipment. A facility may complete a VA and include those costs (for refinancing) in a loan application for a Wastewater Treatment Plant upgrade.

Security Equipment as a Separate, Stand -Alone Project

These projects will most likely be small-scale projects in the \$60,000 to \$200,000 range. The CWF program may not be a realistic source of funding for smaller projects due to the high administrative costs. Projects under \$2 million can be funded through the Small Loan Program, which may be a better source of funding for stand-alone security equipment projects. Stand-alone security projects would receive a very low score as a "water quality project", and probably would remain very low on the funding priority list. And since it is anticipated that not all projects will receive loan funding in the future, it is possible that security projects would not be able to secure a CWF loan as a stand-alone project. Although we should generally promote improved security measures, Department staff should not be promoting CWF loan funding for these types of stand-alone projects.

If, despite these limitations, a community wishes to pursue a CWF loan for a stand-alone security project, that can be accommodated. In the past the Department has funded non-process buildings and ancillary equipment items that alone do not qualify as a "reviewable project" (per NR 108 and NR 110) but that are considered to be normal and reasonable components of a wastewater treatment plant.

The community could submit a list of equipment items and costs, and this could be accepted as constituting a submittal for plans and specifications and for satisfying facility planning requirements. It is expected that many of these plants would already have a previous approved facility plan, and security equipment can be likened to hardware on a wastewater treatment plant that isn't necessarily detailed in a facility plan. Again, due to the sensitive nature of security equipment placement, we would not require plans and specifications showing the details of their proposed security system.

Back-up Generators

The Vulnerability Assessment process recommends having a separate back-up power supply for the WWTP. We also have WDNR regulations that require emergency operating provisions such as back-up generators. Back-up generators can be thought of as part of a security equipment project, but in this instance, normal detailed plans and specifications should be provided. A back-up generator is eligible for funding if it is part of a WWTP upgrade.

Back-up generators can also be funded as a stand-alone project. There would need to be a facility plan amendment to incorporate the back-up generator. Plans and specifications would need to be submitted and approved by the Department. Any payments received by the facility from a power company that has an agreement to use the back-up generator for peak saving electrical needs would need to be sent to the CWF to help pay off the loan. Municipalities may want to consider applying for these types of equipment loans using the small loan program process if it is a stand-alone project.

Chlorine to UV Disinfection Projects

The storage of chlorine gas at wastewater treatment plants has been determined as a key vulnerability. The conversion of a gaseous chlorine disinfection system to an ultraviolet light disinfection system can be considered both a security and an environmental project. This can be funded either as part of a plant upgrade or as a stand-alone project. This type of project would need facility plan approval and plans and specifications approval.

The conversion from gaseous chlorine to UV disinfection needs to be addressed by a NR 110 facility plan study, but it should also be recognized that the definition of "cost-effectiveness" allows for consideration of "non-monetary" factors. In this situation, the benefits for plant safety and security enabled by eliminating gaseous chlorine use should be given very significant consideration. As a result, a UV system maybe determined cost-effective even when if is significantly more expensive than a gaseous chlorine system.



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

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WY-20-0003

DOCUMENT TITLE

Clean Water Fund Eligibility for Security Related Components of Wastewater Projects

PROGRAM/BUREAU

Water Quality

STATUTORY AUTHORITY OR LEGAL CITATION

Chapters NR 110 and NR 162, Wis. Adm. Code.

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

01/20/2020

DATE FINALIZED

02/11/2020

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

2/14/2020

Signature

Date

