



OFFICIAL NOTICE AND AGENDA
of a meeting of a City Board, Commission, Department
Committee, Agency, Corporation, Quasi-Municipal
Corporation, or Sub-unit thereof.

A Meeting of Wausau Water Works Commission will be held in the
Council Chambers, 1st Floor City Hall, Wausau, WI 54403 at 1:30 p.m. on
Tuesday, October 4th, 2022.

Members: Katie Rosenberg (President), Dawn Herbst, Jim Force, Joe Gehin, John Robinson

AGENDA

1. Approve Minutes of September 6th 2022 Meeting.
2. Director's Report on Utility Operations
 - Staffing updates
 - Request to WDNR & USEPA for PFAS Pilot Study funding
 - Update on Ongoing Projects and Contracts
 - Drinking Water Treatment Facility update
 - Drinking Water- Corrosion Control Treatment Optimization study summary update
 - Drinking Water- Meter changeout update
 - Wastewater Treatment Facility update
 - Collection System Technician (Sewer Maintainer)- Offered job to Applicant, awaiting response
 - Wastewater Plant Operations Supervisor: Pat VanOuse retiring 12/29/2022 after 27 years with City
 - Wastewater- hiring/training of new staff challenges
 - Wastewater new equipment installed awaiting startup
 - Wastewater collection system staff completed demo of camera trucks
 - Wastewater chassis purchase for new televising system/equipment
 - Wastewater sanitary manhole being rehabilitated on Stewart Ave
 - Utility Financial Reports as of August 31, 2022.
3. Presentation by Ehler's Regarding Funding Strategies for the Granulated Activated Carbon (GAC) Treatment Process for Long Term PFAS Removal in Wausau's Drinking Water.
4. Discussion and Possible Action Approving a Funding Strategy for GAC Treatment Process.
5. Discussion and Possible Action on a Sanitary Sewer Agreement with the Town of Stettin.
6. Update on Material/Supply Ordering, Challenges on Extended Lead Times and Volatile Pricing.
7. Discussion and Possible Action to Consider Chemical Purchases as Commodity Purchasing as Pricing has Become Volatile in the Market.
8. Discussion on Approaches to Evaluating Solar Use at the new Drinking Water Treatment Facility.

Adjourn.

Next meeting scheduled for **Tuesday, November 1st 2022 at 1:30 P.M.*

Signed by: /s/ Katie Rosenberg, Mayor
Presiding Officer or Designee

THIS NOTICE POSTED AT CITY HALL AND EMAILED TO CITY PAGES AND DAILY HERALD: September 30th, 2022 at 9:15 a.m.

This meeting is being held in person. Members of the public who do not wish to appear in person may view the meeting live over the internet, cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/wausaucitycouncil>. Any person wishing to offer public comment not appearing in person may e-mail gina.vang@ci.wausau.wi.us with "Water Commission Public Comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Chair.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the ADA Coordinator at (715) 261-6590 or ADAServices@ci.wausau.wi.us to discuss your accessibility needs. We ask your request be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the City of Wausau will make a good faith effort to accommodate your request.



Minutes of September 6th, 2022

A meeting of the Wausau Water Works Commission was called to order at 1:30 p.m. in City Hall on Tuesday, September 6th, 2022. In compliance with Wisconsin Statutes, this meeting was posted and receipted for by the Wausau Daily Herald on September 1, 2022.

Members Present: President Rosenberg, Commissioners Herbst, Force, Gehin, Robinson
Others Present: Eric Lindman, Scott Boers, Ben Brooks, Stephen Opatik/ Becher-Hoppe, Susan Wojtkiewicz/Donohue

Via WebEx: Mike Gerbitz/Donohue, Andrew Dow/Donohue, Tonia Westphal/Clark-Dietz

1) Approve Minutes of August 2nd 2022 Meeting.

Robinson motioned to approve minutes. Seconded by Gehin.

Motion carried 5-0.

2) Director's Report on Utility Operations.

Force questioned the Public Information Meeting update on the Solar Array scheduled for late September if it should include a 3rd meeting as the last meeting concluded residents didn't want anything done to the property. We should reflect on what we heard in terms of facts and answering questions or consider taking a different approach. As a Commissioner, I'm not ready to move forward from what I'm hearing.

Lindman stated neighbors adjacent to the property don't want the solar facility there but Public Information Meetings are Community wide for the entire City to attend. There's positive feedback regarding the City moving forward with Solar. We know that there's proof of concept with solar, benefits to the Users, we have indication there will be funding availability over the next 9-12 months along with America Rescue Plan Act (ARPA) that could be requested to offset those capital costs. If the Commission wishes to hold the project and pursue other communication, we could but I don't think we could change the aptitude for the handful of residents in that area.

Robinson reiterated the importance of taking a step back to update the renderings, develop frequently asked questions and look at inflation/reduction acts of some of the energy components that it may have such as the 30% tax credits which doesn't help the Utility. We haven't done a good job portraying the need for, the benefits of, or provide renderings that show the berm that would be more acceptable to the neighborhood. Until we do that, we are fighting an uphill battle and being interpreted as not listening. We need do a better job and maybe have this Commission take a larger role in presenting to the public in terms of looking to try to get more neighborhood input relative to advancing the Array. We are intrigued by it with the potential long-term savings and benefits to the rate payers but we need to take some pressure off Staff and go out engage the Community with concepts that are more acceptable to result in a gain for the Utility and the neighborhood.

Force stated that from our December meeting, we were going to have a work group with the neighbors and a berm should be considered but I haven't seen anything regarding that for a visual barrier for the folks. We missed an opportunity, but we shouldn't push ahead with the

concept we've presented because we know it won't be popular locally and we have no idea what the Council would do. Except for minutes, we've not shown any other information on Solar Array, we did a good job on PFAS but we don't show anything online regarding Solar Array information.

Lindman stated we could spend more money on some renderings, we could show things in greater detail, those plantings shown in the concepts were on a berm and maybe it was difficult to see. It would be a while before this comes back with everything that the Utility is working on, we can work with the Consultants and try to rescope the services that we have and the funding and will let the neighborhood group leader (Paul) know. We asked if we could do a working group at their neighborhood group, he said no and preferred that not happen, so trying to establish a group, rather than work in some formal context proved to be difficult, so it did not happen. We rely on the neighborhood group leaders to help us put those together and in that group, there was not a lot of buy-in to do that.

Robinson questioned the time frame relative to addressing the issue with hiring and training staff. In looking at wages, non-represented got 11% increase and union was considerably higher. He questioned if there was a way to accelerate and deal with the issues to make sure we are properly staffed when the new plant goes online?

Rosenberg stated that HR Committee approved a quick market study and a Request for Proposal (RFP) was sent out with results that should be discussed at the next HR Committee meeting next week along with the budget, wages, looking at Cost of Living (COLA) increases and other various things. I will talk with HR Director to make sure we prioritize this. Maybe we could have a report with what we have and what we've discussed, and agendaize this item to discuss this issue. We should have a timeline once the Committee selects who we go with for that study.

Boers questioned who is on the HR Committee for the selection of the RFP as the Utility is normally not very well represented.

Rosenberg stated the HR Committee Chair is McElhaney and included Alderperson Herbst. Director's Report Placed on File.

3) Presentation by Donohue on the Pilot Study Outcomes to Date.

Wojtkiewicz presented that the slides provide a briefing of the most up to date information regarding the Pilot Study.

Dow presented the slides- [See Packet.](#)

Robinson confirmed the interim PFAS removal in place was the regenerable Ion Exchange (IX) until we get the new plant up with the Granular Activated Carbon (GAC) filters. We would meet the State Maximum Contaminant Level (MCL) of 70 Parts Per Trillion (ppt) on an interim basis but we would have difficulty complying with the Department of Health Services (DHS) recommended 20ppt threshold and you are giving us the breakthrough at approximately 125 days? Additional questions included: What is the cost to the resin at 125 days? If we move from lead to lag with GAC treatment, at what point would we have to recharge or redo the former lead when that lead becomes the lag, when do we see that breakthrough? Are we monitoring the influent or effluent coming out of the lag? What is the volume of water going through the lead before you have breakthrough because that's when we need to look at charge and what our cost would be? Is bed volume the driver? What does that translate to if we are looking at the design? We know the Pilot would give us additional information to save dollars but when would breakthrough occur in terms of gallons?

Dow confirmed the Pilot concentrations for the regenerable Ion Exchange increased to 20ppt and if that was the goal, then we would need to replace the resin to restart the clock until the GAC replaces it. Based on what we saw, that is correct, breakthrough is at 125 days. We estimated the replacement of the 6 vessels around \$800k for the whole system. We did see that on a simulated full scale, after 150 days, we saw the technical levels of PFOA appear on one of the

columns but that doesn't mean we have to change the lead at that time because the lag will continue to catch it. Minimizing the preload into the lag bed would be a good strategy so that we are not prematurely changing the bed, so when the lag becomes lead, there would still be some life in the bed. The breakthrough would allow us to estimate when the lead bed should be changed and help the utility plan for monitoring. We are simulating a lag vessel and have data summarized in the graph in terms of days but we could look at bed volumes. 150 days at 4.8mgd will equate to a total of 720 million gallons of volume that passes through the lead vessel but you could have more life in the lead because the lag vessel is going to catch it.

Force questioned if there was a new standard or value for the PFOA/PFOS and if any other wastes produced with the Ion Exchange system other than the liquid brine would go down into the Sewer system?

Wojtkiewicz replied those values went into effect August 1st 2022, no discussion on changes but its more for politics.

Dow replied the Ion Exchange system would produce liquid brine which would be made up of less than 1% of solid until the Resin is disposed of and replaced which would have to be disposed of by landfilling.

Robinson stated if we could accelerate the GAC, we could avoid the Ion Exchange change out at \$800k. We need to begin the evaluation of the influent/effluent and cost spreading on sludge. The pilot is effectively complete, we don't have the change out for the GAC but at what point does the lead vessel require replacement so that the lag would have a breakthrough. Are there any other studies on breakthrough, can we look at the media to see when the lag product is of concern? At what point would the lag become concern to public health. It would be helpful to get DNR to help us with the testing of the systems to provide insight and value to that.

Gehin stated we would still have operating costs, but anytime we could save money, truly this is like a pretreatment to the Wastewater plant, like a 2-fold, maybe we could apply the sludge or landfill it but look at the budget of Wastewater to help with that.

Dow replied, we could look at the breakthrough and ask what the optimal timing to avoid water quality issues. With GAC, it's harder to model breakthrough like Ion Exchange. We can hold the recommendation on the change out and get buy in from DNR.

No Action Taken.

4) Discussion and Possible Action Continuing the PFAS Treatment Pilot Study.

Robinson motioned that the Commission compose a letter to Department of Natural Resources (DNR) requesting financial assistance to the study of treatment options and approaches as it relates to PFAS in drinking water. Seconded by Herbst.

Force questioned the timeline of staff recommendation for the pilot study to go as long as possible. Would it be a days or months and the cost for continuing the pilot study?

Lindman replied until the new plant goes online before the end of the year.

Robinson questioned what the request is for the Commission. What other value or data are we collecting if we know the breakthrough and we won't get the second breakthrough?

Lindman replied we are asking to extend and continue collecting data from the pilot study as long as possible. We are starting to see breakthrough on the lead bed, more data would help establish the curve. The challenge is what suppliers have, they don't have our water, we have challenging water chemistry from one plant or organization is different to another community. It's been going on for 6 months and to continue collecting data is relevant to our process and to have a more accurate long term operational expense.

Dow replied if we continued for another 2 weeks, beyond any samples already collected to date would be another \$3,000 for the analytical cost. We can look at scaling back the number of

analyses run as the pilot continues, currently it is approximately \$7,000 a month at the pace we've been collecting samples. Depending on how much longer the pilot continues and staffing needs for engineering would also be an additional cost. Our initial contracted duration is 6 months, we understand there was a desire from the Commission to bring the study to a conclusion and that's where we came to the mid-September conclusion. The value of continuation would be to collect data in terms of managing the lead/lag for the system.

Wojtkiewicz clarified there was \$30,000 budgeted into engineering cost that were removed from the contract for the amendment removal of PFAS design. If you're thinking about the \$30,000 that's what we had and that was to continue the pilot study.

Force questioned if the cost was \$3,000 or \$7,000?

Wojtkiewicz stated if we are looking at the staffing cost, we would be looking at about \$5,000- \$6,000 for one month that equates to 4 weeks.

Robinson stated he was concerned because all of the projects cost money. Information is great, but at what cost and where can we go? Whether it be \$7,000 or \$13,000, we may not get that lag breakthrough, if you had to prioritize, where would you put the \$13,000? In wages?

Lindman stated he is not one for continuing the pilot just to get data. We have a seasoned pilot study in place and gathering more information to better understand the breakthrough curves for the new GAC system. We did talk with DNR if our pilot study would be used to dictate frequency of our required testing going forward once the new facility goes online. They didn't give us an answer but only replied that they will give the request consideration as we move forward. The data is worth from the pilot is worth pursuing.

Robinson moved to authorize the continuation of the pilot project with a net cost not to exceed \$15,000 with the intent to try and get DNR to step forward. Seconded by Force.

Motion carried 4-1.

5) Discussion and Possible Action on 2023-2027 Capital Improvement Projects.

Gehin questioned the 14" pipe on 17th Avenue under the general distribution projects because he thought that was replaced already.

Boers replied that it was lined from the Reservoir down to Elm Street and 17th Avenue. We would leave the lined portion, just the portion on 17th Ave would be fixed.

Force moved to approve the CIP Budget presented but would like to see a breakdown of the expenses for the list of current projects the utility is committed. An overall financial snapshot on operating capital including PFAS and different projects and what the potential impact would be for our ratepayers. We did that survey when we budgeted for the 2 new plants and saw the rate go to the upper rates compared to other Cities in the State that we accepted but would like to see more detail. Seconded by Gehin.

Rosenberg reiterated the motion to approve the 2023-2027 CIP and also a request for a financial snapshot with a financial exploration of what that would do to the future rates.

Lindman stated Ehlers would be making a presentation in October on funding/rates/and staffing but could also put something together.

Motion Carried 5-0.

6) Discussion and Possible Action on a 5-Year Sanitary Sewer Agreement with the Town of Stettin.

Lindman began that we redrafted the Sewer agreement with the Town of Stettin since we own, operate and maintain the main lines, this is to ensure that we still have authority with our pretreatment program if an industrial user, nonresidential user were to go into that area. Gehin brought to my attention a couple of items like paragraph 4 that still referenced Stettin's ability to expand the collection system and that isn't the intent of the agreement so will talk to Legal about

that before it goes to Council.

Gehin reiterated that he had a couple more items and recommends that we proceed with Staff working on this and will assist where clarification is needed.

Robinson questioned if we have perimeters for what we want for modifications and suggested a preliminary approval subject to final approval.

Lindman stated if the intent was to bring it back to the body in October after speaking with Legal and working on some final edits?

Rosenberg recapped the motion to table this item, instead to bring it back after seeking expertise.

Item Tabled.

7) Discussion and Possible Action Amending WMC 13.62.020 Definitions for Pretreatment Authorized Representative.

Lindman began this section was part of our pretreatment and it referenced Managers of Industrial sites and not the City, so it should not reference the Director of Public Works but Manager.

Robinson moved to accept the modifications to the Wausau Municipal Code. Seconded by Gehin.

Rosenberg recapped the motion to amend WMC 13.62.020 Definitions for Pretreatment Authorized Representative.

Motion Carried 5-0.

8) Discussion and Possible Action on Change in Scope and Costs with Wood's Professional Services Contract.

Lindman stated there was a discussion with Wood regarding their original scope of services for providing technical expertise in the pilot study and possible PFAS treatment options. The decision moving forward with the GAC treatment moved quicker than expected and the scope of services needed to be revisited. We kept money in the communication side with Wood as we felt it has been beneficial as they are working on timelines and other stuff for us. We wanted to make sure we finalize some of that with some review of the pilot study findings on the technical memorandum provided by Donohue's findings. The scope and cost were reduced from \$83,343 to \$49,013.

Robinson moved to accept the modifications and changes. Seconded by Herbst.

Force questioned if we knew what we spent so far?

Rosenberg stated it could be part of our financial snapshot.

Motion Carried 5-0.

9) Adjourn.

Motion to adjourn by Gehin. Seconded by Robinson.

Motion Carried 5-0.

Link to view meeting in its entirety: <https://tinyurl.com/wausaucitycouncil>

Gina Vang, Recording Secretary

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MEMORANDUM

TO: President Rosenberg
Commissioner Herbst
Commissioner Force
Commissioner Gehin
Commissioner Robinson

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

SUBJECT: Director's Report – September 2022

- Staffing Update: See Attached.
- Request to WDNR and USEPA for PFAS Pilot Study Funding.
- Update on Ongoing Projects and Contracts.

WATER DIVISION

1. Drinking Water Treatment Facility Update: See attached.
2. Corrosion Control Treatment Optimization Study Summary Update:
 - WWW to provide missing/additional water quality by end of September
 - CDM Smith to complete desktop water quality review of existing water quality – by end of October
 - Plant online and producing water – November-December 2022 (consistent water quality assumed to be ready by end of year)
 - Pipe Loops constructed by February to be operational by March 2023 (contingent upon new plant being able to produce consistent water and pipe loops built) – exact pipe loops and conditions may not be finalized until new water quality data is provided.
 - o Loop conditioning 4 to 6 months – by late summer 2023
 - o 1-year of testing – Fall 2024
 - o 3-months for receipt of all data and final report by end of 2024.
 - Interim updates to WDNR

- o November/December 2022 – update on new plant and desktop review of existing water quality data and scale analysis
- o March 2023 – update on pipe loop construction and start of conditioning, and review of water quality for new plant
- o June 2023 – update on pipe loop operation and initial results; and review of water quality of new plant.
- o September 2023 - update on pipe loop operation and results; and review of water quality of new plant.
- o December 2023 - update on pipe loop operation and results; and review of water quality of new plant.
- o 2024 updates – TBD based on 2023 updates.

This study was to be completed in March of 2023. Without the new facility being on-line we have requested the WDNR for a project extension, to ensure a beneficial study.

3. Meter Changeout Update:

Currently we have 3,978 Sensus and 11,896 Neptune Meters in the system. Sensus Meters are in short supply due to lack of component availability. This is unfortunate being we would certainly benefit by changing the rest of the system over to Sensus. We have again struggled to read our Neptune Meters over the entire Summer with the complete AMI System going down May 6th. Since then, we have only one of the five remaining Gateway Collectors that is working, all other reading of Neptune Meters is still being done with the drive-by AMR or handheld units.

WASTEWATER DIVISION

1. Wastewater Facility Construction Update: See attached. The Wastewater Treatment Plant is operating well and is discharging a quality effluent.
2. Collection System Technician (Sewer Maintainer): Two interviews for the vacant Collection System Technician position took place on September 22, 2022. The most qualified candidate has been offered the position and awaiting their response.
3. Wastewater Plant Operations Supervisor: Pat VanOuse has announced his retirement and his last day of employment with the City of Wausau is scheduled for December 29, 2022. Pat has been employed with the City for 27 years, congratulations to Pat! Advertising for this position will commence soon.
4. Hiring and training of new staff continue to be a challenge for the utility. These positions require in depth knowledge of complex treatment processes and equipment being used and it takes a great amount of time to train to a level that new staff can operate equipment confidently and take the on-call status.
5. New Wastewater equipment has been installed and awaiting full start up on the new dryer and disc filters. Veolia Dryer start up, training, and performance testing has been

postponed until further notice due to a temperature probe malfunction, injector hoses have been replaced. Kruger Disk Filter start up, training, and performance testing has been rescheduled for the week of October 3, 2022. Start-ups and training have been delayed because of the availability of vendor staff and other reasons outside the control of wastewater staff.

6. Collection System staff have completed demoing the various manufacturers of camera trucks and plan to revisit the top two manufacturers to finalize their decision.

7. Chassis Purchase for New Televising System/Equipment:

The Sewer Collection Crew demoed televising equipment manufacturers the month of September. One main concern with each of the different manufactures were the chassis supply and delivery, specifically with the chassis the utility will be recommending. This is a budgeted item for 2023 in which the following are included. Van/Chassis, televising equipment, and software. The Utility is close to making a final decision on the selection of this equipment and would like to propose the following. If the manufacturer is unable to defer final payment until 2023, the Utility would propose the option of purchasing the chassis in 2022 to avoid any risk of the order being cancelled in 2023. If the chassis is not received in 2023, the new televising system, purchase/build risks being delayed until 2024. The chassis the Utility is recommending will cost approximately \$70,000.

8. Sanitary Manhole being Rehabilitated on Stewart Ave:

During routine manhole inspections the Collection System Technicians recently discovered a severely deteriorated manhole on Stewart Ave. The manhole was missing over two feet of brick around the entire structure. Collection System Supervisor, Ryan Dwelly, made a follow-up inspection to determine the best way to fix the issue. Due to the high amount of traffic in this area, and the impact that would be caused with a full replacement, The HK Solution's, 'Monoform' manhole rehab method was selected. This rehab method consists of using forms in the interior of the manhole and pouring concrete between the forms and existing brick structure to create a finished product that is similar to a pre-cast manhole. There is minimal excavation required for this type of work. HK Solutions has placed the City of Wausau on its priority list for the scheduling and completion of work. The quote for this manhole rehab work is \$7,600.



TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: October 4, 2022

SUBJECT: Staffing/Wages – October Updates

The City Council approved a Market Study analysis. The approval was a sole source to use Gallagher and Associates, the firm used by the city previously for the wage study in 2018. The study will look to determine if the existing wage scale needs to be adjusted based on current markets. The County has received their market study results and I have not seen any of the recommendations. This is likely to be an indicator of what the city can expect as far as recommendations. The County does not have a utility and they do not do any treatment or piping systems and do not require this type of expertise. The county results are a good comparison for other jobs in the city but not as comparable for the utility.

The utility is unique in the fact that no one else in the area has the facilities and treatment processes we do. The treatment facilities are unique, very sophisticated and require a high level of skill and certifications to operate them properly. The Baker Tilly staffing assessment will have a list of comparable communities and jobs similar to Wausau Water Works and this will be shared with Gallagher for their information.

Previous Information Presented to the Commission

Included and attached are the documents from HR and finance noting the disparities over the years with the lack of pay raises, minimal cost of living allowances and the fiscal impacts currently being presented to the council for consideration. This information outlines how far behind we are in maintaining wages for employees which is directly related to the utility lack of staffing.

We have seen around the country how lack of staffing has affected operations, most recently in Jackson Mississippi where lack of staffing has played a significant role in unsafe water and is playing out in national news.

Fiscal impacts have been prepared for cost of living adjustments (COLA). For each COLA this is an across the board increase for all employees, these types of increases adjust the entire wage scale by the percentage indicated. The wage scale is a 17-step scale and Step 8 is when an employee will reach market. Here is an example, you will see with a COLA that each step within the scale increases by the designated percent:

Current Pay Scale - Pay Grade 19 (Collection System technician & Distribution technician)															
Min	each step is 3% increase						Mid	each step is 1.5% increase						Max	
20.47	21.08	21.72	22.37	23.04	23.74	24.45	25.18	25.56	25.95	26.34	26.73	27.13	27.54	27.96	28.66

Proposed 3% COLA - Pay Grade 19 (Collection System technician & Distribution technician)															
Min	each step is 3% increase						Mid	each step is 1.5% increase						Max	
21.09	21.72	22.37	23.04	23.73	24.45	25.18	25.94	26.33	26.73	27.13	27.54	27.95	28.37	28.80	29.52

The staffing assessment is ongoing and is being prepared by Baker Tilly. Once the assessment is completed it will be presented to the Commission for any recommended considerations. Wages will need to be addressed in order to recruit and retain employees. Wausau is the largest utility in the region and the operations are significantly more sophisticated than any other communities in the region. Wages need to be commensurate to the job skills needed and currently they are well below market.

Previous Information Presented to the Commission

Over the past year recruitment/retention and staffing issues have been on the agenda for 10 of those months for discussion by the commission. Staff has and continues to express ongoing concerns over staffing issues and wages related to recruitment and retention. Action is needed by the commission to ensure we can do everything possible to stabilize our workforce. Waiting for the city to complete their market study in 2-years will result in the continued failure of the utility to maintain staffing and skilled labor for the required work to be completed.

At the July meeting staff proposed wage increases for the utility and provided a couple different options. Since the July meeting consideration of other options were discussed with Finance, HR and the Mayor. The conversation led to proposing a minimum of 3% COLA city wide for employees to begin January 1, 2023. This COLA is proposed to go to the August 8 HR Committee meeting and then subsequent finance and council meeting for consideration.

Staff is asking for the commission to act and support a COLA of a minimum of 3% to be included in the 2023 budget and implemented on January 1, 2023. Current utility staff are being paid significantly less than other municipalities for the same job responsibilities as their peers.

It is important for the Commission to understand the proposed market study to be completed for the 2024 budget is likely to show a significant increase in the city's current pay scale. This is what happened in 2019 when the council determined the wage study was not affordable and implemented the wage study over a 3-4 year period of time and it created many pay issues; primarily compression and internal equity issues. Approving COLA's on a frequent basis will help to mitigate these types of issues moving forward.

The following is information presented at past commission meetings and also some new information as requested by the commission from the July meeting. Staff will also bring back an update to the September meeting with progress on the COLA proposed.

During past commission meetings HR and utility staff presented reasons for some employees leaving and employees either not accepting the positions or leaving the positions after hire. Here are some of the reasons that have been discussed over the past year.

1. Employees take other positions for higher wages.
2. Employees take other positions for relocating (closer to family, preferred location, etc.)

3. Employees have left due to the level of work and “culture” of the utility. The following is some clarity on what was meant by the “culture” as was presented to utility staff.
 - a. Level of work is the amount of work one individual must take on. This is extremely high compared to other utilities. Other utilities of similar size have 150-200% more staffing than Wausau.
 - b. Culture is related to the expectations of the amount of work and that routine maintenance is deferred because the utility is almost always in a state of fixing emergent issues. This becomes a high stress environment and with the staffing shortages this has been significantly increased.
 - c. Dues to shortages of staff on-call time is significantly increased and leads to burn out. This is the current culture we are living in and the culture needs to change to be successful.
4. Employees left because the job was not what they expected. High level/volume of workload, lots of on-call time, frequently not working in their field of expertise, staffing levels are too low, etc.

Over the past year the city has begun to take actions to make changes to employees benefits and wages. Approved actions by the city to date:

1. The city approved waiving wage Steps 1&2 and allowed minimum pay to start at step 3 in a 17 step pay scale. This has been in effect for 2022.
2. The city approved advancing employees (who are below mid-point) two steps a year instead of one, so they may reach midpoint sooner and help with recruitment.
3. The city approved a 2% market adjustment or COLA beginning in 2022. This is the first COLA approved in over 6-years.
4. Other non-monetary actions have also been approved; increased vacation days, ability to use vacation from day one of employment, flexible work schedule for those who have the ability to work remotely, etc.
5. During the 2022 budget approval the City approved consideration of a COLA each year during budget discussions moving forward. For 2023 it is anticipated there will be consideration for an additional COLA.

Wausau Water Works is moving forward with some actions to gather information and make some well documented and data driven decisions on the utility workforce moving forward. These actions currently underway are as follows:

1. Baker Tilly is working on a staffing analysis for both water and wastewater. This analysis will be completed prior to the 2023 budget approval process.
2. This analysis considers staffing needs and number of employees; it does not look at or investigate wages.
3. Based on the findings of the analysis a revised organizational chart will be prepared and presented to the Commission for their review and approval for any staffing needs or impacts moving into 2023.
4. This information will also be used for consideration in the city wide market analysis expected to be completed in 2023 for 2024 implementation.

Please see wage comparisons in the table below. The table compares the City’s mid-point or market rate wage to other municipality wages with the same or very similar job descriptions. In every category Wausau is below the average of wages. Other compared wages were from the 2020 AWWA Wage Survey and from the 2021 WI Rural Water Wage Survey.

Comparison Chart - Wausau Current Market Rate versus Compensation Surveys & Other Utilities

City Job Title	City Current Pay (Mid-Point)	AWWA 2020 Comp Survey (Mid-Point)	AWWA 2020 Comp Survey (Average)	2021 WI Rural Water	Ave Difference of City Pay Compared to Surveys	¹ Merril 2021 (Mid-Point)	Oshkosh 2022 (Mid-Point)	Ave Difference of City Pay Compared to Other Utilities
Water Superintendent	\$37.74	\$46.15	\$47.01	\$44.28	(\$8.07)	44.87	46.67	(\$8.03)
WW Superintendent	\$37.74	\$46.15	\$47.01	\$44.28	(\$8.07)	44.87	46.67	(\$8.03)
Water Supervisor	\$28.85	\$40.19	\$40.18	\$44.28	(\$12.70)		38.53	(\$9.68)
WW Supervisor	\$28.85	\$40.19	\$40.18	\$44.28	(\$12.70)		38.53	(\$9.68)
Water Plant Operator	\$25.77	\$31.30	\$31.77	\$29.11	(\$4.96)		28.91	(\$3.14)
WW Lab tech	\$25.77	\$39.09	\$31.77	\$29.11	(\$7.55)		28.91	(\$3.14)
Sr. Water Distr. Maintainer	\$25.77	\$29.57	\$32.93	\$29.11	(\$4.77)	28.56	28.91	(\$2.97)
Sr. WW Collection Maintainer	\$25.77	\$29.57	\$32.93	\$29.11	(\$4.77)	28.56	28.91	(\$2.97)
Sewer Maintainer	\$24.09	\$26.73	\$28.84	\$29.11	(\$4.14)	25.23	25.88	(\$1.47)
Water Maintainer	\$24.09	\$26.73	\$28.84	\$29.11	(\$4.14)	25.23	25.88	(\$1.47)
Plant Mechanic (Sewer)	\$25.77	\$28.13	\$26.96	\$29.11	(\$2.30)	25.23	28.91	(\$1.30)
Plant tech. (Water)	\$25.77	\$28.13	\$26.96	\$29.11	(\$2.30)	25.23	28.91	(\$1.30)
Admins	\$21.97	\$21.49	\$20.39	\$26.17	(\$0.71)		22.85	(\$0.88)

¹The utility also has certification pay of up to \$1.00/hour

Pay is not the only issue with recruitment and retention but it is one item the Commission needs to consider as an immediate action to support and help foster retention and stabilize the workforce. Not being competitive in the market puts us at great risk for losing staff to jobs outside the city.

We understand there are other items we may consider for implementation as we move forward. The critical item we need to address, first and foremost, is stabilizing our work force so we can ensure we are meeting our requirements placed on us from the WDNR. Once the workforce is stabilized, we would be able to work on items like an apprenticeship program, having seasonal help year round, reestablishing the intern program for the lab, etc.

We have looked at bringing retirees back for temporary work, and this may be an option if they are willing to come back and if there would be a contract prepared in order for this to be an option. One issue would likely be that the retirees would likely have a much higher wage per hour than our current staff which would likely create issues internally.

We also considered LTE's but the issue would be training and establishing how LTE's would be paid and terms of their employment. We currently do not have time to meet all of our daily requirements and to put time into an LTE just to see them leave and have to start over would not be time well spent when we are already short staffed and behind on routine maintenance and regulation requirements.

Department of Public Works



Eric Lindman, P.E.
Director of Public Works and Utilities

TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: October 4, 2022

SUBJECT: Update on projects and budgets

Attached you will find some budget information for expenditures through August 2022. Also is a list of significant ongoing and potential projects which have been budgeted. The City's accounting software does not track "projects" so projects have to be tracked individually through PO's and spreadsheets making it difficult to prepare one seamless report to review. It is hopeful the new finance software will have the ability to better prepare reports for discussion on projects.

If there is particular information you would like to see let us know and we can put it together in a spreadsheet to present. The information being presented is more of a project detail versus overall expenditures, debt and proposed future spending which may be something that would be more beneficial to the commission and will take more time to prepare. Please provide details of what you would like to see for your review and discussion.

		Fiscal Year-to-Date	Prior Year-to-Date
Sub 163	SEWERAGE UTILITY FUND		
Cat 172	SEWER PROPERTY-PLANT & EQUIPMT		
Cls 0220	CONSTRUCTION IN PROGRESS		
163 15229	2018 S PRIMARY DGSTR CVR	628.00	
163 15230	2018 TREATMENT PLANT UPGR	4,252,823.42	4,252,823.42
163 15242	IND PRK LIFT STATION REHA	29,500.60	106,073.25
163 15244	STEWART AVE SEWER DESIGN	350,511.40	293,034.40
163 15250	2018 SIPHON RPLC-STRGN ED	2,189,226.95	2,177,623.61
163 15256	2019 1ST AVE DOT PROJECT	442.33	1,952.16
163 15257	2019 TOWNLINE RD DOT PROJ		168.08
163 15260	2020 PUMP INSTALL - IND P		533,453.21
163 15261	2020 WWTP UPGRADES		8,318.72
163 15266	2020 SW IND PK FORCE MN R	785,869.46	127,018.58
163 15267	2020 INFILTRATION/INFLOW	7,680.49	83,022.33
163 15268	SW PLANT CONSTRUCTION	77,847,937.42	48,410,044.47
163 15270	SW IMM ST COLLECTOR EVALU		69,575.13
163 15271	SW SCADA UPS PWR BACKUP		20,828.41
163 15272	10TH AVENUE SEWER REHAB	68,909.49	
163 15273	2022 WASHINGTON ST SIPHON	5,850.00	
163 15274	2022 SW LIFT STN REHAB/RCNSTRCTN	47,800.00	
163 15290	ST PROJECT A	31,904.80	
163 15291	ST PROJECT B	75,816.64	
163 15292	ST PROJECT C	26,127.88	
163 15295	ST PROJECT A		98,715.00
163 15296	ST PROJECT B		101,280.98
163 15297	ST PROJECT C	103,040.00	
Cls 0220	CONSTRUCTION IN PROGRESS	85,824,068.88	56,283,930.75
Cls 0520	WORK IN PROGRESS		
163 15203	2022B SEWER MAINS	76,350.00	
163 15204	2022B SEWER SERVICES	7,050.00	
163 15215	2022A STREET PRJ - MA	1,176.00	
Cls 0520	WORK IN PROGRESS	84,576.00	
Total Assets		85,908,644.88	56,283,930.75

		Fiscal Year-to-Date	Prior Year-to-Date
Sub 161	WATER UTILITY FUND		
Cat 150	WATER UTILITY PLANT ASSETS		
Cls 0105	PROPERTY HELD FOR FUTURE USE		
161 16050	WATER PROPERTY PENDING USE	1,104,782.25	1,104,782.25
		-----	-----
Cls 0105	PROPERTY HELD FOR FUTURE USE	1,104,782.25	1,104,782.25
Cls 0107	WORK IN PROGRESS		
161 14007	2022B WATER MAINS	81,750.00	
161 14008	2022B WATER HYDRANTS	3,200.00	
161 14009	2022B WATER SERVICES	3,600.00	
161 14014	WT PLANT CONSTRUCTION	36,843,238.36	25,672,922.50
161 14015	STREET IMPROVEMENT PROJECT A	106,611.95	39,429.47
161 14020	UT REPAIRS - SIDEWALK CONTRACT		51,108.90
161 14021	2022 UTL SIDEWALK PROJE	29,998.54	
161 14024	2022 PFAS PILOT STUDY CONSLTG	32,220.92	
161 14028	2022 Street Proj A-WT Main	122,092.00	
161 14029	2022 Street Proj A-WT Hydrant	10,434.00	
161 14030	2022 Street Proj A-WT Services	2,684.00	
161 14063	SENSUS M400 METER NETWORK		3,200.00
161 14078	WATER PLANT ENGINEERING D	2,429,475.36	2,429,475.36
161 14081	2019 1ST AVE DOT PROJECT	1,416.22	1,872.34
161 14082	2019 TOWNLINE RD DOT PROJ		252.12
161 14085	2019 WT IND PK FRC MAIN A		149.47
161 14090	ST PROJECT A <i>CNG Bldg</i>	539,234.87	
161 14091	ST PROJECT B <i>4th AVE</i>	178,215.47	
161 14092	ST PROJECT C	55,125.43	
161 14095	ST PROJECT A		107,607.50
161 14096	ST PROJECT B		243,009.53
		-----	-----
Cls 0107	WORK IN PROGRESS	40,439,297.12	28,549,027.19
		-----	-----
Total Assets		41,544,079.37	29,653,809.44
		-----	-----
Sub 161	WATER UTILITY FUND	41,544,079.37	29,653,809.44
		-----	-----
Report Final Totals		41,544,079.37	29,653,809.44
		=====	=====

Contractor	Contract	PO #	Contract Amount	Paid to Date
Clark Dietz/CDM Smith	LSL Replacement Plan	33915	\$89,680.00	\$56,878.35
CDM Smith	Corrosion Control Treatment Study	33957	\$261,740.00	\$4,660.00
Clark Dietz	Lift Station Upgrades/Analysis	34166	\$239,000.00	\$47,800.00
Donohue & Associates	Pilot Study	33937	\$185,375.00	\$170,349.92
Clark Dietz	Stewart Ave Force Main	31510	\$345,000.00	\$344,991.40
Clark Dietz	48th Ave Interceptor		\$27,900.00	\$10,350.00
Becher Hoppe	Washington St Siphon		\$6,500.00	
Clark Dietz	West Wausau Booster Station Genset		\$24,650.00	\$0.00
Donohue & Associates	GAC Design		\$624,000.00	
Haas	4th St Reconstruction - W&S		\$90,000.00	
Haas	4th Ave Reconstruction - W&S		\$555,000.00	
A-1 Excavating	Bugbee Ave Reconstruction - W&S		\$210,000.00	
Baker Tilly	Staffing Analysis		\$43,000.00	
Bid 2023	Asset Management		\$200,000.00	
Bid 2023	Sewer Slipline/H2S/I&I Reduction		\$1,250,000.00	
Bid 2023/2024	Headworks Upgrade/Improvements		\$800,000.00	

Total = \$4,951,845.00

Wausau Drinking Water Treatment Facility - Project Status

September 30, 2022

Drinking Water Treatment Facility

On Tuesday, September 27th the Contractor began operating the facility for water treatment. Flow is being discharged to the site stormwater pond under a temporary WDNR permit. The discharge will be tested in accordance with permit requirements. The plant has been in continuous operation since Tuesday and will operate throughout the weekend and next week. During the first week of October, representatives from the filter manufacturer will be on site to assist in optimizing filter performance to comply with specified performance requirements.

In the next step, responsibility for operating the facility will transition to City Staff. City staff will operate the plant and conduct performance testing to confirm the air strippers, gravity filters and anion exchange equipment operate in accordance with performance guarantees for all well combinations. The engineering team, City, and WDNR must be satisfied with performance before the facility will be connected to the water system.

Temporary discharge of water to site storm water facilities



Filter Operation at Maximum Design Flow



Gravity Aerator under Maximum Design Flow



Chemical Addition and Settling Basins



Second from Right is water clarity after treatment. Right cup is distilled water.



Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

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Engineer Activities This Period

- Construction administration services related to technical review of contractor shop drawings, responding to contract interpretation questions (RFIs), initiating requests for proposals (RFPs), attending weekly and monthly construction progress meetings, processing work change directives to the contract, and contractor monthly payment requests.
- Prepared and submitted Clean Water Fund disbursement request and provided CWF administration.
- Provided full time Resident Project Representative (RPR).
- Provided part time on-site observation of selected work by Becher-Hoppe.
- Becher-Hoppe also provided input into appropriate shop drawing reviews, RFI responses, and RFP requests.
- Prepared Work Change Directives to address unforeseen work that needed to be expedited to allow the Contractor to maintain their construction scheduled progress.
- The Engineer's application engineering staff worked on the various systems programming that will need to be completed as the new unit process systems are brought into operation.
- Have submitted Change Order 22 and 23 to Contractor for review.
- Preparing SOPs and Training materials. Assisting with process startups.
- Starting to issue Certificates of Substantial Completion for those process systems that the Owner has begun to operate.
- Final Walk Through for Punchlist on remaining structures at the end of the month.

Engineer Near-Term Activities

- As the project proceeds, the engineer will continue to provide construction administration services including the technical review of shop drawings, responding to RFIs, preparing RFPs, attending weekly and monthly construction progress meetings, processing change orders, reviewing contractor payment requests, and providing full-time on-site resident engineering services.
- Application Engineering programming to fine tune operations.
- Continuing to prepare SOPs and assisting the Owner in the remaining process startups.

Contractor Progress to Date

- The Notice to Proceed with Construction was issued to the Contractor on June 18, 2020 and established the final completion date as June 3, 2023.

Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

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- Construction on the improvements to the Wastewater Treatment Facility (WWTF) began on July 6, 2020.
- Structure 100 (Main Building):
 - Moving lift station communications from the old SCADA to new SCADA has started.
 - Quality Roofing has continued work on the roofing and parapet installation over the screening room, raw wastewater pump room and new precast roof.
 - New masonry wall completed at top of stairway to old belt filter presses.
 - New training room and vestibule floors prepped and carpeting installed.
 - Electrical demolition continuing throughout main floor.
 - Van Ert Electric continuing with conduit and wiring pulling.
 - Concrete stoops on the west side of the building for screen room and raw wastewater pump room completed.
 - New concrete infill floor completed in the new storage area (former gravity belt thickener area).
 - Welding curtain set in new work area.
 - Doors and frames being set.
 - Painting completed in screen and conveyor rooms.
 - Lighting completed in old belt filter press area, screen and conveyor rooms.
 - Brick face replacement at front of building started.
- Structure 110 (Vehicle Storage Garage) – Construction for new septage receiving station and site entrance gate east of Structure 110 have continued; Miron has poured the new concrete entrance pad and pads for the gate electrical.
- Structure 120 (Administration Building):
 - Silt fence removed around the east and north sides of the structure.
 - Dorner Company completed training for all automated/actuated valves around the site in the new training room and at valve locations.
- Structure 200 (Grit Building)—Structure 200:
 - Final grating work to begin, with preparation for grating work ongoing.
 - Building is up and working.
- Structures 310, 320, 330 and 340 (Primary Clarifiers 1, 2, 3, and 4) along with Structure 350 (Primary Effluent Channel):
 - All four clarifiers are in operation.
 - Handrail complete around Structures 310 and 320.
 - Concrete steps to mechanism platform on Structure 310 and 320 were poured.

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

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- Structure 400 (Activated Sludge Building):
 - Doorway stoops completed for new overhead door and two manddoors on the south side of structure.
 - WPS removed the old electrical transformer at the northwest corner of the structure.
 - Miron removing old equipment pads and electrical pads in blower room area.
- Structure 404 (Junction Box)— Structure is in operation.
- Structure 405 (Anoxic Selector Tank) and Structure 406 (Mixing Tank)— Structures are in operation.
- Structure 410 (Activated Sludge Basins):
 - New handrail is completed around the basins.
 - Aeration diffuser training completed.
 - Basins in operation and working well.
- Structure 415 (Basin Drain Pump Station)— Work has been completed on the basin drain pump station.
- Structure 420 (Mixed Liquor Channel) and Structure 500 (Secondary Splitter)— Temporary effluent flow meter working well.
- Structures 510 and 520 (Secondary Clarifier 1 and 2) and Structure 515 (Secondary Scum Manhole 1)— Clarifiers in operation, no issues with new equipment. Scum beach platforms set at Structures 510 and 520.
- Structure 530 (Secondary Clarifier 3)—The clarifier has been taken out of service; new scum beach platform installed.
- Structure 535 (Secondary Scum Manhole 3)—This structure is in operation.
- Structure 540 (Secondary Clarifier 4)—Clarifier continues to work well.
- Structure 600 (Effluent Building) – Vendor representatives were on site to continue functional testing and checkout of disc filters. Secondary effluent pumps have been running on and off during disc filter checkout.

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

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- Structure 610 (Chemical Building) – New stainless steel fill and suction piping installed for the Magnesium Hydroxide Solution system.
- Structure 700 (Digester Building) and Structures 710, 720, 730 and 740 (Digesters 1, 2, 3 and 4): Systems operating in structure. Some issues with digester gas boilers that are being worked out with engineers and vendor.
- Structure 755 (Waste Gas Burner)— Waste gas flare operating when needed.
- Structure 760 (Biosolids Storage Building)— Van Ert completed lighting in all of the bays; currently, work is ongoing for controls and installation of the light panel, and fire safety equipment.
- Structure 770 (Solids Building):
 - Veolia has been on site to get the dryer operation tuned in, had a couple of items that needed repair on dryer and waiting on parts to complete.
 - Labeling of piping throughout structure is being completed.
- Structure 775 (PSD Thickener) and Structure 776 (Basin Drain Pump Station 2)—Structure 775 and 776 have been placed in service and continue to operate.
- Tunnel 900— Painting continues in tunnel with minimal amount remaining; pipe insulation installation is wrapping up.
- Tunnel 910— Work in the 910 Tunnel remains idle, except for some cleanup of equipment and materials.

Wastewater Treatment Facility Improvements Project – Engineer During Construction

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- **Site Work:**
 - Curb and gutter, septage receiving and site roadway concrete work nearly complete along the north side of Structure 770 (Solids Building) and east of Structure 700 (Digester Building).
 - Completed placement of topsoil placement around Structure 600 (Effluent Building), around Structure 610 (Chemical Building) and between Structure 400 (Activated Sludge Building) and Structure 600.
 - Site landscaping/grass has been placed around the two west Primary Clarifiers, south side of Structure 100 (Main Building), around Structures 404, 405, 406, 500, 530 and 540 (Junction Structure, Anoxic Selector Tank, Mixing Tank, Secondary Splitter, Secondary Clarifier 3 and Secondary Clarifier 4, respectively).
 - Site roadway grading has continued around and near Structures 600 (Effluent Building) and 610 (Chemical Building) and between Department of Public Works and the WWTF near Adrian Street.
- Construction progress photographs are located at the end of this progress report.

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

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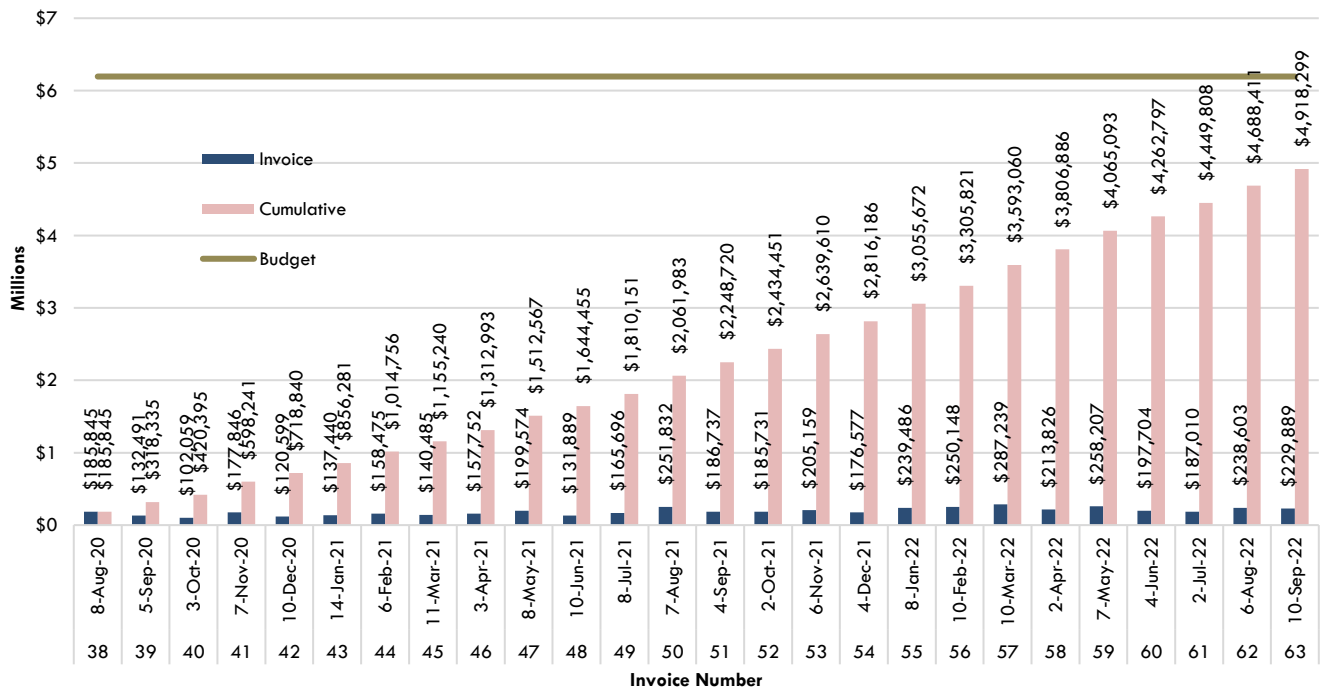
Invoice 63

Construction Schedule

- The Contractor has developed a detailed construction schedule that defines a timeline for the orderly completion of the work and a breakdown by structure of the work to be done in the various work areas. We continue to review the timeline and work tasks against the various constraints identified in the project manual to confirm that the contractor has adequately addressed them and accounted for shutdown time limits as their work proceeds.

Project Related Budget Snapshot

Construction Engineering Budget



Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

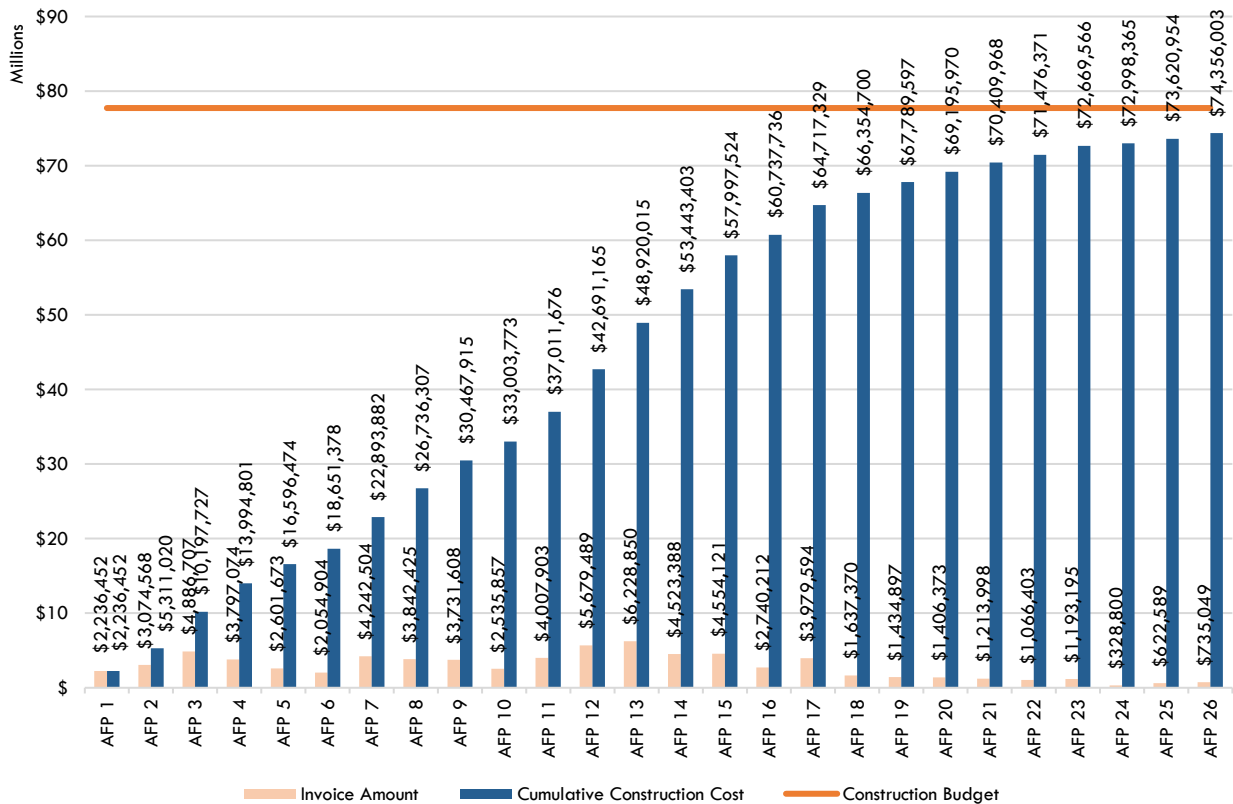
City of Wausau, Wisconsin

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Construction Budget: Pay Applications Approved by Engineer



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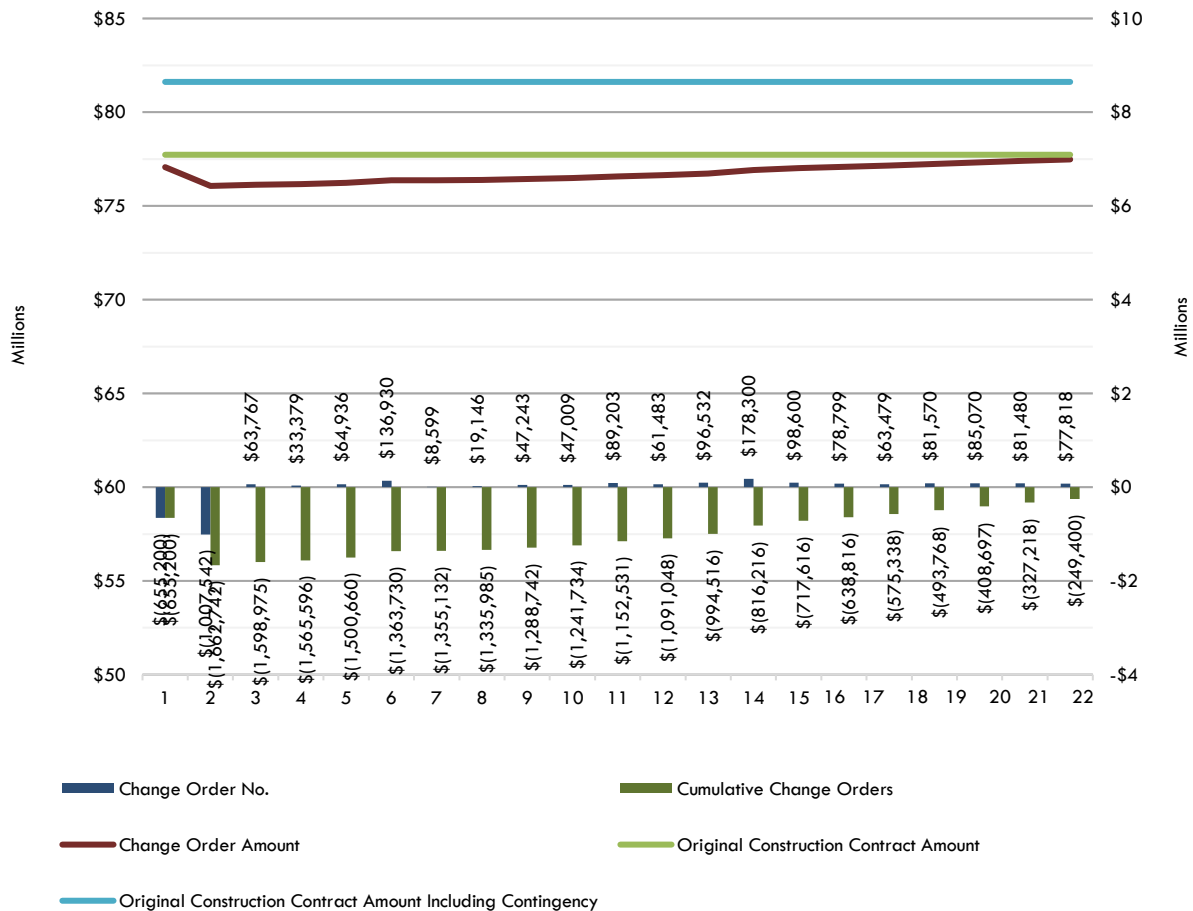
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Overall Project Budget



Budget Notes:

1. No budget issues at this time.

Remarks

1. None.

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

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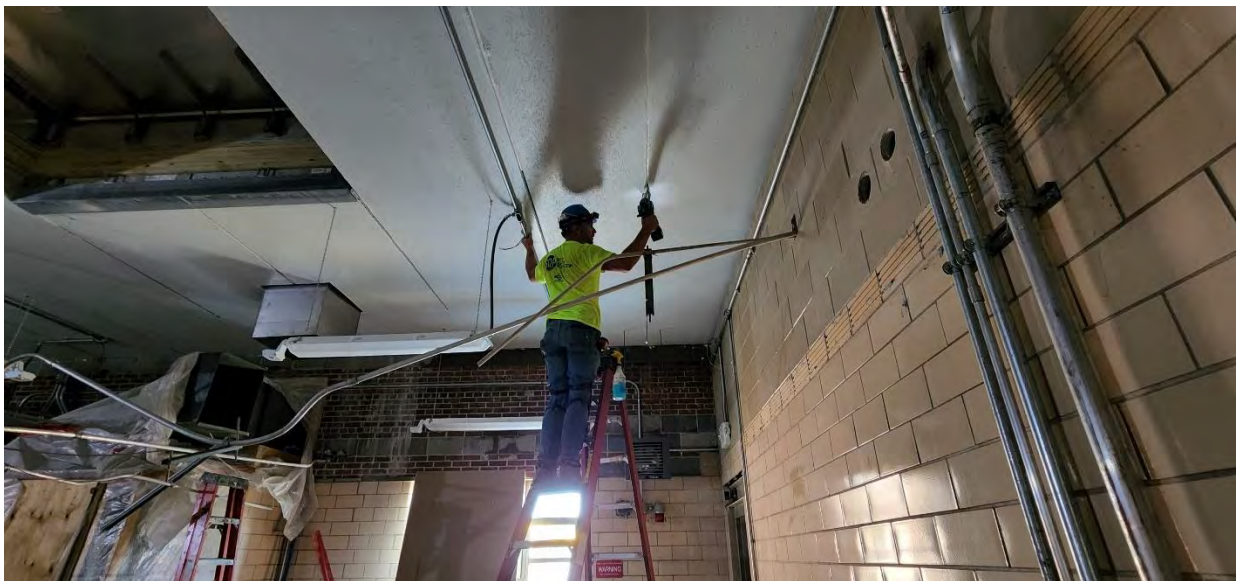
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Construction Photographs



Rebar completed for one half of the new floor in the storage/shop area of Structure 100 (Main Building).



Caulking of the new precast panels in the raw wastewater pump of Structure 100 (Main Building).

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Structure 100 (Main Building) new equipment wash down area in north garage.



New lighting installed in old belt filter press room of Structure 100 (Main Building).

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Structure 100 raw wastewater pump room piping and pumps painted.



Final area of floor in new storage area of Structure 100 ready for concrete, filled in old gravity belt thickener basin with structural fill and rebar.

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New foundations for stoops placed for screen and raw wastewater pumping rooms of Structure 100.



Flooring being placed in new training room of Structure 100.

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New concrete masonry unit wall at old belt filter press stairway with new lighting.

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New lighting in screen/conveyor room of Structure 100.



New welding curtain hung at Structure 100 (Main Building).

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Mason starting brick inlay of demolished area from placement of new precast roof for raw wastewater pump room of Structure 100.



New handrail being completed around Structures 310 and 320 (Primary Clarifiers 1 and 2).

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Prepping for concrete step pours for Structures 310 and 320 (Primary Clarifiers 1 and 2).



New concrete stoops for doors at Structure 400 (Activated Sludge Building).

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WPS removing old transformer at the northwest corner of Structure 400 (Activated Sludge Building).



Demolition of the old air compressor pad in Structure 400 (Activated Sludge Building), using a wet mop for dust control

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New handrail complete for Structure 410 (Activated Sludge Basins) and grass growing.



New scum beach platform at Structure 510 (Secondary Clarifier 1).

Project Status Report



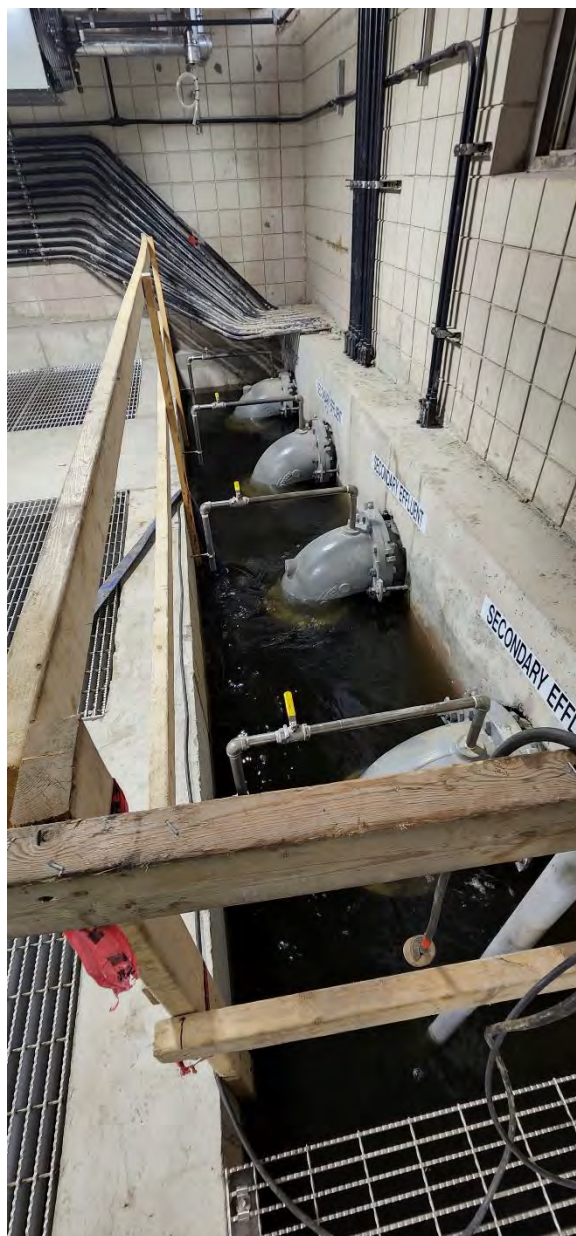
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Water flowing through new secondary effluent pumps at Structure 600 (Effluent Building).

Project Status Report

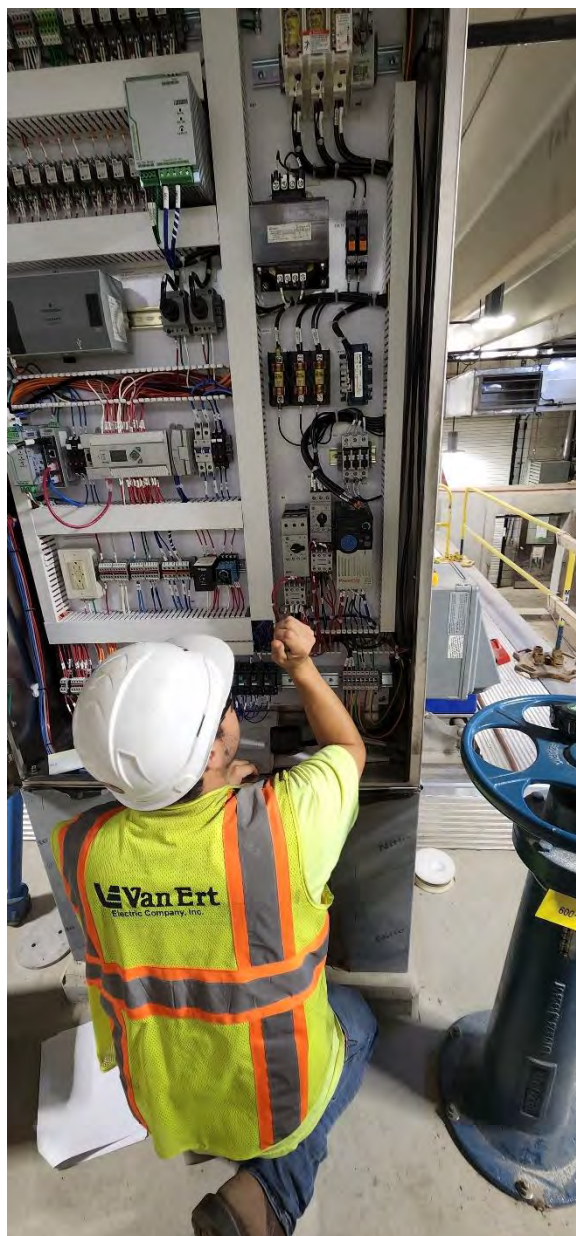
Wastewater Treatment Facility Improvements Project – Engineer During Construction

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Structure 600 (Effluent Building). Electrician staff removing bad disc filter #3 backwash motor starter: replacement on its way.

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Look inside a Structure 610 (Chemical Building) storage tank at tank baffles and mixing blades.



Landscaping mulch and grass placed around new flare of Structure 755 (Waste Gas Burner).

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New south bay exhaust fan installed at Structure 760 (Biosolids Storage Building).



New grass planted between Structure 404, 405 and Primary Clarifiers

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Asphalt being placed along Adrian Street.



Road base being placed along the east side of Structure 600 (Effluent Building).

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Last section of curb and gutter being placed north of Structure 770 (Solids Building) and east of Structure 700 (Digester Building).



Asphalt binder course placed around gas ball and between Structure 110 (Vehicle Storage Building) and Structure 700 (Digester Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

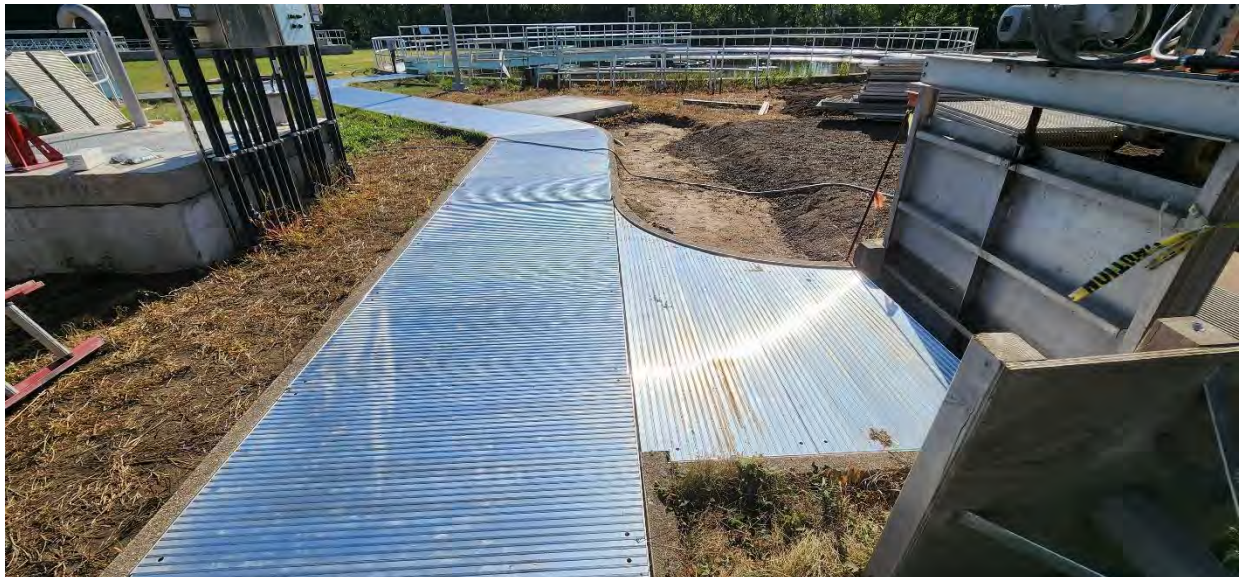
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Period | August 7, 2022 – September 10, 2022

Invoice 63



Grading for landscaping and sidewalk between Structure 400 (Activated Sludge Building) and Structure 600 (Effluent Building).



New solid aluminum grating installation on Secondary Effluent channel near Structure 600 (Effluent Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



New asphalt binder course placed around new septage receiving area, east of Structure 700 (Digester Building), picture looking south at Structure 770 (Solids Building).



Concrete sidewalk installed between Structures 600 and 610 (Effluent Building and Chemical Building), heading north to Structure 400 (Activated Sludge Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



New grass between Structures 510 and 520 (Secondary Clarifiers 1 and 2) looking north to the Structure 500 (Splitter Basin).



Removal of old parking area on north side of Structure 100 (Main Building) completed to prepare for new asphalt.

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



Temporary septic receiving driveway removed, new septic receiving area up and running.



Topsoil placed and getting ready for mulch and seed between Structures 400 and 610 (Activated Sludge Building and Chemical Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



Ready for asphalt between Department of Public Works and WWTF near Adrian Street.



Looking north from the roof of Structure 400 (Activated Sludge Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



Looking south from the roof of Structure 770 (Solids Building).



Looking west from the roof of Structure 770 (Solids Building).

Project Status Report



Wastewater Treatment Facility Improvements Project – Engineer During Construction

City of Wausau, Wisconsin

Donohue Project Number 13229

Period | August 7, 2022 – September 10, 2022

Invoice 63



Looking north from the roof of Structure 770 (Solids Building).

INVOICE



3311 Weeden Creek Road
Sheboygan, WI 53081
Phone: 920-208-0296
www.donohue-associates.com

Invoice To:

City of Wausau
Attn: Ben Brooks
407 Grant Street
Wausau, WI 54403

Invoice Date:

September 13, 2022

Donohue Project No.:

13229

Invoice No:

13229-63

Project Manager:

Mike Gerbitz

Terms:

Net 30 Days

Billing Period:

08/07/22 - 09/10/22

Project Description:

Wastewater Facilities Plan & Design

Your Authorization:

Engineering Services Agreement, Signed 03/29/17
Amendment No. 1, Signed 06/28/18
Amendment No. 2, Signed 03/05/19
Amendment No. 3, Signed 01/27/20
Amendment No. 4, Signed 05/07/20
Permit Review Fees Payment Request, 02/27/20

Compensation:

Time and Expense	\$	129,220.00
Time and Expense	\$	984,565.00
Time and Expense	\$	3,323,900.00
Time and Expense	\$	4,351,831.00
Time and Expense	\$	1,843,325.00
Permit Review Fees	\$	12,534.50
Total	\$	10,645,375.50

Billing Summary:

Total Charges to Date	\$	9,368,534.61
Charges Previously Billed	\$	9,138,646.10
Current Charges	\$	229,888.51

Summary of Current Charges

Labor (1193.5 hours)	\$	204,040.00
Reimbursable Expenses	\$	17,501.51
Permit Review Fees	\$	-
Subconsultants	\$	8,347.00
Total	\$	229,888.51

Current Charges Due	\$	229,888.51
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Please Remit to:

Donohue & Associates, Inc.
3311 Weeden Creek Road
Sheboygan, WI 53081
Phone: 920-208-0296
Fax: 920-208-0402

Aged Receivables

<u>Current</u>	<u>31 - 60 Days</u>	<u>61 - 90 Days</u>	<u>91 - 120 days</u>	<u>>120 days</u>
\$229,888.51	\$238,602.89	\$31,979.74	\$0.00	\$0.00

WATER UTILITY - CITY OF WAUSAU
BALANCE SHEET STATEMENT
August 31, 2022

	Current Year CY YTD	Prior Year PY YTD
ASSETS		
Current Assets:		
Cash and cash equivalents	\$ 100	\$ 1,578,364
Accounts receivable	2,395,269	2,551,866
Inventories and prepayments	570,999	312,675
Total Current Assets	<u>2,966,368</u>	<u>4,442,905</u>
Noncurrent Assets:		
Restricted cash and cash equivalents:		
Debt service/redemption funds	2,295,856	1,161,335
Revenue bond sinking fund	778,473	0
Net Restricted cash and receivables	<u>3,074,329</u>	<u>1,161,335</u>
Property, plant and equipment:		
Property and equipment	105,774,635	93,161,230
Accumulated depreciation	<u>(25,218,873)</u>	<u>(23,959,566)</u>
Net Property, Plant and Equipment	<u>80,555,762</u>	<u>69,201,664</u>
Net pension asset	414,605	218,667
Total Noncurrent Assets	<u>84,044,696</u>	<u>70,581,666</u>
TOTAL ASSETS	<u>87,011,064</u>	<u>75,024,571</u>
DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflow-net pension asset	712,271	517,823
TOTAL DEFERRED OUTFLOWS	<u>712,271</u>	<u>517,823</u>
LIABILITIES		
Current Liabilities:		
Accounts payable	34,469	68,867
Contracts payable	330,544	2,602,710
Salaries/wages payable	19,911	17,850
Compensated absences payable	82,379	61,940
Due to Sewer Fund	140,000	140,000
Revenue Bond debt - current portion	-	485,000
Accrued interest payable	269,344	226,878
Total Current Liabilities	<u>876,647</u>	<u>3,603,244</u>
Noncurrent Liabilities:		
Due to Other Funds	826,819	560,000
Revenue Bond debt	5,750,541	5,750,541
Loan debt	39,181,434	25,008,821
Compensated absences	67,819	73,019
Net pension liability	-	-
Total Noncurrent Liabilities	<u>45,826,614</u>	<u>31,392,381</u>
TOTAL LIABILITIES	<u>46,703,261</u>	<u>34,995,625</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred inflow-net pension liability	961,118	693,701
TOTAL DEFERRED INFLOWS	<u>961,118</u>	<u>693,701</u>
TOTAL NET POSITION	<u>\$ 40,058,956</u>	<u>\$ 39,853,068</u>

NOTES

DEBT TO EQUITY RATIO

114.6%

80.2%

WATER UTILITY - CITY OF WAUSAU
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
August 31, 2022

	Water Utility 2022 Budget	Current Year Augu 2022 YTD	Var to Budget Bdg-Act Var	% Bdg Var	Prior Year Augu 2021 YTD
OPERATING REVENUES					
Charges for services and sales	\$ 7,521,900	\$ 4,810,109	\$ (2,711,791)	63.9%	\$ 4,921,848
Other operating revenues	44,000	7,026	(36,974)	16.0%	6,313
Total Operating Revenues	7,565,900	4,817,135	(2,748,765)	63.7%	4,928,161
OPERATING EXPENSES					
Operating and maintenance					
Personal Service	1,318,519	798,001	520,518	60.5%	799,856
Personal Benefits	587,516	305,778	281,737	52.0%	309,221
Contractual Services	1,001,400	676,941	324,459	67.6%	518,756
Supplies & Expense	1,105,300	321,638	783,662	29.1%	419,815
Building Materials	463,100	294,721	168,379	63.6%	204,043
Fixed Charges	32,400	15,906	16,494	49.1%	11,618
Grants, Contributions, & Other	36,000	-	36,000	0.0%	300
Total Operating and Maintenance	4,544,235	2,412,985	2,131,250	53.1%	2,263,609
Depreciation	1,105,000	946,600	158,400	85.7%	952,144
Meter Allocation (Contra Account)	(35,000)	(333,333)	298,333	952.4%	(333,333)
Total Operating Expenses	5,614,235	3,026,252	2,587,983	53.9%	2,882,420
Operating Income (Loss)	1,951,665	1,790,883	(160,782)	91.8%	2,045,741
NONOPERATING REVENUES (EXPENSES)					
Investment income	-	-	-	#DIV/0!	-
Interest expense	(739,500)	(524,281)	215,219	70.9%	(366,281)
Amortization of premium/discount	27,000	-	(27,000)	0.0%	26,895
Gain on asset disposal	-	-	-	0.0%	1,998
Total Nonoperating Revenues (Expenses)	(712,500)	(524,281)	188,219	73.6%	(337,389)
Income (loss) before Capital Contributions and Transfers	1,239,165	1,266,602	27,437	102.2%	1,708,353
Capital Contributions	10,000	3,988	(6,012)	39.9%	19,881
Transfers Out	(1,290,000)	(1,031,600)	258,400	80.0%	(758,773)
CHANGE IN NET POSITION	(40,835)	238,990	279,825	-585.3%	969,461
NET POSITION, BEG OF THE YEAR	39,819,966	39,819,966	-		38,883,607
NET POSITION, TO DATE	<u>\$ 39,779,131</u>	<u>\$ 40,058,956</u>	<u>\$ 279,825</u>		<u>\$ 39,853,068</u>

WATER UTILITY - CITY OF WAUSAU

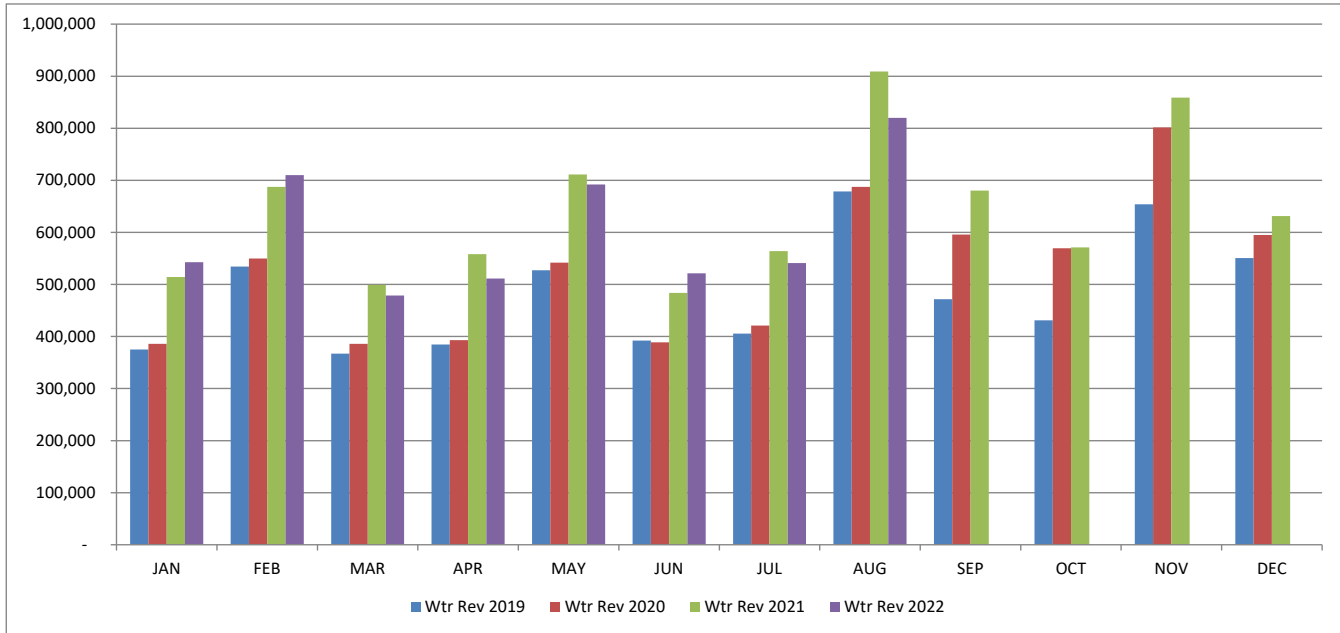
Statement of Cash Flow

August 31, 2022

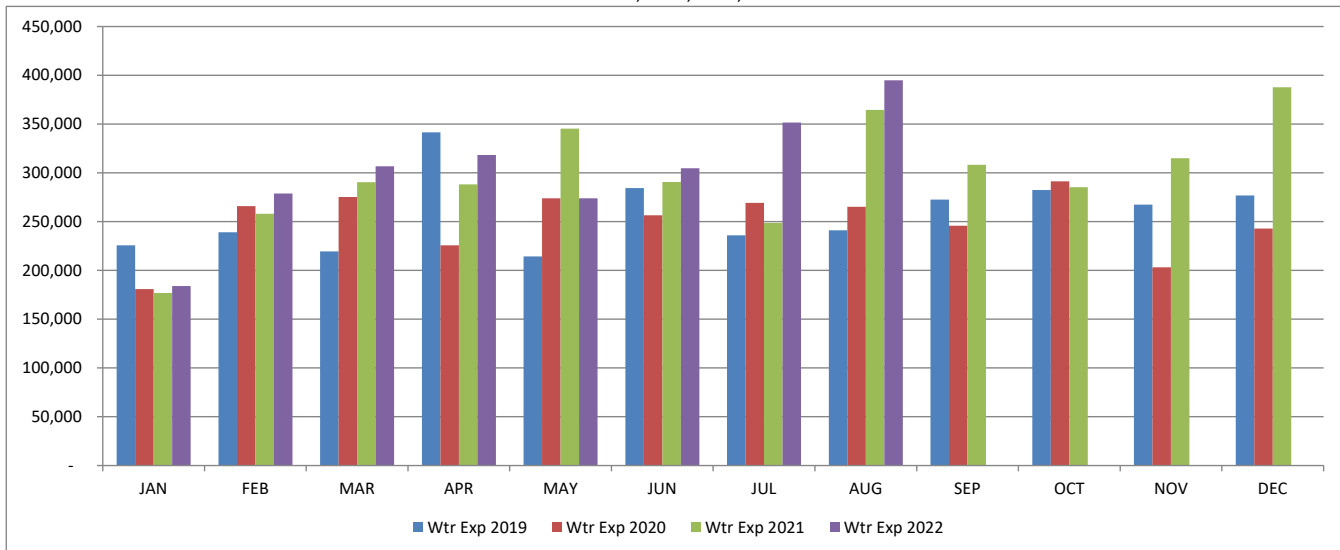
	2022	2021
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from customers, users and others	\$ 4,400,203	\$ 4,256,865
Payments to suppliers	(5,583,004)	(1,393,681)
Payments to employees	(779,464)	(790,382)
	<u>(1,962,265)</u>	<u>2,072,801</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Due to/from Other Funds	406,819	-
Debt Redemption Fund	(811,204)	(227,445)
Bond Sinking Fund	(778,472)	(0)
Transfers Out	(1,031,600)	(758,773)
Net Cash Provided (Used) by Noncapital Financing Activities	<u>(2,214,457)</u>	<u>(986,218)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Capital Contributions	3,988	19,881
Acquisition and construction of capital assets	(2,921,472)	(16,573,383)
Proceeds from Capital Debt	6,329,876	15,893,258
Principal on Capital Debt	(485,000)	(491,892)
Interest paid on capital debt	(386,147)	(175,348)
Proceeds from sale of capital assets	-	1,998
Net Cash Used by Capital and Related Financing Activities	<u>2,541,245</u>	<u>(1,325,486)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Investment income received	-	-
	<u>(1,635,477)</u>	<u>(238,903)</u>
Cash and cash equivalents - beginning of year	<u>1,635,577</u>	<u>1,817,267</u>
Cash and cash equivalents - end of period	<u>100</u>	<u>\$ 1,578,364</u>
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:		
Operating income (loss)	\$ 1,790,883	\$ 2,045,741
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation expense	946,600	952,144
Changes in assets and liabilities:		
Accounts receivable	(416,931)	(671,297)
Inventories and prepayments	(267,563)	(46,081)
Accounts payable	(4,033,791)	(217,181)
Salaries/wages payable	(1,842)	751
Accrued compensated absences	20,379	8,723
Net pension expense	-	-
Net cash provided (used) by operating activities	<u>\$ (1,962,265)</u>	<u>\$ 2,072,801</u>

WAUSAU WATER UTILITY REVENUE & EXPENSE ANALYSIS
4 YEAR COMPARISON AS OF AUGUST 31, 2022

WATER UTILITY REVENUE 2019, 2020, 2021, 2022



WATER UTILITY O&M EXPENSE 2019, 2020, 2021, 2022



WATER REVENUE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
Wtr Rev 2019	374,991	534,366	366,893	384,442	527,047	392,107	405,744	678,575	471,771	431,064	654,108	550,559	5,771,666
Wtr Rev 2020	385,935	549,673	385,789	393,017	542,047	388,720	421,028	687,279	595,954	569,614	801,538	595,054	6,315,647
Wtr Rev 2021	514,201	687,468	499,401	557,981	711,053	483,864	564,094	909,083	680,393	571,290	858,875	631,384	7,669,086
Wtr Rev 2022	542,559	709,799	478,802	511,514	692,079	521,405	540,991	819,986					4,817,135
Change over Prior Yr	5.5%	3.2%	-4.1%	-8.3%	-2.7%	7.8%	-4.1%	-9.8%					-2.2%
2021 Jan Rate Incr								2019 Aug Rate Incr	2019 -558K Mfam&irr		Tax Roll		
2022 Twr Indstrl dcrrs - Rent dcrrs			\$15K	\$41.5K									

WATER OP&MAINT EXP	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
Wtr Exp 2019	225,698	239,131	219,540	341,466	214,321	284,521	236,079	241,050	272,508	282,351	267,475	276,782	2,497,400
Wtr Exp 2020	180,879	266,005	275,178	225,683	273,876	256,450	269,170	265,225	245,725	291,297	203,107	243,005	2,995,600
Wtr Exp 2021	176,909	258,184	290,433	288,226	345,345	290,678	248,733	364,625	308,222	285,377	315,023	387,710	3,559,464
Wtr Exp 2022	184,043	278,739	306,643	318,315	273,859	304,819	351,636	394,931					2,412,985
Change over Prior Yr	4.0%	8.0%	5.6%	10.4%	-20.7%	4.9%	41.4%	8.3%					6.6%
							2022 Eng Cnslt & Blacktp						

SEWER UTILITY - CITY OF WAUSAU
BALANCE SHEET STATEMENT
August 31, 2022

	Current Year Aug CY YTD	Prior Year Aug PY YTD
ASSETS		
Current Assets:		
Cash and cash equivalents	\$ 63,310	\$ 88,645
Accounts receivable	2,972,354	2,759,811
Due from Water Fund	140,000	140,000
Inventories and prepayments	9,240	-
Total Current Assets	<u>3,184,904</u>	<u>2,988,463</u>
Noncurrent Assets:		
Restricted cash and receivables:		
Equipment replacement fund	2,322,979	2,141,855
Debt service/redemption funds	3,164,864	1,816,411
Advance to water fund	420,000	560,000
Net Restricted cash and receivables	<u>5,907,843</u>	<u>4,518,266</u>
Property, Plant and Equipment:		
Property and equipment	162,001,595	131,388,237
Accumulated depreciation	(31,473,982)	(30,207,294)
Net Property, Plant and Equipment	<u>130,527,613</u>	<u>101,180,943</u>
Net pension asset	303,241	164,463
Total Noncurrent Assets	<u>136,738,697</u>	<u>105,863,672</u>
TOTAL ASSETS	<u>139,923,601</u>	<u>108,852,135</u>
DEFERRED OUTFLOWS OF RESOURCES		
Deferred Outflow on net pension asset	517,289	384,246
TOTAL DEFERRED OUTFLOWS	<u>517,289</u>	<u>384,246</u>
LIABILITIES		
Current Liabilities:		
Accounts payable	45,970	12,258
Contracts payable	23,776	3,562,476
Salaries and wages payable	15,007	13,246
Compensated absences payable	49,927	52,311
Due to other funds	-	13,333
Revenue obligation debt - current portion	-	830,000
Accrued interest payable	596,468	(39,491)
Total Current Liabilities	<u>731,148</u>	<u>4,444,133</u>
Noncurrent Liabilities:		
Revenue Bond debt	9,856,018	9,856,018
Loan debt	80,395,010	47,546,035
Compensated absences	37,224	51,113
Net pension liability	32,441	22,443
Total Noncurrent Liabilities	<u>90,320,693</u>	<u>57,475,609</u>
TOTAL LIABILITIES	<u>91,051,841</u>	<u>61,919,742</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred Outflow on net pension asset	668,573	496,952
TOTAL DEFERRED INFLOWS	<u>668,573</u>	<u>496,952</u>
TOTAL NET POSITION	<u>\$ 48,720,476</u>	<u>\$ 46,819,688</u>

NOTES

DEBT TO EQUITY RATIO

177.6%

119.0%

SEWER UTILITY - CITY OF WAUSAU
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
August 31, 2022

	Sewer Utility 2022 Budget	Current Year Aug 2022 YTD	Var to Budget Bdg-Act Var	% Bdg Var	Prior Year Aug 2021 YTD
OPERATING REVENUES					
Charges for services and sales	\$ 6,796,000	\$ 5,781,780	\$ (1,014,220)	85.1%	\$ 4,641,656
Other operating revenues	4,000	739	(3,261)	18.5%	2,798
Total Operating Revenues	6,800,000	5,782,519	(1,017,481)	85.0%	4,644,455
OPERATING EXPENSES					
Operating and maintenance					
Personal Service	867,953	544,090	323,863	62.7%	564,364
Personal Benefits	431,875	258,971	172,904	60.0%	253,982
Contractual Services	1,878,000	947,805	930,195	50.5%	936,242
Supplies & Expense	714,400	396,797	317,603	55.5%	284,602
Building Materials	270,000	171,682	98,318	63.6%	136,093
Fixed Charges	52,000	19,911	32,089	38.3%	14,701
Grants, Contributions, & Other	1,400	(74,952)	76,352	-5353.7%	310
Total Operating and Maintenance	4,215,628	2,264,304	1,951,324	53.7%	2,190,295
Depreciation	1,265,000	822,398	442,602	65.0%	832,927
Total Operating Expenses	5,480,628	3,086,702	2,393,927	56.3%	3,023,222
Operating Income (Loss)	1,319,372	2,695,817	1,376,445	204.3%	1,621,232
NONOPERATING REVENUES (EXPENSES)					
Investment income	15,000	13,793	(1,207)	92.0%	634
Interest expense	(540,000)	(1,167,467)	(627,467)	216.2%	(200,000)
Amortization premium/discount	45,000	-	(45,000)	0.0%	46,923
Gain on asset disposal	-	10,000	10,000		-
Total Nonoperating Revenues (Expenses)	(480,000)	(1,143,673)	(663,673)	238.3%	(152,443)
Income (loss) before Capital Contributions and Transfers	839,372	1,552,144	712,772	184.9%	1,468,790
Capital Contributions	40,000	25,203	(14,797)	63.0%	49,584
Transfers Out	(503,000)	(332,000)	171,000	66.0%	(337,000)
CHANGE IN NET POSITION	376,372	1,245,347	868,975	330.9%	1,181,374
NET POSITION, BEG OF YEAR	47,475,130	47,475,130	-		45,638,314
NET POSITION, TO DATE	\$ 47,851,501	\$ 48,720,476	\$ 868,975		\$ 46,819,688

SEWER UTILITY - CITY OF WAUSAU

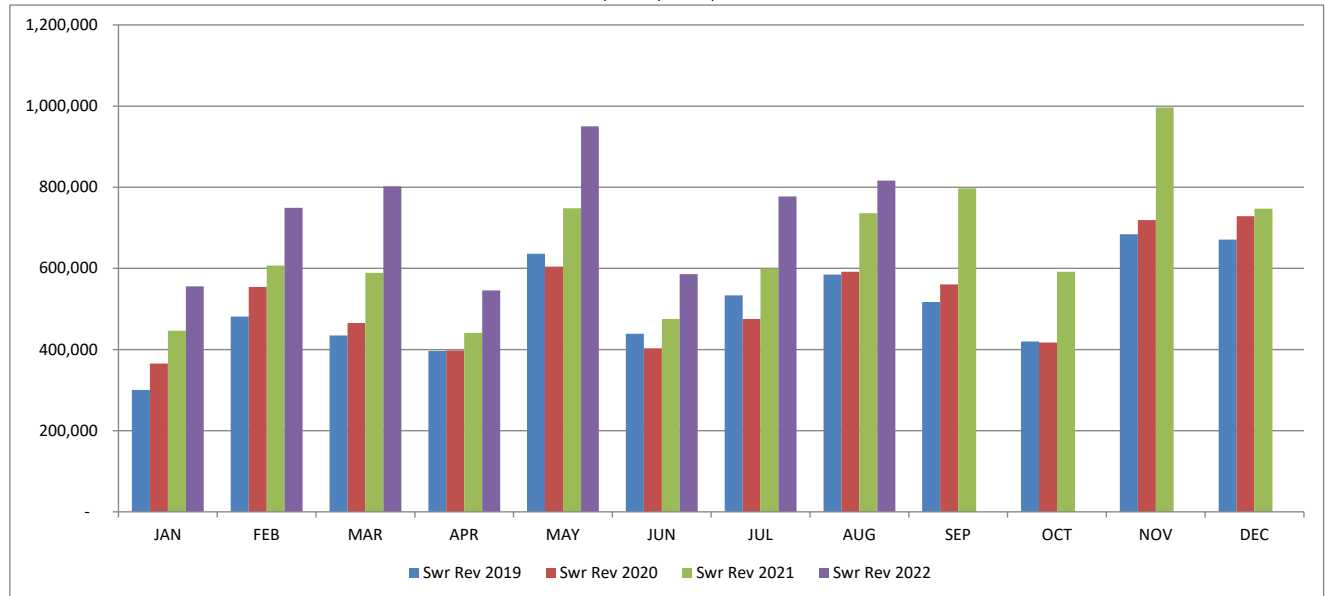
Statement of Cash Flow

August 31, 2022

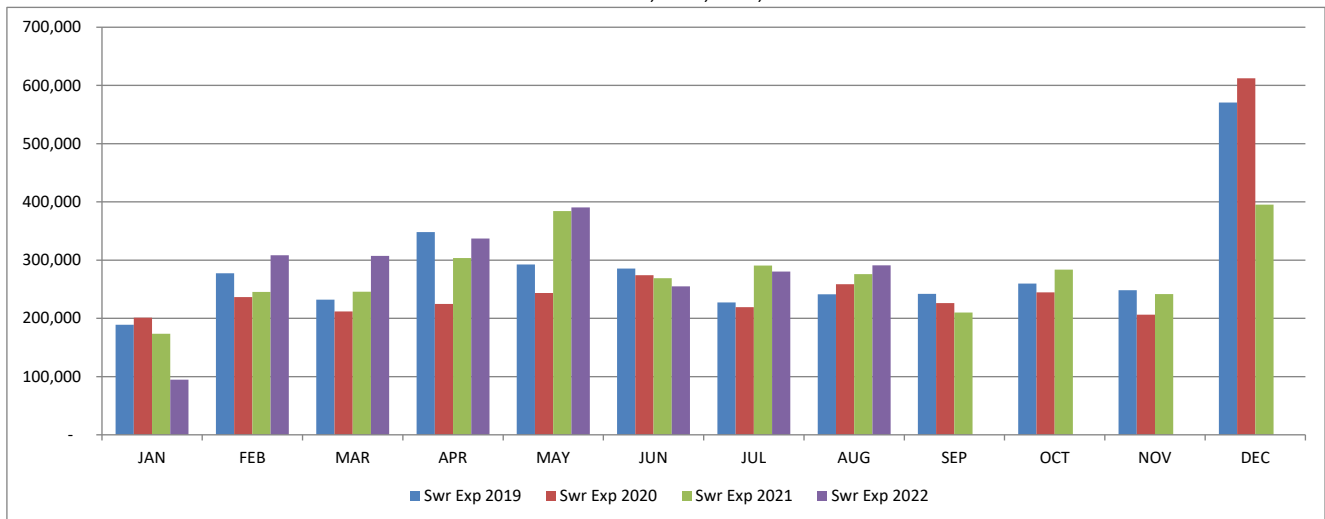
	2022	2021
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from customers, users and others	\$ 5,608,138	\$ 4,218,570
Payments to suppliers	(1,986,763)	(2,443,859)
Payments to employees	(545,597)	(554,894)
Net Cash Provided (Used) by Operating Activities	3,075,778	1,219,818
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Debt Redemption Fund	(903,195)	(242,186)
Transfer Out	(332,000)	(323,667)
Net Cash Provided (Used) by Noncapital Financing Activities	(1,235,195)	(565,853)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Capital Contributions	25,203	49,584
Acquisition and construction of capital assets	(14,750,774)	(30,093,261)
Proceeds from Capital Debt	13,489,116	29,481,605
Principal on Capital Debt	(346,170)	(843,773)
Interest paid on capital debt	(837,335)	(305,863)
Proceeds from sale of capital assets	10,000	-
Net Cash Used by Capital and Related Financing Activities	(2,409,960)	(1,711,708)
CASH FLOWS FROM INVESTING ACTIVITIES		
Investment income received	13,793	634
Net Increase (Decrease) in Cash and Equivalents	(555,584)	(1,057,109)
Cash and cash equivalents - beginning of year	2,941,873	3,287,609
Cash and cash equivalents - end of period	\$ 2,386,289	\$ 2,230,500
Reconciliation of operating income (loss) to net cash provided (used) by oprating activities:		
Operating income (loss)	\$ 2,695,817	\$ 1,621,232
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation expense	822,398	832,927
Changes in assets and liabilities:		
Accounts recievable	(165,141)	(425,885)
Inventories and prepayments	(9,240)	-
Accounts payable	(266,549)	(817,928)
Salaries/wages payable	(106)	971
Accrued compensated absences	(1,400)	8,499
Net cash provided (used) by operating activities	\$ 3,075,778	\$ 1,219,818

WAUSAU SEWER UTILITY REVENUE & EXPENSE ANALYSIS
4 YEAR COMPARISON AS OF AUGUST 31, 2022

SEWER UTILITY REVENUE 2019, 2020, 2021, 2022



SEWER UTILITY O&M EXPENSE 2019, 2020, 2021, 2022



SEWER REVENUE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
Swr Rev 2019	300,631	481,028	434,643	396,415	636,115	438,814	533,542	584,840	517,217	419,839	684,077	670,837	6,097,998
Swr Rev 2020	365,677	554,026	465,526	397,838	604,296	402,841	475,298	591,839	560,313	417,010	719,327	728,469	6,282,461
Swr Rev 2021	446,439	607,209	588,942	441,007	748,132	475,187	599,764	736,135	797,295	591,617	996,438	747,180	7,775,346
Swr Rev 2022	555,884	749,347	802,014	545,737	949,863	586,066	777,347	816,259					5,782,519
Change over Prior Yr	24.5%	23.4%	36.2%	23.7%	27.0%	23.3%	29.6%	10.9%					24.5%
							2021 Rate Incr			2021 Rate Incr			

SEWER OP&MAINT EXP	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
Swr Exp 2019	189,059	277,260	232,249	348,348	292,492	285,586	227,457	241,503	242,073	259,724	248,202	570,689	3,414,642
Swr Exp 2020	200,999	236,715	212,016	224,784	243,581	274,074	219,117	258,807	226,306	244,661	206,232	612,461	3,159,754
Swr Exp 2021	173,668	245,507	245,781	303,637	384,115	268,890	290,731	275,930	209,881	283,834	241,883	395,359	3,319,216
Swr Exp 2022	94,668	308,411	307,297	337,038	390,600	254,849	280,281	291,159					2,264,304
Change over Prior Yr	-45.5%	25.6%	25.0%	11.0%	1.7%	-5.2%	-3.6%	5.5%					3.5%
	2022 Insur Settltmt \$75K				2021 Repair SW break					2016 BldgMtrls SwrRprs		2021 Insurance Recvry	

Notes:

* Expenses for all years have been adjusted for monthly allocation of annual meter expense and annual central services cost



PFAS Project Update (Funding & Rate Impact)

October 4, 2022 Wausau Water Works Commission

PFAS Project

- Engineers estimate costs 17M
- Engineers Timeline estimate
 - ✓ Planning & Design July
 - ✓ Construction April 2023 – Feb 2024
- Estimate earliest closing of SDWF Loan late 2023
 - ✓ Program provides for grant funding (specific to PFAs)
- City staff estimates need interim financing by October

Preliminary Funding Plan

- Total Costs: 17M
- Less: 5M from FY23 congressionally directed spending
 - ✓ To date: Unknown timing or availability of funds
- Less: ~4M from SDWFL Program Emerging Contaminants
 - ✓ Receive upon loan closing (late '23 estimate)
- Remaining 6M funding need
- With unknown/delayed timing of grant funding, interim financing will be needed for near full amount

Initial Interim Financing Recommendation

- Large Dollar Amount
- Draw Feature
 - ✓ Unknown timing of grant funds allows for potential significant reduction of principal; in turn interest expense
- Interest due at maturity (match to SDWF Loan Closing)
 - ✓ Makes interest costs Program Eligible

Funding Next steps

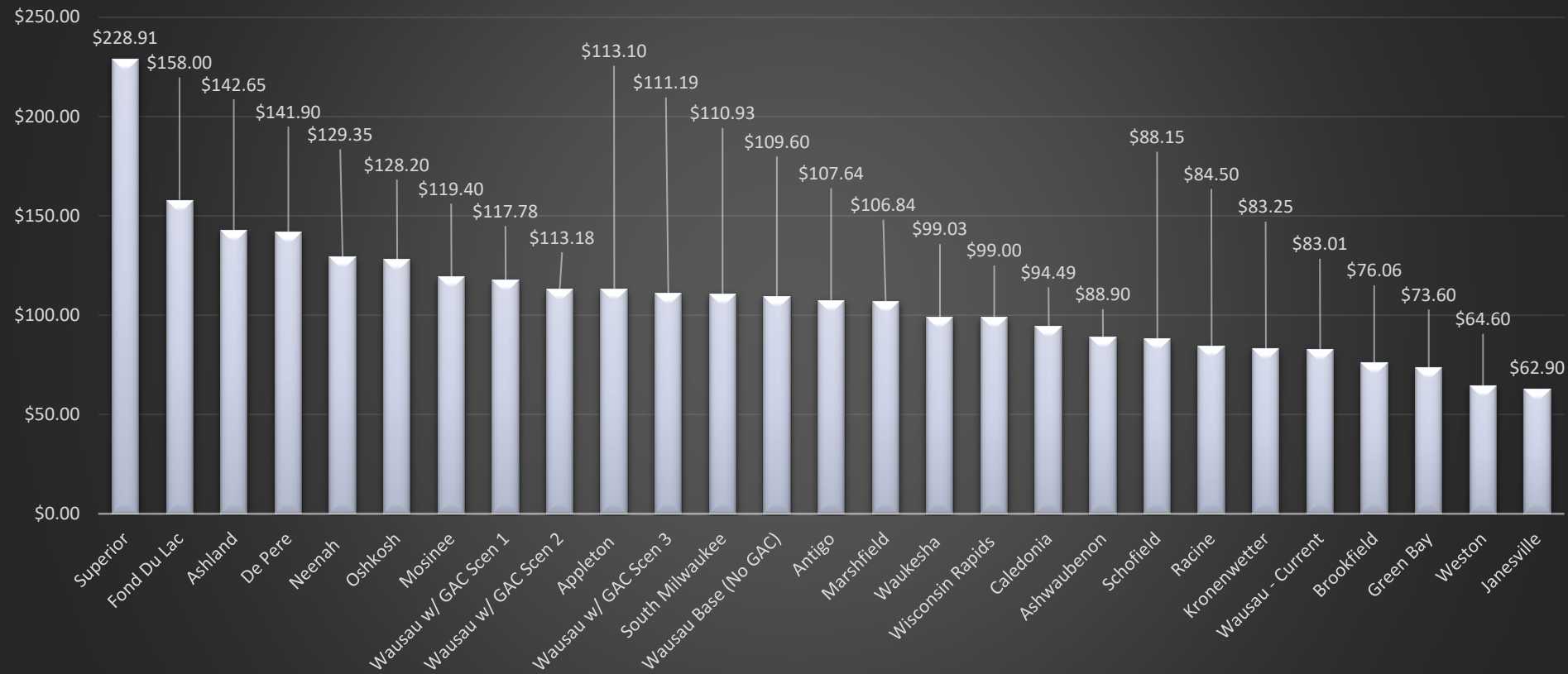
- October meeting: decide on interim financing amount/vehicle
- November meeting: set sale for interim financing
- December meeting: sale results and closing 2 weeks after
- Fall 2022 – Spring 2023 Water Rate Case
- Rates Implemented before SDWF Loan Closing

Rate Impact

- City Staff requested Ehlers to provide initial water rate impacts as a result of the PFAS project under several scenarios.
 1. If the city borrowed \$17 million through SDWL (No Grants or Aids)
 2. If the city borrowed \$8 million through SDWL (Grants but no ARPA)
 3. If the city used \$4 million ARPA and borrowed \$4 million through SDWL (Grants and ARPA)
- ✓ Base Adjustment before project will be 13.88% (based on PSC)

Rate Impact

QTRLY Water Bill @ 15,000 GAL



Department of Public Works
and Utilities



Eric Lindman, P.E.

Director of Public Works and Utilities

TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: October 4, 2022

SUBJECT: Stettin Agreement – Pretreatment Management Authority

Wausau has had an agreement in place with the Town of Stettin for accepting wastewater from residential properties in a small sanitary district and it has not been updated since 1968. Over the many decades the majority of the properties served by the city's collection system have annexed into the city. There remains a small number of homes in the Town of Stettin and each property is charged for sanitary sewer. Once the majority of the properties annexed into the city many years ago the remaining sanitary line outside the city, along with the lift station, became the responsibility of the utility to operate and maintain.

The 1968 agreement did not address the issue of the city's pretreatment program for industrial users. There are currently no industrial users within the Town of Stettin currently connected to the sanitary sewer but should this happen in the future there should be an agreement in place to ensure the city has the right to properly manage an industrial user.

The agreement was brought forward previously but some additional changes have been made to the agreement as the collection is the City's to operate and maintain and we needed to reflect this in the agreement. The Town has no authority over the sewer main and any connections or expansion are solely the decision of the City. The intent of this agreement to have the Town of Stettin recognize our need to enforce the city's pretreatment program should an industrial facility be built and connected within this sanitary district.

Please find attached the updated agreement for your review and consideration. This agreement will be sent to the Town of Stettin and brought forward to the city council for final approval.

AGREEMENT FOR MANAGEMENT OF
PRETREATMENT REQUIREMENTS FOR TOWN OF STETTIN USERS DISCHARGING
TO THE CITY OF WAUSAU WASTEWATER TREATMENT FACILITY

This Agreement made this ____ day of _____, 2022, by and between the TOWN OF STETTIN, a municipality of the State of Wisconsin, hereinafter called "Stettin," and the CITY OF WAUSAU, a municipal corporation, hereinafter called "Wausau"

WITNESSETH:

WHEREAS, the City of Wausau, is the owner of a Wastewater Treatment Facility ("WWTF") operated for the express purpose of providing treatment of the City's sewage; and

WHEREAS, Stettin is located west and adjacent to the west corporate limits of the City of Wausau and the city owns and operates a system of sewers and a lift station within Stettin; and

WHEREAS, Stettin has no sewage treatment and Wausau has heretofore treated Stettin's raw sewage under a contract both parties, voluntarily entered into on January 15, 1968, for a period of one year, from January 1, 1968 to December 31, 1968, with the privilege of renewal from year to year thereafter; and

WHEREAS, the Federal Clean Water Act of 1977 established a national policy for the creation and enforcement of pretreatment standards and requirements for Industrial wastewater. Specific regulations to accomplish provisions of the Clean Water Act of 1977 were published in the Federal Register under 40 CFR Part 403 and parallel state regulations were adopted per Wisconsin Administrative Code NR 211. The City is required by WDNR to maintain a local pretreatment program as part of the Wisconsin Pollutant Discharge Elimination System Permit No. WI-0025739-09-2 (hereinafter "Permit"); and

WHEREAS, Wausau maintains a local pretreatment program and has codified Chapter 13.62 Sewage Users – Standards and Control of the Wausau Municipal Code in order to regulate the program; and

WHEREAS, Wausau has the responsibility to insure that all industries which eventually receive treatment of their wastewater at Wausau's wastewater treatment facilities, including industries within the boundaries of Stettin, are in compliance with national categorical pretreatment standards.

NOW, THEREFORE, Wausau and Stettin do hereby agree as follows:

1. This Agreement is entered into pursuant to the provisions of Section 66.0301 of the Wisconsin Statutes. This Agreement supersedes that Agreement between the Town of Stettin, and the City of Wausau, dated January 15, 1968.

2. ~~Stettin shall adopt Chapter 13.62 Sewage Users – Standards and Control and Chapter 19.20 – Sewers of the Wausau Municipal Code, thereby making it applicable to any users served by the City of Wausau’s WWTF. The current list of users is attached as Exhibit A along with a map showing the area served is Sanitary District 72. By virtue of execution of this contract, the provisions of Chapter 13.62 Sewage Users – Standards and Control and Chapter 19.20 – Sewers – of the Wausau Municipal Code, and any amendments thereto, are made applicable to any users of the City’s wastewater treatment system, are incorporated herein and made a part hereof. The current list of users outside the City limits is attached as Exhibit A, along with a map showing the area served as Sanitary District 72. A copy of both Chapters of the Wausau Municipal Code is attached as Exhibit B.~~
3. Stettin authorizes Wausau to perform all administrative tasks required by the pretreatment ordinance, WDNR, and/or by Federal regulations. These administrative tasks include but are not limited to permit review, permit issuance, review of baseline reports, compliance, monitoring, demand monitoring, receipt and review of all industrial compliance reports. A copy of all documents required by Wausau or filed by the affected discharger shall be sent to the City of Wausau Pretreatment Coordinator. Within reason, Wausau shall keep Stettin informed of the activities concerning industries within their corporate limits.
4. ~~The capacity of the Wausau Wastewater Treatment Facility (“WWTF”) is limited. It is entirely owned by the City of Wausau. So that the citizens of the City of Wausau are not required to unduly expand the capacity of the Wausau WWTF in the future, no extension and/or expansion of the Stettin sewage collection system shall occur without the prior written approval of Wausau and such proposed extension/expansion complies with the current Facilities Plan. Stettin shall submit to Wausau, plans for expansion of the Stettin sewage collections system prior to submitting for WDNR approval.~~
- 5.4. All domestic sewage Stettin delivers to Wausau shall be reasonably free of clear waters, defined as including but not limited to storm water, diffused surface water, air conditioning discharge water and groundwater. All sewage is to be free from materials which may tend to foul or clog mains or laterals, or might reasonably be expected to damage the building or equipment constituting the Wausau WWTF. The provisions of Sec. 13.62.030 Wausau Municipal Code and any subsequent amendments to that section, are incorporated herein and made a part hereof. Discharges prohibited thereunder shall not be delivered to the Wausau system by Stettin. Any violation of Sec. 13.62.030 and any amendments thereto shall immediately cease and be reported to the Director of Public Works and Utilities. Section 13.62.040 and any amendments thereto shall apply, and Stettin agrees to be governed by its provisions.
- 6.5. Wausau reserves the right to order pretreatment of industrial waste. If, upon monitoring the discharge of such industry, it is determined that the standards of Sec. 13.62.030, and any amendments thereto, or the Permit, are not being met, ~~Stettin will be advised in writing by Wausau of the name of any industry not in compliance. Stettin user~~ shall immediately cause such pretreatment to be made to industrial waste, as required by Sec. 13.62.040 and

any amendments thereto, ~~prior to continued discharge of such wastes into the Stettin system.~~

All costs of such monitoring, including but not limited to analysis of the sewage, shall be charged to the users, ~~and in the event such billing remains unpaid for sixty days, Wausau shall bill Stettin assess the user, who shall then pay such bill in the regular course of business, in accordance with Sec. 13.62.050, and any amendments thereto.~~

The ~~industry user~~ shall have reasonable time, not to exceed sixty days after written notice, to cause all wastes to be pretreated to meet the waste standards and requirements prescribe in said Permit or order, except for prohibited wastes which are toxic, or which may cause public health concerns, or property damage, or may impair treatability, and in these cases, the discharge shall cease immediately. If the ~~industry user or Stettin~~ provides proof that compliance with waste standards requires machinery, equipment, supplies, chemicals, construction or other related items which cannot be completed or installed within such sixty day period, Wausau and ~~Stettin industry user~~ shall meet to consider what course of action is proper under all of the circumstances. However, Wausau shall have final decision-making authority regarding these actions.

If the ~~industry user~~ does not comply with the requirements of pretreatment within the time frame above described, and/or continued to violate Sec. 13.62.030 and any amendments thereto, the ~~industry user~~ is subject to enforcement provisions as identified under Sewer Use Ordinance.

If Wausau is required by the WDNR to perform special studies or an industrial survey to comply either with Federal Pretreatment regulations or toxic reduction assessments to meet new discharge requirements, ~~Stettin industry user~~ may be assessed directly for such activity over and above the charges for sewer service. This special assessment will generally relate to the number of ~~industrial~~ users in each community. ~~Stettin Industry Users~~ will be advised in writing in advance of these special studies and possible cost allocation.

~~Stettin will further assist Wausau with management of the pretreatment regulations by observing and reporting industrial users that may be required to comply with such regulation.~~

~~7.6.~~ Wausau shall enforce the pretreatment ordinance against the affected Stettin dischargers in the same manner it enforces the pretreatment ordinance against affected Wausau dischargers and shall not discriminate in its enforcement against affected Stettin dischargers.

~~8.7.~~ All permit fees shall be paid to Wausau and shall be for the purpose of covering expenses and costs associated with administrating the pretreatment ordinance requirements.

~~9.8.~~ Stettin shall support the enforcement of all provisions of the pretreatment ordinance, especially those areas that are pertaining to the national categorical pretreatment standards, and at the request of Wausau, WDNR, and/or the Environmental Protection Agency, Stettin shall assist Wausau recovering all money received as a penalty and/or a

forfeiture which may be levied and/or ordered as a result of a violation or violations of the ordinance. ~~Stettin shall also assist Wausau recovering all money received by Stettin as reimbursements for any damage to Wausau's treatment facility. All payments to Wausau shall be less actual attorney's fees and all costs associated with the levy and/or order of a penalty or forfeiture or reimbursement for any damage to Wausau's treatment facility.~~

9. ~~This Agreement may be terminated by either party upon thirty (30) days' written notice to the other, addressed to the Director of Public Works and Utilities of the City of Wausau or the Clerk of the Town of Stettin. This Agreement may be terminated upon thirty (30) days' written notice to the other, addressed to the Director of Public Works and Utilities of the City of Wausau, or the Clerk of the Town of Stettin, should Stettin no longer require the wastewater collection and treatment of sewage collected from those residences located in Sanitary District 72 or any users or the City of Wausau would no longer be required by law or otherwise to maintain its sewage collection system for users outside of the City of Wausau.~~

IN WITNESS WHEREOF, this Agreement has been duly executed the day and year first above written.

Witness:

TOWN OF STETTIN

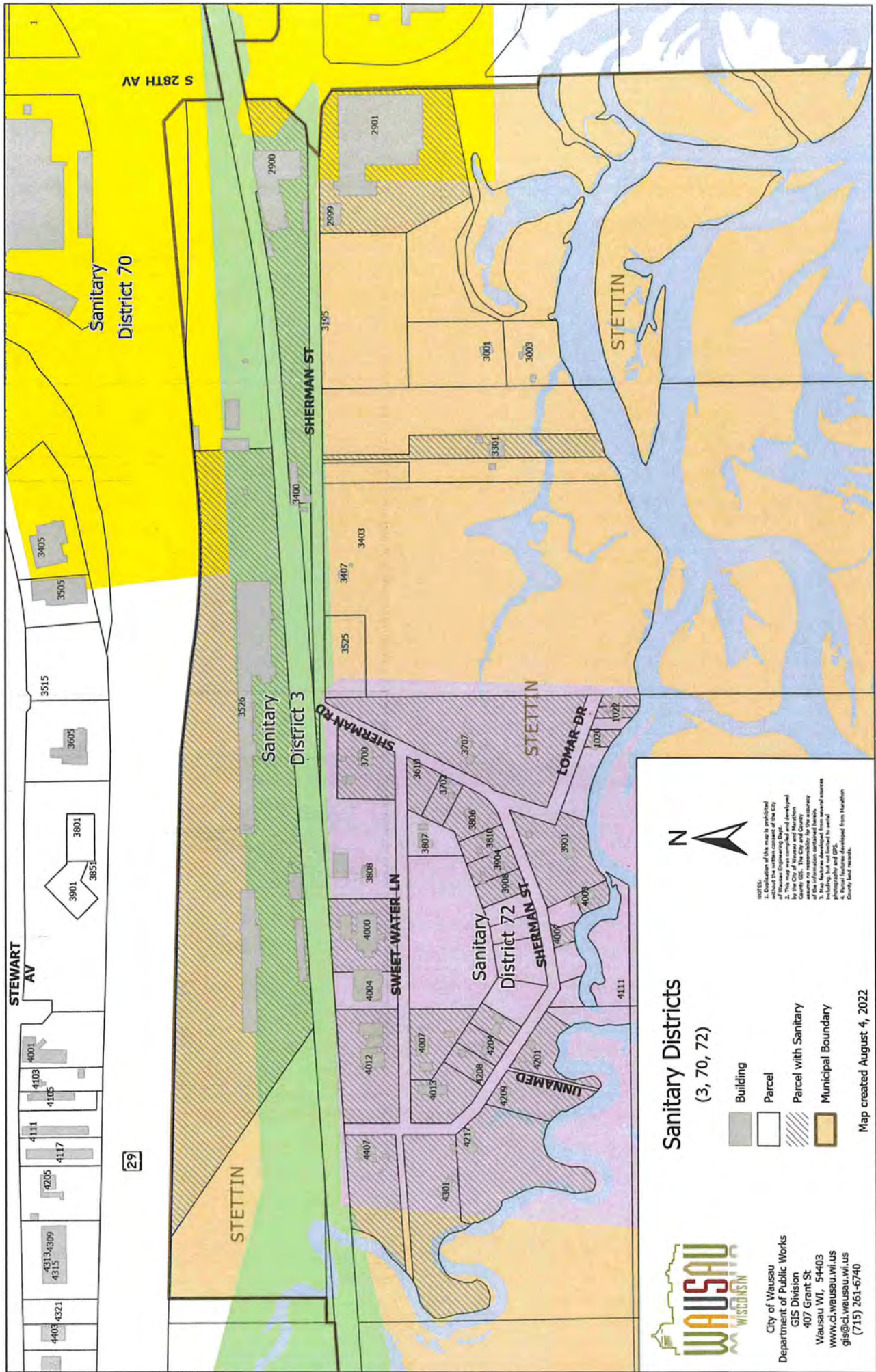
BY: _____

CITY OF WAUSAU

Katie Rosenberg, Mayor

Kaitlyn Bernarde, Clerk

ADDRESS	ACCOUNT NAME
3700 SWEET WATER LN	JEFFREY HEISLER
4000 SWEET WATER LN	S&H ENTERPRISES INC
4007 SWEET WATER LN	AIR QUALITY CONTROL
4012 SWEET WATER LN	SETH GRAYKOWSKI
4013 SWEET WATER LN	DAVID FRAMKE
1020 LOMAR DR	ROBERT FITZKE
1022 LOMAR DR	TERRY REIN
1024 LOMAR DR	RICHARD SKRUKRUD
3702 SHERMAN RD	DAVID SILLARS
3610 SHERMAN RD	JULIANNA ZUNKER
3707 SHERMAN RD	NATHAN VAN BERKEL
3904 SHERMAN RD	RANDY GEIER
3806 SHERMAN RD	AUSTIN JONES
3908 SHERMAN RD	RYAN SCHMELLING
3810 SHERMAN RD	JEFFREY HEISLER
3901 SHERMAN RD	DAPHINE BRUMMOND
4200 SHERMAN RD	JAMES SERTICH
4208 SHERMAN RD	ROY FITZKE
4204 SHERMAN RD	TRENT MEYERS
4201 SHERMAN RD	AARON MEYERS
4301 SHERMAN RD	BRIAN BORNHEIMER
4209 SHERMAN RD	BRADLEY HAACK
4217 SHERMAN RD	ADAM GOETSCH
4407 SHERMAN RD	ROBERT KLEIN JR
2900 SHERMAN ST	ALTER METAL RECYCLING
2901 SHERMAN ST #A	O'BRIEN STEEL SERVICE
2901 SHERMAN RD #B	O'BRIEN STEEL SERVICE
4003 SHERMAN RD	MARK FITZKE
4007 SHERMAN RD	KELLY HOFSTAD *
3526 SHERMAN ST #A	VERITAS STEEL LLC
3526 SHERMAN ST	VERITAS STEEL LLC
3301 SHERMAN ST	SHANE RADER



13.62.001 - Purpose and policy.

This chapter sets forth uniform requirements for wastewater discharges into the utility wastewater collection and treatment system and tributaries thereto, and enables the utility to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this chapter are:

- (a) To prevent the introduction of pollutants into the utility wastewater system which will interfere with the normal operation of the system and cause violation of the City's WPDES permit or contaminate the resulting municipal bio-solids;
- (b) To prevent the introduction of pollutants into the utility wastewater system which do not receive adequate treatment in the publicly owned treatment works (POTW), and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) To protect both POTW personnel who may be affected by wastewater and bio-solids in the course of their employment and the general public;
- (d) To promote reuse and recycling of industrial wastewater and bio-solids from the Wausau treatment system;
- (e) To prevent physical damage to the utility wastewater collection and treatment system;
- (f) To enable Wausau to comply with its National Pollutant Discharge Elimination System permit conditions, bio-solids use and disposal requirements, and any other federal or state laws to which the utility collection and treatment system is subject.

This chapter provides for the regulation of discharges into the utility wastewater system through the issuance of permits to certain users and through enforcement of the applicable requirements in this chapter for other persons. This chapter provides for the utility to implement and exercise a POTW pretreatment program according to 40 CFR 403.8(f)(1) and (2). This chapter does not provide for the recovery of operations, maintenance or replacement cost of the POTW or the costs associated with the construction of collection and treatment systems required by the users, in proportion to their use of the POTW, which are the subject of separate enactments.

This chapter shall apply to all persons in the City, and to persons outside the City who are, by contract or agreement with the City, users of the wastewater treatment system. Except as otherwise provided in this chapter, the commissioners and its employees of the utility as appointed by the Common Council of the City of Wausau shall administer, implement and enforce the provisions of this chapter.

(Ord. 61-5822 §41 (part), 2019; Ord. 61-4859 §1(part), 1994.)

13.62.010 - Scope of control.

All persons now receiving sewer service from the utility or who may hereafter make application therefore, are deemed to be bound by rules and regulations of the utility as may be filed with the Public Service Commission of Wisconsin, and such state and federal statutes and administrative rules as are applicable.

(Ord. 61-4859 §1(part), 1994.)

13.62.020 - Definitions.

Unless the provision explicitly indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated.

Act or *the Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act (33 U.S.C.; 1251, et seq.) as amended.

Approving authority means Wausau Waterworks Commission.

Authorized representative of the user means:

(a) If the user is a corporation:

- (1) The president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (2) The Director of Public Works and Utilities of one or more manufacturing facilities provided the Director of Public Works and Utilities is authorized to make decisions which govern the operation of the facility, make major capital investment recommendations, initiate and direct comprehensive measures to assure long-term compliance with environmental laws, can ensure the necessary systems are established to gather complete and accurate information for the report and where authority to sign documents has been delegated to the Director of Public Works and Utilities according to the corporation's procedures; or

(b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the user is a federal, state or local government facility: A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) An authorized representative of the individual designated above if:

- (1) Such representative is responsible for the overall operation of the facilities from which the discharge into the POTW originates;
- (2) The authorization is in writing; and
- (3) The written authorization is submitted to the Director of Public Works and Utilities.

Best Management Practices or *BMPs* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibition listed in Section 2.1 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l), as prescribed in 40 CFR Part 136, or such other methods as the EPA administrator may approve.

Bypass means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.

Categorical pretreatment standard means National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by specific industrial discharges.

City means the City of Wausau or the Common Council of the City of Wausau.

Cooling water means the water discharged from any use such as air-conditioning, cooling or refrigeration, whose character undergoes no chemical change during such use.

Compatible pollutant means BOD, suspended solids, Ph and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the WPDES permit issued to the Wausau sewerage utility.

Discharger. See user definition.

D.N.R. means the Wisconsin Department of Natural Resources.

Domestic wastes means liquid wastes from the noncommercial preparation, cooking or handling of food, or containing human excrement and similar matter discharged from the sanitary facilities in dwellings, commercial buildings, industrial facilities and institutions, and other places where humans congregate.

Environmental Protection Agency or *E.P.A.* means the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

Garbage means solid wastes from the handling, preparation, cooking, dispensing or storage of food.

Ground garbage means the residue from the preparation, cooking or dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch in any dimension.

Incompatible pollutant means any pollutant which is not a compatible pollutant as defined in this section.

Industrial user means any source of industrial wastewater.

Industrial wastewater means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.

Interference means the inhibition or disruption of a POTW's sewer system, treatment processes or operations by an indirect discharge which, alone or in conjunction with the discharge or discharges from other sources, causes a violation or increases the magnitude or duration of a violation of any requirement of the POTW's WPDES permit. The term includes the impairment of the use or disposal of POTW sludge in accordance with Wis. Stats. ch. 283, Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to the Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

May is permissible.

New source means:

- (a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (b) Construction on a site at which an existing source is located results in a modification rather than a new source if

the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (a)(2) or (3) of this section but otherwise alters, replaces or adds to the existing process or production equipment.

- (c) Construction of a new source, as defined under this paragraph, has commenced if the owner or operator has:
- (1) Begun, or caused to begin, as part of a continuous on-site construction program:
 - (A) Any placement, assembly or installation of facilities or equipment, or
 - (B) Significant site preparation work including clearing, excavation or removal of existing buildings, structures or facilities which is necessary for the placement, assembly or installation of new source facilities or equipment;
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.

Normal wastewater concentrations means the daily weighted average concentration of five-day BOD is 250 milligrams per liter, and the daily weighted average concentration of suspended solids is 250 milligrams per liter, for each consecutive 30-day period.

Parts per million shall be a weight ratio as the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.

Pass through means a discharge which exits the POTW into waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's WPDES permit (including an increase in the magnitude or duration of a violation).

Person means any human, firm, company, partnership, corporation, association, group or society, and includes the state, and agencies, districts, commissions and political subdivisions created by or pursuant to state law.

Ph means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

POTW means any sewage treatment works and the sewers and conveyance appurtenance discharging thereto, owned and operated by the Wausau waterworks.

POTW superintendent means Wastewater Superintendent.

Pretreatment means application of physical, chemical or biological processes to reduce the amount of pollutants in or to alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the POTW.

Pretreatment coordinator means Environmental Engineer.

Pretreatment standards means all applicable federal, state and local statutes, laws, ordinances, rules and regulations. In cases of conflicting standards or regulations, the more stringent thereof shall control.

Residential customer means a user who occupies a dwelling unit, as defined in section 23.02.140 of this Code, where the water meter that serves such dwelling unit serves not more than one additional dwelling.

Sanitary sewage means a combination of water-carried wastes from residences, business buildings, institutions and industrial plants, (other than industrial wastes from such plants), together with such groundwaters, surface waters or stormwaters as may be present.

Sanitary sewer means a sewer which carries wastewater and to which stormwaters, surface waters and groundwaters are not intentionally admitted.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant industrial user.

- (a) Except as provided in subdivision (b) of this subsection, the term significant industrial user means any industrial user of the City's wastewater disposal system who:
 - (1) Is subject to categorical pretreatment standards; or
 - (2) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); or
 - (3) Has a discharge which contains greater than normal wastewater concentrations, or contributes a process wastestream which constitutes five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (4) Is designated as significant by the City on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (b) Upon finding that an industrial user meeting the criteria in subdivision (a)(2) and (3) of this subsection has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the POTW may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such an industrial user is not a significant industrial user.

Shall is mandatory.

Slug means any discharge of wastewater which exceeds for any period of duration longer than 15 minutes at a flow rate more than five times the average 24-hour flows during normal operation and/or which concentration of any given constituent exceeds more than five times the average 24-hour concentration during normal operation or any nonroutine episodic discharge, such as a discharge resulting from a spill of a noncustomary batch discharge.

State means the State of Wisconsin.

Stormwater means any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended solids (TSS) means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, a high percentage of which is removable by laboratory filtering.

System means any publicly owned devices, facilities, structures, equipment or works used for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvements, remodeling, additions and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities, and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for the ultimate disposal of residues resulting from such treatment.

Toxic pollutants means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the U.S. Environmental Protection Agency under the provision of Section 307(a) of the Act.

Unpolluted water means water free from pollutants in excess of the quantities limited or prohibited by the federal, state or local effluent standards in effect, or water whose discharge will not cause any violation of federal, state or local receiving water quality standards.

Upset means an exceptional incident in which a discharger is unintentionally and temporarily in a state of noncompliance with pretreatment standards because of factors beyond the reasonable control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation.

User means any person who discharges, causes or permits the discharge of wastewater into the wastewater treatment system.

User classification means a classification of user based on the Standard Industrial Classification (SIC) Manual prepared by the U.S. Office of Management and Budget.

Wastewater means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the POTW.

Wausau area monitoring team means those persons assigned the task of collecting samples of discharges from the premises of users. The team may also perform on-site inspection of premises.

WDNR means for Wisconsin Department of Natural Resources.

Wisconsin Pollutant Discharge Elimination System (WPDES) means the program established by Wis. Stats. ch. 283, for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the waters of the state.

(Ord. 61-5822 §42 (part), 2019; Ord. 61-5636 §1(part), 2014; Ord. 61-4859 §1(part), 1994.)

13.62.030 - Prohibitions and limitations on wastewater discharge.

- (a) *General discharge prohibitions.* No user may contribute or cause to be contributed, directly or indirectly, to the wastewater system any pollutant or wastewater which will cause pass through or cause interference with the operation or performance of the wastewater system or POTW. No user shall contribute any of the following described substances into the wastewater system:
- (1) *Oils and grease.* Any wastewater or materials containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between zero and 65 degrees Celsius (32 degrees Fahrenheit and 150 degrees Fahrenheit) at the point of discharge into the system.
 - (2) *Explosive mixtures.* Any substances which, by reason of their nature or quantity, may create a fire or explosion hazard or be injurious to the POTW or to the operation of the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees centigrade using test methods specified in 40 CFR 261.21. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
 - (3) *Noxious material.* Noxious or malodorous solids, liquids or gases, which either singly, or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry by humans into the system for its maintenance and repair.
 - (4) *Improperly shredded garbage.* Garbage that has not been ground or comminuted to such a degree that all

particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half inch in any dimension.

- (5) *Radioactive wastes.* Radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the system or personnel operating the system.
- (6) *Solid or viscous wastes.* Solid or viscous wastes which will or may cause obstruction to the flow in a sewer require excessive cleaning or maintenance of the sewer or otherwise cause interference with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to: grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances, including petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (7) *Excessive discharge rate.* Wastewater at a flow rate or containing such concentrations or quantities of pollutant that exceeds for any time period longer than 15 minutes more than five times the average 24 hour concentration, quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
- (8) *Toxic substances.* Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other substances, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act. Also included are those pollutants which will result in the presence of toxic gases, vapors or fumes within the POTW or the wastewater system in a quantity that may cause acute worker health and safety problems.
- (9) *Unpolluted waters.* Any unpolluted water including, but not limited to, water from cooling systems or of stormwater origin, including roof, surface or subsurface drainage, which will increase the hydraulic load on the system.
- (10) *Discolored Material.* Any substance with objectionable color not removed by the treatment system, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (11) *Corrosive wastes.* Wastewater having a pH less than 5.5 or more than 12.0, or any waste which will cause corrosion or deterioration of the system.
- (12) *Heated wastewater.* Any wastewater having a temperature which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the wastewater temperature at the introduction into the POTW which exceeds 40 degrees Centigrade (100 degrees Fahrenheit).
- (13) *Adverse affect to effluent or sludge.* Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludge or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used.
- (14) *Violate discharge permit.* Any substance which will cause the POTW to violate its WPDES permit.
- (15) *Human life hazard.* Any wastewater which causes a hazard to human life or creates a public nuisance.

- (16) *Hauled materials.* The Wausau Waterworks Commission ("commission") may allow wastewater which is hauled via to other conveyance to be discharged to the POTW. Prior to such discharge, the POTW superintendent may require a report from the hauler describing the quantity, source of wastewater, laboratory analysis of the pollutant constituent other information as deemed necessary.

The utility shall require that written permission and discharge conditions be issued by the POTW superintendent to the hauler prior to the discharge of any hauled wastewater. The approving authority will not allow any wastewater or pollutant that is hauled or trucked to be discharged to the wastewater system, except at points designated by the POTW superintendent.

- (17) *Bypass.* An industrial user may allow any bypass to occur which does not violate pretreatment standards or requirements, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to subdivisions (A) and (B) of this subsection.

(A) *Notice.*

- (i) *Anticipated bypass.* If an industrial user knows in advance of the need for a bypass, it shall submit prior notice to the POTW, if possible at least ten days before the date of the bypass.

The POTW may approve an anticipated bypass, after considering its adverse effects, if the POTW determines that it will meet the three conditions listed in subdivision (B) of this subsection.

- (ii) *Unanticipated bypass.* Must comply with section 13.62.040(b)(7).

- (B) *Prohibition of bypass.* Bypass is prohibited, and the POTW may take enforcement action against an industrial user for a bypass, unless:

- (i) Bypass was unavoidable to prevent loss of life, personal injury or severe property damage; or
(ii) There were no feasible alternatives to bypass, such as use of auxiliary treatment during normal periods of equipment downtime.

This condition is not satisfied if adequate back-up equipment should have been installed to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; or

- (iii) The industrial user submitted notices as required by subdivision (A) of this subsection.

- (18) *Accidental or slug discharges.* Each industrial user shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this chapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at that person's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the pretreatment coordinator for review, and shall be approved by him before construction of the facility.

Each industrial user with existing facilities affected by this section shall submit plans to the superintendent within six months after the ordinance codified in this chapter is adopted. No industrial user who discharges to the POTW after that time shall be permitted to introduce industrial wastewaters into the system until the accidental discharge protection plans and procedures have been approved by the pretreatment coordinator. Review and approval of such plans and operating procedures by the pretreatment coordinator shall not relieve the industrial user from the responsibility to modify its facility as necessary to meet the requirements of this chapter.

A plan to control accidental or slug discharges shall contain the following information:

- (A) A description of discharge practices, including nonroutine batch discharges;
(B) A description of stored chemicals;
(C) Procedures for immediately notifying the utility of any accidental or slug discharge, as required in subdivision

(A) of this subsection;

(D) Procedures to prevent adverse impact from any accidental or slug discharge.

Such procedures may include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and measures and equipment for emergency response.

Signs shall be permanently posted in conspicuous places on the industrial users premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a dangerous discharge to occur with respect to the emergency notification procedure.

(b) *Limitation on wastewater strength.*

(1) *Specific pollutant limitations.* No person shall discharge within a 24-hour period, wastes or wastewater into the system containing the following materials in amounts exceeding for such 24-hour period both the concentration and quantity limits stated.

Pollutant	Maximum Concentration mg/l*	Mass Loading lbs./24 hrs.
Arsenic	0.22	0.06
Cadmium	0.27	0.08
Chromium (Total)	3.76	0.89
Copper	4.20	0.94
Cyanide	2.85	1.60
Lead	0.90	0.32
Mercury	0.0016	0.00048
Molybdenum	0.14	0.04
Nickel	1.87	0.33
Pentachlorophenol	0.74	0.22
Selenium	0.21	0.06
Silver	0.40	0.13
Zinc	6.06	<u>1.08</u>
* Based on a 24 hour composite sample		

The control authority may develop Best Management Practices (BMPs), to implement the requirements of 13.62.030 and apply them in industrial wastewater discharge permits.

The approving authority reserves the right to amend this chapter to provide for more stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth in section 13.62.001 of this chapter.

- (2) *National Categorical Pretreatment Standards.* National Categorical Pretreatment Standards as promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all persons of the regulated industrial categories.

The categorical pretreatment standards, if more stringent than other limitations imposed in this chapter, shall immediately supersede the limitations of this chapter. The pretreatment coordinator shall notify all affected persons of the applicable reporting requirements of the Act, particularly 40 CFR Part 403.12.

- (3) *Deadline for compliance with categorical standards.* Compliance by existing sources with categorical pretreatment standards shall be within three years of the date the standard is effective unless a shorter compliance time is otherwise specified. Existing sources which become industrial users subsequent to promulgation of an applicable categorical standard shall be considered existing industrial users.

New sources shall install and have in operating condition, and shall "start-up" all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge. Within the shortest feasible time not to exceed 90 days) new sources must meet all applicable pretreatment standards.

- (4) *Equivalent limits.*

(A) When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the POTW may convert the limits to equivalent limits expressed either as mass of pollutant discharged per day or effluent concentration.

(B) A POTW shall calculate equivalent mass-per-day limitations by multiplying the limits in the standard by the industrial user's average rate of production. This average rate of production shall be based upon a reasonable measure of the industrial user's actual long-term daily production, such as the average daily production during a representative year. New sources shall use projected production in place of actual production.

(C) A POTW shall calculate equivalent concentration limits by dividing the mass limitations derived under subdivision (B) by the average daily flow rate of the industrial user's regulated process wastewater. This average daily flow rate shall be based upon a reasonable measure of the industrial user's actual long-term average flow rate, such as the average daily flow rate during the representative year.

(D) The same production of flow figure shall be used in calculating maximum daily discharge limitations and maximum monthly average, or four-day average, limitations.

(E) Any industrial user operating under a control mechanism incorporating equivalent mass or concentration limits shall notify the POTW within two business days after the user has a reasonable basis to know that the production level will significantly change.

- (5) *Removal credits.* The Act 40 CFR, Part 403.7, allows removal credit for certain pollutants limited by the categorical pretreatment standards. The pretreatment coordinator may consider a written request from a person impacted by the categorical pretreatment standards. If the wastewater treatment system achieves consistent removal of

such pollutants limited by the categorical pretreatment standards, the pretreatment coordinator may apply to the state and federal authorities in accordance with the Act. Removal credits will not be taken into consideration until authorization is received from the state or federal agencies, and the specific pollutant discharge limits are amended by this chapter.

- (6) *Dilution.* No discharger shall increase the use of potable or process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The pretreatment coordinator may impose mass limitations on industrial users which are suspected of using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

(Ord. 61-5822 §44 (part), 2019; Ord. 61-5636 §2(part), 2014; File No. 11-0507; Ord. 61-5124 §1, 2001, File No. 01-0730; Ord. 61-5008 §1, 1998; Ord. 61-4878 §1, 1994; Ord. 61-4859 §1(part), 1994.)

13.62.040 - Control of prohibited wastes.

(a) *Wastewater discharge permits.*

- (1) *Required permits.* All significant users, new or existing, proposing to connect to or contribute wastewater to the POTW shall obtain a wastewater discharge permit before connecting to or discharging to the POTW. If the significant use has multiple regulated outfalls, a separate permit is required for each regulated outfall.
- (2) *Permit application.* Persons required to obtain a wastewater discharge permit or maintain an existing permit shall complete and file an application, in the form prescribed by the commission, with the pretreatment coordinator.

All new significant industrial users shall submit a permit application at least 90 days prior to connecting to the system or contributing wastewater to the POTW. Copies of the wastewater permit application may be obtained from the office of the:

Director of Public Works and Utilities
407 Grant Street
Wausau, WI 54403

In support of the application, the applying person shall submit the following information:

- (A) Name, address and location (if different from the address);
- (B) SIC number according to the Standard Industrial Classification Manual;
- (C) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation;
- (D) Description of activities, facilities and plant processes on the premises including all materials stored or used which are, or could be, discharged to include, but not be limited to, raw materials, intermediate materials, catalysts, products and byproducts, and other materials as required. Furthermore, the description shall include solvents, chemicals and cleaning agents that may be introduced into the treatment system via accidental spill or mishap;
- (E) Each product produced by type, amount and rate of production;
- (F) A baseline report shall be submitted with the permit application by industrial users subject to categorical standards to provide data required for the application. The industrial user shall identify the pretreatment

standards applicable to each regulated process, and shall:

- (i) Submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentrations shall be reported. The sample shall be representative of daily operations.
- (ii) A minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The pretreatment coordinator may waive flow-proportional composite sampling for any industrial discharger that demonstrates that flow-proportional sampling is infeasible. In such cases samples may be obtained through time-proportional composite sample techniques or through a minimum of one grab samples where the discharger demonstrates that this will provide a representative sample of the effluent being discharged.

The discharger shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

- (iii) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists.

If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the discharger should measure the flows and concentrations necessary to allow the use of the combined wastestream formula according to 40 CFR 403.6(e).

- (iv) Sampling and analysis shall be performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the administrator determines that the sampling and analytical techniques described in 40 CFR Part 136 are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other persons, approved by the WDNR.

(G) Time and duration of wastewater contribution;

(H) Average, daily and 15-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;

(I) The nature and concentration of any pollutants in the discharge which are limited by any City, state or national categorical pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards;

(J) Number of employees and hours worked;

(K) Any other information as may be necessary to evaluate the permit application;

(L) All permit applications shall be signed by an authorized representative of the user.

(3) *Permit processing.*

(A) The pretreatment coordinator will evaluate the data furnished with the permit application. Further requests for additional information may be made until the application is complete. Within 90 days after all information is complete, a written response to the application will be prepared to address any concerns, terms or

conditions that may be appropriate for meeting the requirements of this chapter, and may require the industrial user to obtain a wastewater discharge permit. A permit shall be obtained by the industrial user if any one of the following conditions prevail:

- (i) The user discharges wastewater which, or will, contain one or more pollutants with conditions as defined in section 13.62.030(a) of this chapter;
 - (ii) The user discharges wastewater which, or will, contain one or more pollutants as listed in section 13.62.030(b)(1) of this chapter;
 - (iii) The user is, or will be, subject to National Categorical Pretreatment Standards;
 - (iv) The user is or will be discharging wastewaters with concentrations of BOD and/or TSS higher than normal wastewater concentrations;
- (B) The approving authority will notify the user, by certified mail, of one of the following:
- (i) A wastewater discharge permit shall be issued to the user and become effective within five days of the date of issuance; or
 - (ii) A wastewater discharge permit shall be denied to the user for reasons as specified; or
 - (iii) A wastewater discharge permit shall not be required of the user unless a change in operations occurs which may affect wastewater constituents and characteristics or more stringent limitations are required.
- (4) *Permit fees and charges.* The commission will adopt fees and charges for the recovery of costs from the users of the City's POTW for the implementation of the requirements of this chapter.

The utility bills the permit fees and charges directly to the significant industrial users both in the City and also those in contracted municipalities that discharge to the Wausau POTW via sewer system connections. Permit fees will be evaluated and amended as necessary to reflect current costs. The fees for regulated customers are defined in chapter 13.64.020.

The charges for laboratory analysis of the sample will be charged to each user on a case-by-case basis reflecting the actual charges for commercial laboratory costs. Other charges that may be billed to specific users include costs for processing requests for removal credits for categorical pretreatment standards. The above fees and charges relate only to matters in this chapter.

- (5) *Permit modifications.* Within nine months of the promulgation of national categorical pretreatment standards the wastewater discharge permit of industrial users subject to such standards or requirements shall be revised to require compliance with such standards within the time frame prescribed by such standards.

Where an industrial user subject to national categorical pretreatment standards has not previously submitted an application for a wastewater discharge permit as required by this chapter, the industrial user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable national categorical pretreatment standards or pretreatment requirements.

In addition, the industrial user with an existing wastewater discharge permit shall submit to the pretreatment coordinator within 180 days after the promulgation of applicable national categorical pretreatment standards the information required by this chapter.

The terms and conditions of the permit may be subject to modification by the City during the term of the permit as limitations or requirements identified in this chapter are modified or as other just causes exist. The industrial user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(6) *Permit conditions.* Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all applicable regulations, user charges and fees established by the City. The permit shall contain the following conditions:

- (A) Statement of duration (in no case more than five years);
- (B) Statement that the permit is nontransferable without, at a minimum, prior notification to and approval from the utility, and provision of a copy of the existing wastewater discharge permit to the new owner or operator;
- (C) Effluent limits, including Best Management Practices, based on applicable pretreatment standards and local limits as established by this ordinance, and state and local law;
- (D) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency and sample type, based on federal, state and local law;
- (E) Statement of applicable civil and criminal penalties for the violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond federal, state or local deadlines;
- (F) Compliance schedules;
- (G) Requirements for submission of technical reports or discharge reports;
- (H) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording City access thereto;
- (I) Requirements for notification to the pretreatment coordinator in advance of any new introduction of wastewater pollutants or any substantial change in the volume or character of the pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under 40 CFR 403.12(p);
- (J) Requirements for notification of slug discharges as per this chapter;
- (K) Requirements to control Slug Discharge, if determined by the control authority to be necessary;
- (L) Other conditions as deemed appropriate by the City to ensure compliance with this chapter.

(7) *Permit duration.* Wastewater discharge permits shall be issued for a period of five years. The users shall apply for permit reissuance a minimum of 90 days prior to the expiration of the user's existing permit. A general review process will be conducted prior to renewal.

The review process will evaluate any violations of compliance schedules, report completeness and accuracy, and other pertinent information germane to the reissuance of the permit.

(8) *Permit transfer.* Wastewater discharge permits are issued to a specific industrial user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the commission. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(9) *Appeals procedure.* A user desiring to appeal to the commission regarding the pretreatment limitations, pretreatment requirements or conditions of an issued wastewater discharge permit shall file petition for appeal with the approving authority within 20 days of the issuance date of the permit or modification thereof. If the user does not file a petition for appeal within that time, the issued permit is final.

(b) *Reporting requirements for permittee.*

(1) *Compliance date report.* Within 90 days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW any user subject to categorical pretreatment standards and pretreatment

requirements shall submit to the pretreatment coordinator a report which shall include the following information:

- (A) Indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by categorical pretreatment standards and pretreatment requirements;
- (B) The average and maximum daily flow for these process units in the user's facility which are limited by such categorical pretreatment standards and pretreatment requirements;
- (C) The report shall state whether the applicable categorical pretreatment standards and pretreatment requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable categorical pretreatment standards and pretreatment requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a registered professional qualified to certify the report.

(2) *Periodic compliance reports.*

- (A) Are required to be submitted to the pretreatment coordinator by: (i) any user subject to a categorical pretreatment standard, after the compliance date of such pretreatment standard; (ii) in the case of a new source, after commencement of the discharge of wastewater to the POTW; (iii) any significant noncategorical user shall submit to the POTW semiannual compliance reports. The reports are to be submitted according to the dates specified in each users permit.
- (B) The reports required in this subsection (b) shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period.

The POTW shall require that frequency of monitoring which is necessary to assess and assure compliance by industrial users with applicable pretreatment standards and requirements.

- (C) The sampling and analysis for the periodic compliance reports that are required from the significant industrial user may be performed by the approving authority in lieu of the significant industrial user. Where the POTW itself collects all the information required for the report, the significant industrial user will not be required to submit the report.
- (D) If any industrial user subject to the reporting requirement in this subsection (b)(2) monitors any pollutant more frequently than required by the POTW, using the procedures prescribed in this section, the results of this monitoring shall be included in the report.

In cases where a local limit requires compliance with Best Management Practices or pollution prevention alternative, the user shall submit documentation required by the utility to determine the compliance status of the user.

- (E) The periodic compliance reports shall include the following information:
 - (i) A record of all daily flows which, during the reporting period, exceeded the average daily flow allowed by the permit;
 - (ii) Concentration and daily quantity of pollutants in the wastewater discharge which are controlled by this chapter, by the categorical pretreatment standards and/or others as required by the permit;
 - (iii) When flows and/or pollutant concentration or quantities exceed the requirements of this chapter and permit limitations, a discussion as to the reason for the result and how the situation is to be corrected shall be given;

- (iv) Any projected changes in production quantity and schedule which could change discharge characteristics in
- (v) For industrial users subject to equivalent mass or concentration limits established by the POTW in accordance with the procedures in 40 CFR 403.6(c), the report required shall contain a reasonable measure of the users long-term production rate.
- (vi) Documentation associated with Best Management Practices required by the facility's permit.

For all other industrial users subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report required shall include the user's actual average production rate during the reporting period.

- (3) *Signatory requirements.* All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user. "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- (4) *Sampling and analysis violation requirements.* If sampling performed by an industrial user indicates a violation, the user shall notify the POTW within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis within 30 days after becoming aware of the violation and submit the results of the repeat analysis to the POTW within 30 days. The industrial user is not required to resample if:
 - (A) The POTW performs sampling at the industrial users at a frequency of at least once per month; or
 - (B) The POTW performs sampling at the user between the time when the user performs its initial sampling and the time when the user receives the results of this sampling or if the utility has performed the sampling and analysis in lieu of the Industrial User.
- (5) *Accidental or slug discharges.* Users shall notify the POTW superintendents immediately (at any hour of the day or night by the fastest and most effective means possible) upon having a slug or accidental discharge or violation of this chapter that could cause problems to the POTW, in order to enable countermeasures to be taken by the City to minimize damage to the POTW and the receiving waters. The notification shall include the location of discharge, type of waste, concentration and volume and corrective actions taken by the user.

Within five days of the date of occurrence, the user shall submit to the pretreatment coordinator a detailed written statement describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences.
- (6) *Notification of changed discharge.* All industrial users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under section 13.62.030(a)(18).

For the purposes of this requirement, substantial changes include, but are not limited to, flow increases or decreases of 25 percent or greater, and the discharge of any previously unreported pollutants. Industrial Users are required to notify the POTW immediately of any changes at its facility affecting the potential for a Slug Discharge.
- (7) *Bypass.* An industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable

pretreatment standards to the POTW within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the industrial user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps to be taken or planned to reduce, eliminate and prevent recurrence of the bypass.

(8) *Hazardous waste notification.*

- (A) Any industrial user who commences the discharge of hazardous waste shall notify the POTW, the EPA Region V Waste Management Division Director, and the DNR Bureau of Solid and Hazardous Waste Management in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences.
- (B) Dischargers are exempt from the hazardous waste notification requirement during a calendar month in which they discharge 15 kilograms or less of nonacute hazardous wastes. Discharge of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e) requires a one-time notification.
- (C) In the case of any new regulations under Section 3001 of Resource Conservation and Recovery Act (RCRA) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the pretreatment coordinator, the EPA Regional Waste Management Division Director and the state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
- (D) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (E) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.

(9) *Effect of an upset.*

- (A) An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of subdivision (9)(B) of this subsection are met.
- (B) An industrial user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (i) An upset occurred and the user can identify the cause(s) of the upset;
 - (ii) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
 - (iii) The user has submitted the following information to the pretreatment coordinator within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):

- a. A description of the discharge and cause of noncompliance,
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue,
 - c. Steps being taken and/or planned to reduce, eliminate and prevent reoccurrence of the noncompliance.
- (C) In any enforcement proceeding the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (D) The user shall control production or all discharges to the extent necessary to maintain compliance with the pretreatment standards upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

(c) *Pretreatment.*

Required facilities. Users shall provide the necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all national categorical pretreatment standards and pretreatment requirements within the time limitations as specified by the federal pretreatment regulations or pretreatment requirements. Any facilities required to pretreat wastewater to a level acceptable to the utility shall be provided, operated and maintained at the industrial user's expense.

Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the pretreatment coordinator and to the Wisconsin DNR for review, and shall be acceptable to the utility and the Wisconsin DNR before construction of the facility.

The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable as required by the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the utility prior to the industrial user's initiation of the changes. All records relating to compliance with any applicable pretreatment standards or pretreatment requirements shall be made available to officials of EPA, Wisconsin DNR or pretreatment coordinator upon request.

If additional pretreatment and/or operation and maintenance will be required to meet the applicable pretreatment standards, the user shall include in the permit application the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable categorical pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, and completing construction). No increment shall exceed nine months.
- (2) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the pretreatment coordinator.

This progress report shall include, at a minimum, whether or not the user complied with the increment of progress to be met on such date and, if not, the date on which the user expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established.

In no event shall more than nine months elapse between such progress reports to the pretreatment coordinator.

- (d) *Grease, oil and sand interceptors.* Grease, oil and sand interceptors shall be provided as required by chapter ILHR 82, Wis. Admin. Code, for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the utility, and shall be located so as to be readily and easily accessible for cleaning and inspection.
- (e) *Admission to property.*
 - (1) The Director of Public Works and Utilities, POTW superintendent, pretreatment coordinator, their designated representatives, the Wisconsin DNR and the EPA, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and records examination and copying, in accordance with the provisions of this chapter. The personnel shall not inquire into any industrial processes, including metallurgical, chemical, oil refining, ceramic, paper or other processes, except as they affect the kind and source of discharge to the system.
 - (2) While performing the necessary work on private properties referred to in subsection (e)(1) of this section, all personnel shall observe all safety rules applicable to the premises established by the user, not inconsistent with the inspection process.
 - (3) Specific easements for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sanitary sewer lying within the easement may be required. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- (f) *Confidential information.* Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public and governmental agencies without restrictions unless the user specifically requests, and is able to demonstrate to the satisfaction of the approving authority, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user under Wis. Stats. § 134.90(1)(c).

When confidentiality is requested and demonstrated by the industrial user furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available, upon written request, to governmental agencies for uses related to this chapter, the WPDES permit, State Disposal System permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the industrial user furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the authority as confidential, shall not be transmitted to any governmental agency or to the general public by the authority until and unless a ten-day notification is given to the user.

(Ord. 61-5822 §44 (part), 2019; Ord. 61-5655 §1, 2015, File No. 11-0507; Ord. 61-5636 §3(part), 2014; Ord. 61-5476 §1, 2011, File No. 11-0507; Ord. 61-5054 §1, 1999; Ord. 61-5001 §1(part), 1998; Ord. 61-4859 §1(part), 1994.)

13.62.050 - User wastewater monitoring and analysis.

- (a) *Monitoring of user wastewater.* Monitoring shall conform to the following standards:
 - (1) All user wastes discharged into the system shall be subject to periodic inspection to include but not be limited to, inspection of records related to monitoring, sampling and analysis of such wastewater kept by the user and a determination of the volume, character and concentration, by the pretreatment coordinator as often as deemed

necessary by utility.

Persons or occupants of premises where wastewater is created or discharged shall allow the City or their representative ready access at all times to all parts of the premises for purposes of inspection, sampling, records examination or in the performance of any of their duties.

The volume of flow shall be determined from the metered water consumption of the user or from a wastewater metering survey. Sampling may consist of either instantaneous grab samples or composite samples of wastewater. The costs of such testing and flow determination shall be charged to the user.

- (2) The user discharging wastes into the system shall install and pay for a suitable control manhole or access facilities to facilitate the accurate observation, sampling and measurement of wastes.

Such equipment shall be maintained in proper working order and kept safe and accessible at all times by the user.

- (3) The control manhole or access facilities shall be located and maintained on the user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Director of Public Works may allow such access to be constructed in the public street or sidewalk area, with the approval of the local governing body, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.
- (4) When more than one user can discharge into a common lateral, the local or Director of Public Works and Utilities may require installation of separate control manholes or access facilities for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Director of Public Works and Utilities may require that separate control manholes or access facilities be installed for each separate discharge.
- (5) Whether constructed on public or private property, the control manhole or access facilities shall be constructed in accordance with the Director of Public Works and Utilities requirements and all applicable standards and specifications.

A location plan and construction details of the control manhole or access facilities shall be submitted to the Director of Public Works and Utilities for review and approval prior to construction.

- (6) Except as designated in subsection (a)(7) of this section, the volume of flow used for computing user charges shall be the metered water consumption of the industrial user as shown in the records of meter reading maintained by the utility.
- (7) Devices for measuring the volume of waste discharged may be required by the pretreatment coordinator or POTW superintendent, if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the user.

Following approval and installation, such meters may not be removed without the consent of the utility.

- (b) *Analysis of user wastewaters.* All laboratory analysis for all required monitoring shall be performed by laboratories certified by the Wisconsin DNR and in accordance with NR 219 Wis. Admin. Code and procedures established pursuant to Section 304(h) of the Act and contained in 40 CFR, Part 136 and amendments thereto. Any alternate sampling or analytical procedures must have Wisconsin Department of Natural Resources approval.

(a) *Emergency suspension of service and discharge permits.* The utility may, for good cause shown, suspend the wastewater treatment service and the wastewater discharge permit of a person when it appears to the utility that an actual or threatened discharge presents or threatens:

- (1) An imminent or substantial danger to the health or welfare of persons; or
- (2) Substantial danger to the environment; or
- (3) Interference with the operation of the POTW; or
- (4) Violation of any pretreatment limits imposed by this chapter, or any wastewater discharge permit issued pursuant to this chapter.

Any user notified of the suspension of the City's wastewater treatment service and/or the user wastewater discharge permit shall immediately cease all discharges. In the event of failure of the user to comply voluntarily with the suspension order, the City shall commence judicial proceedings or take such other measures deemed necessary, including immediate severance of the sewer connection.

The City shall reinstate the wastewater discharge permit and/or the wastewater treatment service and terminate judicial proceedings pending proof by the user of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

- (b) *Accidental or slug discharges.* If the discharge did cause pass through, interference with the operation of the wastewater system or POTW and/or damage in the wastewater system or if it is documented that the industry has repeatedly caused pass through, interference with the operation of the wastewater system or POTW at the POTW, the utility may serve the industry with a written notice of violation, order the industry to show cause why enforcement action should not be taken, or, depending on the severity and extent of the violation, commence legal action against the user for legal and/or equitable relief in a court of competent jurisdiction.
- (c) *Notice of noncompliance.* Any user that violates any condition or limitation of this chapter or the waste-water discharge permit may be issued a notice of noncompliance by the utility, except where significant noncompliance defined in subsection (i) of this section justifies immediate issuance of a notice of violation. The notice of noncompliance will explain the nature of the noncompliance and require that the user, within 30 days of the date of the notice, file a plan for correcting the noncompliance.

If the pretreatment coordinator approves the submitted plan and the user complies with the submitted plan to correct the violation, no further action may be taken against the user. If the user does not submit a plan acceptable to the utility, fails to submit a plan or does not comply with the submitted plan, the utility may take action in accordance with subsection (d) of this section.

- (d) *Notice of violation.* Any user that violates any condition or limitation of this chapter, the wastewater discharge permit, or has failed to provide an acceptable plan for expeditious corrective action as required under the notice of noncompliance, may be served by the utility with a written notice of violation via registered mail (return receipt requested). Within 30 days of the receipt date of the issuance of the violation notice, the user must submit to the pretreatment coordinator an explanation of the violation and a plan for the satisfactory correction and prevention thereof. Included in this plan must be a schedule for a pollution prevention audit to be conducted at the users facility (if none has been conducted within the past three years).

If the pretreatment coordinator approves the submitted plan and the user complies with the submitted plan to correct the violation, no further action may be taken against the user.

If, however, the user does not comply with the plan or if the plan does not correct the violation, the commission has the option to do any of the following: take legal action against the industry for the imposition of forfeitures and recovery costs for damage incurred as a result of the user's discharge, revoke the user's wastewater discharge permit, and/or discontinue sewer service to the user.

(e) *Show cause hearing.* A show cause hearing shall be conducted as follows:

- (1) If the violation is not corrected by timely compliance, the utility may order any alleged violator to show cause before the commission why sewer service should not be terminated. A notice shall be served on the alleged violator specifying the charges and the time and place of the hearing thereon.

The notice shall be served personally or by certified mail, return receipt requested, at least eight days before the hearing. Service shall be made as indicated in Wis. Stats. § 801.11.

- (2) The approving authority may itself conduct the hearing and take the evidence, or may designate some person, excluding a member, to be the hearing examiner to:

- (A) Issue subpoenas requiring the attendance of witnesses and the production of evidence relevant to any matter involved in any such hearing;

- (B) Take testimony and rule on the introduction of evidence;

- (C) File findings of fact and conclusions of law with the approving authority.

- (3) At any public hearing, testimony taken before the commission shall be under oath and recorded stenographically or electronically. The transcript shall be made available to any person upon payment of the charges therefor.

- (4) After the commission has reviewed the evidence, it may issue an order to the violator directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed, or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

(f) *Legal action.* Any discharge in violation of this chapter shall be considered a public nuisance. The commission shall bring an action for appropriate legal and/or equitable relief to abate the nuisance and enforce this chapter.

(g) *Pretreatment coordinator jurisdiction limited.* The orders issued to a user in another municipality by the pretreatment coordinator shall be countersigned by the Director of Public Works and Utilities if such orders are to be grounds for any enforcement action under this chapter except for enforcement action taken pursuant to subsection (e)(2)(B) of this section. Where plans, etc., are to be submitted to the pretreatment coordinator for approval, the pretreatment coordinator shall act thereon within ten working days after receipt thereof.

This subsection is not a waiver by the utility of any right it may have to commence any action, legal or equitable, to enforce any right, duty or obligation, it, another utility, municipality, or a user, may possess or be subject to.

(h) *Right of appeal.* Any user or any interested party shall have the right to request in writing an interpretation or ruling by the commission on any matter covered by this chapter and shall be entitled to a prompt written reply.

In the event that such inquiry is by a user and deals with matter of performance or compliance with this chapter or deals with a wastewater discharge permit issued pursuant to this chapter for which enforcement activity relating to the alleged violation is the subject, receipt of a user request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this chapter may be taken in accordance with local and state law.

(i) *Annual publication.* The commission shall publish, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the utility by March 31 of each year, a list of the industrial users which, during the previous year, were in significant noncompliance with applicable pretreatment standards or

requirements.

For the purpose of this provision, a significant industrial user is in significant noncompliance if its violation meets one or more of the following criteria, while a non-significant industrial user has been in significant noncompliance if criteria in subsections (3), (4), or (8) apply:

- (1) Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all of the measurements of the industrial user's wastewater for the same pollutant taken during a six-month period exceeded by any magnitude, any numeric pretreatment standard or requirement including an instantaneous limit;
 - (2) Technical review criteria (TRC) violations, defined as those in which 33 percent or more of all the measurements of the industrial user's wastewater for the same pollutant taken during a six-month period equaled or exceeded the product of the numeric pretreatment standard or requirement including an instantaneous limit multiplied by either 1.4 for BOD, TSS, and fats, -oil and grease; 1.2 for all other pollutants except pH; or exceeded a pH limit by .4 standard units);
 - (3) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the pretreatment coordinator determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
 - (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under this section to halt or prevent such a discharge;
 - (5) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction or attaining final compliance;
 - (6) Failure to provide, within 45 days after the due date, required reports containing all required monitoring results and other information such as baseline monitoring reports, periodic self-monitoring reports, and reports on compliance schedules;
 - (7) Failure to accurately report noncompliance; or
 - (8) Any other violation or group of violations which may include a violation of Best Management Practices, which the pretreatment coordinator determines will adversely affect the operation or implementation of the local pretreatment program.
- (j) *Recordkeeping and records retention.* All discharges subject to this chapter shall retain and preserve for no less than three years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of a user in connection with its discharge and documentation associated with Best Management Practices established.

All records which pertain to matters which are the subject of any enforcement or litigation activities brought by the City pursuant to this chapter shall be retained and preserved by the user until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired. The utility will retain all records for the same length of time.

(Ord. 61-5822 §46 (part), 2019; Ord. 61-5636 §4(part), 2014; Ord. 61-4859 §1(part), 1994.)

13.62.070 - Penalties—Costs.

- (a) *Civil penalty.* Any user who is found to have violated any order or provision of this chapter, and the orders, rules and

regulations issued under this chapter, may be fined up to \$1,000.00 (40 CFR 403.8(f)(1)(vi)(a)), per day for each violation. Each day of violation may be deemed a separate offense and subject to a separate forfeiture.

In addition to the civil penalty provided in this chapter, the commission may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit of law against the person found to have violated this chapter, or the orders, rules and regulations issued under this chapter.

- (b) *Costs of damage.* Any person found to be responsible for a deleterious discharge into the system, which discharge causes damage to the system, upsets the POTW process and/or seriously impairs the quality of the receiving stream, shall become liable to the utility and/or City for any expense, loss or damage caused by the violation or discharge.

The City may add to the user's charges and fees the costs assessed for any cleaning, repair or replacement work caused by the violation or discharge. Any refusal to pay the assessed costs shall constitute a violation of this chapter.

- (c) *Falsifying information.* Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other documents filed or required to be maintained pursuant to this chapter, or who falsified, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction be punished by the imposition of a civil penalty not to exceed limits as stated in this chapter.
- (d) *Injunctive relief.* The utility may petition for injunctive relief to compel compliance with the National Categorical Pretreatment Standards and the orders, rules and regulations issued under this chapter. This section shall not be construed as to waive the City's abilities to refer criminal violations to the appropriate prosecuting agencies.

(Ord. 61-5822 §47 (part), 2019; Ord. 61-4859 §1(part), 1994.)

13.62.075 - Special Provision—Amalgam reduction—Dental professionals.

- (a) This section applies to any dental office that places or removes amalgam. If work in a dental office is limited to work that does not involve placing or removing amalgam, such as orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, prosthodontics, or which are identified by the utility or Marathon County Health Department as being de-minimum contributors, then the section does not apply.
- (b) By no later than October 1, 2008, all dental offices that place or remove amalgam shall implement BMPs (best management practices) for amalgam as established by the Wisconsin Dental Association.
- (c) By no later than October 31, 2008, every vacuum system where amalgam is placed or removed shall include an amalgam separator that meets the criteria of the International Standards Organization (ISO 11143). Dental offices shall install, operate, and maintain the amalgam separator according to instructions provided by the manufacturer. The amalgam separator shall have a design and capacity appropriate for the size and type of vacuum system.
- (d) On or before October 31, 2008, each dental office shall provide a report to utility and Marathon County Health Department that provides the following information:
 - (1) Certify that the dental office is implementing the management practices required by subsection (b) and identifies the contractors used to remove amalgam waste within the last 12 months.
 - (2) If installation of the amalgam separator is complete, then the report shall identify the installation date, the manufacturer, and the model name.
 - (3) If the installation of the amalgam separator is incomplete, then the report shall explain the delay, provide an installation schedule, and identify the manufacturer and the model name of the amalgam separator that will be installed.
- (e) If a dental office has provided a report according to subsection (d)(3), then the dental office shall notify the utility and

Marathon County Health Department within five days after the completion of the installation.

- (f) The utility or Marathon County Health Department shall provide forms for reporting the information required by subsection (d).
- (g) From the contractors used to remove amalgam waste, dental offices shall obtain records for each shipment showing: the volume or mass of amalgam waste shipped; the name and address of the destination; and the name and address of the contractor. Dental offices shall maintain these records for a minimum of three years. Dental offices shall make these records available to the utility and Marathon County Health Department, or their agent, for inspection upon request.
- (h) Dental offices shall allow the utility and Marathon County Health Department to inspect the vacuum system, amalgam separator, and amalgam waste storage areas. Inspections shall occur by appointment during normal operating hours of the dental office as long as this does not impede enforcement of this section.
- (i) If a dental office is implementing the management practices required by subsection (b) and is operating and maintaining the amalgam separator as required by subsection (c), then any numerical discharge limit for mercury established in any other section of this chapter does not apply.
- (j) Definitions.

Amalgam separator means a device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.

Amalgam waste means and includes non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam devices; used amalgam capsules; and leaking or unusable amalgam capsules.

Dental office means any dental clinic, dental office or dental practice, but not including those limited to orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, or prosthodontics.

ISO 11143 means the International Organization for Standardization's standard for amalgam separators.

Wausau Water Works staff includes employees from both the Drinking Water and Wastewater Divisions.

(Ord. 61-5822 §48 (part), 2019; Ord. 61-5636 §5(part), 2014; Ord. 61-5372 §1, 2008, File No. 08-0806.)

Editor's note— Effective date—September 1, 2008.

19.20.010 - Separate drains for each building.

Every building shall have a separate and independent connection with a public main sanitary sewer, private sewage disposal system, or private main sanitary sewer. A private main sanitary sewer shall conform to standard specifications of the City for public sewers and shall be approved by the Plumbing Inspector and City engineer. Manholes shall be located not less than 25 feet from any building.

(Ord. 61-4380 §1(part), 1978.)

19.20.020 - Material, joints and connections.

All building sanitary and storm sewer piping extending from a public sewer or other disposal terminal to the foundation walls shall be of material, joints and connections approved in the Wisconsin Administrative Code (WAC). The disposal terminal shall be described as the end of the sewer service lateral or private sewage disposal system; in the event no lateral has been installed, it shall be the City sewer main. A building sanitary or storm sewer connection to a private or public main sanitary or storm sewer shall conform to sections 19.20.050 and 19.20.070 of this chapter.

(Ord. 61-5472 §5 (part), 2011, File No. 78-0745; Ord. 61-4380 §1(part), 1978.)

19.20.030 - Size.

The size of building sewers shall be determined by the provisions of WAC.

(Ord. 61-4380 §1(part), 1978.)

19.20.040 - Draining of waters into sanitary sewers.

The downspout or roof drain of any building, any air conditioner, or other clearwater cooling device, any cistern overflow, or any groundwater drain shall not be connected to any sanitary sewer, nor shall rain or surface water be drained directly or indirectly into any sanitary sewer:

- (a) *Disconnection.* The owner of any building or land wherein there is a violation of the provisions of this section shall cause the violation to be corrected within six months after being notified in writing by the Plumbing Inspector, whose duty it shall be to enforce this section.
- (b) *Drainage.* All drainage of waters enumerated in this section shall be made either directly into a storm sewer or into a public street or alley beyond the curb line, subject to the approval of the Plumbing Inspector. No person shall permit the drainage of water across any sidewalk or

public area so as to cause or tend to cause any hazard or danger to pedestrians or users thereof.

(Ord. 61-4380 §1(part), 1978.)

19.20.050 - Connection to sewer mains.

No person shall make a connection of any kind to a public sanitary or storm sewer, or replace or reconstruct any sanitary or storm sewer lateral without a permit from the Plumbing Inspector. Connections to any sanitary or storm sewer main pipe shall be done by City employees or their designees. Connections to manholes shall be performed privately with inspection by City employees.

(Ord. 61-4778 §1(part), 1992; Ord. 61-4428 §1, 1979; Ord. 61-4380 §1(part), 1978.)

19.20.060 - Location.

The Plumbing Inspector, with the cooperation of the water and sewerage utilities, shall keep a proper sewer connection record in a book, card index, or plat provided for that purpose showing the location of the lot, the master plumber proposing to lay the sewer or drain, and of the exact location of the public sewer to each drain or sewer so laid. Information concerning the sizes, location and depth of public and private sewers or drains and the position of the branch, junction and appurtenances will be furnished by the water and sewerage utilities. All reasonable care will be taken to ensure the correctness of such information, but such correctness will not be guaranteed under any circumstances. When in accordance with the measurements furnished, the junction is not found within three feet of the point designated, an approved Y or T fitting shall be used and such connection shall be made under the direction of the Plumbing Inspector or designee in accordance with 19.20.050 of this chapter. (When sewer laterals are not in the same trench as the water lateral, the installer of the lateral shall report to the utility the location of the lateral referenced from permanent points, i.e., property corners, manholes, hydrants, etc. In all cases, when the lateral is installed for future use a two-inch by four-inch board shall be placed at the end of the lateral to reach the ground surface, clearly marking the location of the pipe.)

(Ord. 61-4778 §1(part), 1992; Ord. 61-4380 §1(part), 1978.)

19.20.070 - Connection requirements.

- (a) *Size.* The connection shall be of the saddle type. The fitting used in the connection shall be made in such a manner as to ensure that no protrusion of the fitting into the main sewer pipe will result. The connector shall fit perfectly the contour of the inside of the sewer and shall be sufficiently designed to fit the particular size main sewer pipe into which the connection is made. The hole shall be of such size to provide one-eighth inch clearance between the outside of the fitting and the hole. The space so provided shall be completely filled with cement grout. The

space between the shoulder of the fitting and the face of the main sewer pipe shall be one-eighth inch thick and this space shall be completely filled with cement grout. The connection shall be encased in concrete.

(b) *Fitting.* The fitting shall be of cast iron, concrete, vitrified clay, plastic, or other approved materials, and shall be capable of receiving the type of pipe used for the building sewer lateral.

(c) *Fees.* All taps will be billed on time and material basis.

(Ord. 61-5472 §6 (part), 2011, File No. 78-0745; Ord. 61-4778 §1(part), 1992; Ord. 61-4428 §§2, 3, 4, 1979; Ord. 61-4380 §1(part), 1978.)

19.20.080 - Drain ends protected.

The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a plug so as to prevent the introduction of sand, earth or drainage from an excavation. The ends of all sewer laterals installed for future use shall be sealed with a plug or cap of the same material as the lateral.

(Ord. 61-4380 §1(part), 1978.)

19.20.090 - Prohibited location.

No water or sewer lateral, water service, or building sewer shall extend over or through any property description except the property served. Access shall be through a public right-of-way.

(Ord. 61-4380 §1(part), 1978.)

19.20.100 - Defective or inferior pipe prohibited.

No person shall connect with any public sewer any pipe that is cracked, damaged, or of any inferior make or quality. Should any person furnish pipe of an inferior make or quality to connect with a public sewer, the master plumber shall refuse to install the same and shall immediately notify the Plumbing Inspector, who shall require that necessary change be made so as to conform with this chapter.

(Ord. 61-4380 §1(part), 1978.)

19.20.110 - Old pipe or drain.

Whenever necessary to disturb a drain or sewer in actual use, the same shall not be obstructed nor discontinued without special permission of the Plumbing Inspector; and it is unlawful to make any new connections with or extensions to any old drain without permission of the Plumbing Inspector.

(Ord. 61-4380 §1 (part), 1978.)

19.20.120 - Use of sewers.

No person shall deposit in any sewer or drain, garbage, gasoline, tar, grease, waste oil, rags, or other substances likely to cause obstruction, nuisance, or explosion therein, or to do any act which may cause injury thereto. Any person who violates any provisions of this section shall, in addition to the penalty prescribed in this chapter, be liable to the City for the cost of removing such obstruction and of repairing injury resulting therefrom. This section is in addition to and shall be read with chapter 13.62 of this Code.

(Ord. 61-4380 §1(part), 1978.)

19.20.125 - External Grease Interceptors.

External grease interceptors shall be installed and maintained for all new restaurants, large kitchen operations, fast food establishments, etc. Existing businesses under extensive remodeling and where grease problems have been documented, the Plumbing Inspector may require installation of exterior grease interceptors as a condition of a plumbing permit.

(Ord. 61-5121 §1, 2001, File No. 01-0615.)

19.20.130 - Shoring of trenches.

Whenever there is danger of caving, the sides of all trenches shall be supported with adequate sheeting and braces to comply with current State Department of Safety and Professional Services regulations and OSHA requirements.

(Ord. 61-5503 §2 (part), 2012, File No. 77-0941; Ord. 61-4380 §1(part), 1978.)

19.20.140 - Backfilling.

- (a) The backfilling of all trenches to a depth of twelve inches over the pipe shall comply with WAC, and shall be the direct responsibility of the Plumbing Inspector.
- (b) The remainder of the backfilling of that portion of trenches within the public right-of-way, to the property side of the sidewalk line, shall be the responsibility of the excavating contractor and shall be as follows:
 - (1) The remainder of the backfilling, after foundations are prepared, with proper procedures as detailed in WAC, may consist of clay type soils with proper moisture content for maximum compaction, drying or wetting soils as needed and with mechanical compaction at time of back-filling. Backfilling shall be mechanically compacted in layers not to exceed eight inches in depth. The contractor shall have a vibratory-type compactor on the job site, in operating condition, before starting to backfill with clay type soils. Other backfill materials shall be limited to granular soil materials or rocky substances not exceeding one cubic foot in volume.

Rocks shall be entirely enveloped by fine material. Compaction shall be to a minimum of 95 percent Proctor Density. Sandy soil shall have optimum moisture when mechanically compacted.

- (2) Backfilling for pipe sewers may be done immediately after the placing by hand of fine backfill. Such backfilling may be carried on from the top of the trench by mechanical means, or by dumping directly from trucks, or by hand. The backfill in no case shall be dropped from such height or in such volume that its impact upon the sewer structure will cause damage.
- (3) Trenches, where excavated material is sandy or granular, or where, at the option of the Inspector, sandy or granular material is specially imported for backfill purposes, compaction may be obtained by jetting. Sandy or granular material shall pass a four-inch square sieve and shall not contain more than five percent of material which will pass a #200 sieve. It shall be of such character as to readily compact with water and shall permit excess water to pass through it quickly. Soils jetted shall be compacted to a minimum of 95 percent Proctor Density;
 - (A) The hose shall have a minimum diameter of two inches, and the pipe nozzle a minimum diameter of one and one-half inches and a minimum length of four feet. A hydrant regulating valve shall be provided by the contractor so that the hydrant, if one is used, can be fully opened while jetting is proceeding.
 - (B) During the jetting operations, the nozzles shall be inserted as deeply into the backfill as is possible without damaging the sewer structure or its foundation. The insertions shall be made at intervals of five feet or less and maintained unless the backfilling is saturated. Depressions caused by flooding shall be backfilled until there is no further settlement. Where City water is not available, mechanical compaction shall be used.

(Ord. 61-4380 §1(part), 1978.)

19.20.150 - Maintenance.

No person shall file any claim against the City for costs or damages for any repairs, replacements, or interrupted service of any sewer lateral. It shall be the responsibility of the owner of the property being served by any sewer lateral to maintain the entire lateral from a point including the connection to the sewer main and extending through the entire public right-of-way to the property line.

(Ord. 61-4380 §1 (part), 1978.)



TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: October 4, 2022

SUBJECT: 2024 Early Ordering and Pipe Supply Delays

Ductile Iron Pipe & Fitting manufacturer continues to struggle with demand and there will be supply issues moving forward. It is becoming more and more challenging to make sure we have pipe onsite for our construction projects and we will need to start looking at ordering pipe for our 2024 reconstruction projects. The street projects include:

- Stewart Ave – 48th Ave to 72nd Ave
- Eau Claire Blvd – Grand Ave to West termini
- 14-inch Steel WM replacement Elm St
- Water Main Looping – 60th/68th Ave

The difficulty with the utility is funding, to order materials 12-15 months ahead of time with no approved budget to make this obligation. Pipe suppliers are not willing to hold their pricing for this period of time either because the items are so volatile. We also have challenges with preparing plans in enough detail, this far ahead of time, to determine what we need for pipe size, length, fittings and other appurtenances necessary to complete these projects.

One of the options to consider is to consider ductile iron piping and fitting a volatile pricing material. Typically, volatile pricing is for commodities like fuel, but in this case bidding ductile iron pipe is not advantageous as suppliers would not guarantee their price. One option would be to get quotes as we did this past year for our 2023 projects with varying pricing depending on when the materials are available or use a pricing that would require the supplier to show their direct pricing and the city would allow a typical percentage above that for the supplier profit.

These are just some options for the Commission to consider as we move forward. We continue to monitor the situation with suppliers and the availability of products but, it seems the supply issues will continue for at least the next two construction seasons.

In the coming months we will need a decision by the commission on how to proceed with purchasing piping materials but wanted to bring this to your attention to understand challenges we face moving forward. Staff has solutions to this working directly with suppliers but the commission will need to consider moving away from traditional bidding/purchasing. This is going to become a very significant issue when it comes to using BIL funding as the state and feds have strict requirements related to bidding and bids will be significantly higher than typical.

Department of Public Works



Eric Lindman, P.E.
Director of Public Works and Utilities

TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: October 4, 2022

SUBJECT: Utility Chemicals – Commodity Purchasing due to Volatile Pricing

Chemicals for the water and wastewater treatment processes have historically been competitively bid each year and the lowest unit price bidder was the selected vendor for the year. The current status of chemical pricing is volatile, and no vendor will hold pricing so bidding the chemicals will not be an option moving forward.

The procurement policy allows for Commodities with volatile pricing (such as fuel) to be purchased on an as needed basis with quotes from different vendors/suppliers.

Staff is requesting to change how we procure chemicals and use quotes versus bidding as these chemicals are now in a volatile pricing situation for the foreseeable future. For chemicals it will be difficult to get quotes from more than two vendors/suppliers. I would also recommend we are able to purchase the chemicals as long as a good faith effort was made by staff to receive quotes from at least two vendors/suppliers. I have attached the city's procurement policy and the purchasing matrix.

CITY OF WAUSAU PROCUREMENT MATRIX

PURCHASE OF GOODS	PURCHASE OF CONTRACTOR SERVICES	PURCHASE OF CONSTRUCTION SERVICES	PURCHASE OF COMBINED GOODS AND SERVICES	PURCHASE OF PROFESSIONAL SERVICES
Examples include: Equipment, supplies, construction materials, rolling stock, furniture and fuel.	Furnishing labor, time and effort by a contractor usually not involving the delivery of specific goods. Examples include: Refuse and recycling collection, snow removal services, janitorial services, elevator maintenance, delivery services.	Substantial repair, remodeling, enhancement construction or other changes to any City owned land, building, or infrastructure. Examples include: Door replacement, roof replacement, office remodeling, bathroom addition. Procedures in Wisconsin Statute 62.15 and Wausau Municipal Code 12.08 Shall Take Precedence.	Purchase combines goods and services (exclusive of construction/contractor services). Technology Projects, EMS Billing Services, Parking Ramp Revenue System, Parking Enforcement Services, Vehicle Repairs and Maintenance.	Consulting and expert services provided by a company, organization or individual. Examples include: Attorneys, CPAs, Appraisers, Financial and Economic Advisors, Engineers, Architects, Planning and Design. Services measured by professional competence and expertise.
  			 	
PURCHASES GREATER THAN \$10,000 REQUIRE PURCHASE ORDER AND PURCHASE ORDER COVERSHEET			PURCHASES GREATER THAN \$25,000 REQUIRE PURCHASE ORDER AND PURCHASE ORDER COVERSHEET	
Goods or Service \$10,000 or less - may be made based upon the best judgement of the department head or division director. However it is recommended that competitive quotes be obtained. Specific procurement documentation is not required. No purchase order is necessary!			Goods or Service Under \$25,000 - may be made based upon the best judgement of the department head or division director. However it is recommended that competitive quotes be obtained. Specific procurement documentation is not required.	
Goods or Service \$10,000 to \$25,000 - Requires prior department head approval. The cost of the purchase must be included within the approved department budget. The department must obtain 3 written quotes. Quote summary, and written quotes must accompany purchase order request and submitted to the Finance Department.			Services Greater than \$25,000 a Formal Request For Proposal Process is Required. • Department Head is responsible for the preparation of the development of specifications, notices and advertising. • The Request for proposal should be developed to evaluate the expertise and experience and quality of the proposer and services offered.	
Goods or Service in Excess of \$25,000 - Requires a formal bid process. • Requests for bids shall be formally noticed. • Notices of bids shall state time and place of the bid opening. • Bids shall be submitted sealed in an identifiable bid packet and contain the bid name and date on the envelope. • The Department Head is responsible for the preparation of plans, specifications, notices or advertising. Prequalifications of bidders may be done at the discretion of the department head. • Sealed bids shall be opened, recorded and tabulated by the Board of Public Works. • Bids and tabulations must be available for public inspection and placed on file with the City Clerk. • The Board of Public Works shall have the authority to award the contract when the costs of the purchase have been included within the budget. Purchases that do not meet this criteria and are not otherwise authorized by law, rule, regulation or this policy shall be separately authorized by the Common Council.			• Establish selection criteria and selection committee is advisable. Publish the numeric ranking matrix in the proposal. This process reduces the subjective nature of the selection process. • Proposals should be solicited from an adequate number of qualified sources. Proposals shall be opened, recorded and tabulated by the Board of Public Works. • Proposals and tabulations must be available for public inspection and placed on file with the City Clerk.	
Commodities Subject to Volatile Pricing Such as Fuel \$10,000 to \$50,000 - Requires written quotes. Requires prior department head approval and the issuance of a purchase order. The cost of the purchase must be included within the approved department budget. The department must obtain 3 written quotes. Quote summary, and written quotes must accompany purchase order request and submitted to the Finance Department.			EXEMPT FROM COMPETITIVE PURCHASING AND SOLE SOURCE DOCUMENTATION • Insurance products and services from CVMIC and TMIC. • Purchase of software maintenance and support service when procured from the proprietary owner of the software. • Original equipment manufacturer maintenance service contracts and parts purchases when procured directly from the original manufacturer or authorized dealer or representative.	
Goods or Service Requiring Centralized Purchasing - Copiers, Computer Hardware and Software, Cellular Phones, Internet Services, Legal Services, Telephones, Security Cameras, Furniture, Office Supplies, Janitorial Services, Plowing Services, Vehicles and Other Rolling Stock, Facility Maintenance.				

CITY OF WAUSAU, WISCONSIN PROCUREMENT POLICY

POLICY OBJECTIVE

The City of Wausau has adopted this procurement policy in order to provide City employees with uniform guidance in the purchase of supplies, equipment, services and property. The controls and procedures set forth are intended to provide reasonable assurance that the lowest cost, highest quality good or service is obtained, while balancing the need for flexibility and efficiency in departmental operations.

COVERAGE

This policy applies to the purchases of all departments and divisions of the City of Wausau. The provisions of Wisconsin Statutes s 62.15 and Wausau Municipal Code 12.08 apply to the procurement of public construction and take precedence over any portion of this policy that may conflict with that statute. Procurement activities for MetroRide are subject to the provisions of the Federal Transit Administration and take precedence over any portion of this policy which may conflict with their guidelines. More restrictive procurement procedures required by grants, aids, statutes or other external requirements or funding sources will take precedence.

GOALS

1. To encourage open and free competition to the greatest extent possible.
2. To receive maximum value and benefits for each public dollar spent.
3. To ensure that all purchases are made in compliance with federal, state and local laws.
4. To prevent potential waste, fraud, abuse and conflicts of interest in the procurement process.
5. To assure proper approvals are secured prior to the purchase and disbursement of public funds.

ETHICAL STANDARDS

1. All procurement shall comply with applicable federal, state and local laws, regulations, policies and procedures. Municipal Code 2.03 Code of Ethics for Public Officials and Employees provides general ethical standards and conduct expectations.
2. In general, employees are not to engage in any procurement related activities that would actually or potentially create a conflict of interest, or which might reasonably be expected to contribute to the appearance of such a conflict.
3. No employee shall participate in the selection, award or administration of a contract if a conflict of interest would be involved. Such a conflict would arise when the employee, any member of his immediate family, business partner or any organization that employs, or is about to employ, any of the above, has a financial interest or other interest in the firm selected for award.
4. To promote free and open competition, technical specifications shall be prepared to meet the minimum legitimate need of the City and to the extent possible, will not exclude or discriminate against any qualified contractors.
5. No employee shall solicit or accept favors, gratuities, or gifts of monetary value from actual or potential contractors or subcontractors.
6. Employees must maintain strict confidentiality in the procurement process and shall not impart privileged information to any contractors that would give them advantage over other potential contractors.

7. Personal purchases for employees by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases. Employee purchase programs may be established with vendors with prior approval from the Mayor, provided that the vendor provides similar programs to employees of other private entities.

GENERAL GUIDELINES

These general guidelines shall be adhered to as closely as possible by all departments in the procurement of goods and services.

1. Procurements are classified into the following two major categories:
 - Purchasing Goods is defined as equipment, furnishings, supplies, materials and vehicles or other rolling stock. The rental, leasing of these items is also considered to fall within this category and the cost shall be determined by considering the maximum total expenditure over the term of the agreement.
 - Purchase of Services is classified into additional categories of professional services, contractor services, construction services and combined goods and service contracts.
2. Buy Local - It is the desire of the City to purchase locally when possible. This can be accomplished by ensuring that local vendors who have goods or services available are included in the competitive solicitation process that will precede major purchases. It is also the desire of the City to purchase from disadvantaged enterprise businesses whenever possible as defined by Wisconsin Statute 84.06(1).
3. Cooperative Procurement Programs – Departments are encouraged to use cooperative purchasing programs sponsored by the State of Wisconsin or other jurisdictions. Purchases of goods and services secured through these programs are considered to have met the requirements of competitive procurement outlined in this policy. Additionally, if identical products can be obtained at a lower price than current cooperative purchasing contracts, no additional quotes are required.
4. Purchasing Oversight – Department heads have the responsibility for procurement issues in their individual departments. A department head is defined as the City employee having responsibility for the department on behalf of which moneys were appropriated in the City budget for purchases.
5. Emergencies – When an emergency situation does not permit the use of the competitive process outlined in the policy, the applicable department head, Finance Director and Mayor may determine the procurement methodology most appropriate to the situation. Appropriate documentation of the basis for the emergency should be maintained and filed with the City Clerk. All emergency purchases exceeding \$50,000 shall require the Department Head to provide written notice to the Common Council.
6. Identical Quotes or Bids – If two or more qualified bids/quotes are for the same total amount or unit price, and quality or service is considered equal the contract shall be awarded to the local bidder. Where this is not practical the contract will be awarded by drawing lots in public.
7. Serial Contracting – No contract or purchase shall be subdivided to avoid the requirements of this policy. Serial contracting is the practice of issuing multiple purchase order to the same vendor for the same good or service in any 90 day period in order to avoid the requirements of the procurement policy.
8. Purchase Orders and Purchase Order Cover Sheet – Shall be issued for all purchases of goods and services in excess of \$ \$10,000.
9. Policy Review – This policy will be reviewed by the Finance Committee every two years or sooner at the discretion of the Common Council.
10. Protest Procedures – Any interested party who wishes to protest at any point in the procurement process, evaluation, award, or post-award, may do so. An “interested party” must, however, be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract. Protests must be submitted timely, in writing to the City Clerk, 407

Grant Street, Wausau WI 54403 but no later than five (5) working days following the City's procurement decision. The protest must contain a detailed statement of the grounds for the protest and any supporting documentation. Upon the receipt of the written protest, the City Clerk will notify the City Attorney and Finance Director who will work to resolve the matter within five (5) working days. If the protester is not satisfied and indicates the intention to appeal to the next step the award will be temporarily suspended unless it is determined that: 1) the item to be procured is urgently required; 2) delivery or performance will be unduly delayed by failure to make the award promptly; 3) Failure to make the prompt award will otherwise cause harm to the City; or 4) The protest has no merit. If the protester wishes to appeal the decision of the City Attorney and Finance Director the matter will be forwarded to the City of Wausau Finance Committee and the Common Council for the ultimate local disposition.

PURCHASE OF GOODS

1. Purchase of Goods under \$10,000 – may be made based on the best judgment of the department head or division director. However, it is recommended that competitive quotes be obtained. Specific procurement documentation is not required.
2. Purchase of Goods \$10,000 to \$25,000 – requires department head approval **PRIOR** to placing the order and the issuance of a purchase order. The cost of the purchase must have been included within the approved department budget. The department **MUST** obtain (3) three written quotations, if possible. Quote summary, request for quote documentation and written quotes must be submitted to the Finance Department with the purchase order request. Purchase orders will not be processed without the proper documentation.
3. Purchase of Goods in excess of \$25,000 – a formal bid process is required.
 - a. Requests for such bids shall be formally noticed. All notices and solicitations of bids shall state the time and place of the bid opening.
 - b. All bids shall be submitted sealed to the City Official designated in the bid packet and shall have the bid name and date identified on the envelope.
 - c. All sealed bids shall be opened and recorded by the Board of Public Works. The department head shall be responsible for the preparation of all plans, bid specifications, notices and advertising. Prequalification of bidders may be done at the discretion of the department head. A tabulation of bids received shall be available for public inspection. The Board of Public Works shall have the authority to award the contract when the costs of the purchase have been included within the approved City budget. Purchases that do not meet this criteria and are not otherwise authorized by law, rule or regulation, shall be authorized separately by the Common Council. All bid documentation shall be placed on file with the City Clerk.
 - d. In general, the contract shall be awarded to the lowest priced responsible bid, taking into consideration the following factors: the qualities of the goods supplied, conformity with specifications, product compatibility, maintenance costs, vendor support and delivery terms. Written documentation or explanation shall be required if the contract is awarded to other than the lowest responsible bidder. This documentation will include a justification as to why it was in the City's best interest to award the contract to other than the lowest responsible bidder.
4. **Commodities \$10,000-\$50,000 – commodities subject volatile pricing such as fuel may through via written quotes. These purchases require department head approval prior to placing the order and the issuance of a purchase order. The cost of the purchase must have been included within the approved department budget. The department must obtain (3) written quotations, if possible. Quote summary, written quotes and any other available documentation must be submitted to the Finance Department with the purchase order request.**
5. The department head shall administer the purchase.
6. The following items must be purchased using a centralized purchasing process:
 - a. Copiers - coordinated by the CCITC.
 - b. Computer hardware/software - coordinated by CCITC.
 - c. Cellular telephone, telephones, security cameras and similar communication and technology equipment – coordinated by CCITC.
 - d. Furniture – coordinated by Department of Public Works.

- e. Office Supplies – coordinated by the Finance Department.
- f. Janitorial Services – coordinated by Department of Public Works.
- g. Vehicles and other rolling Stock – coordinated by Department of Public Works.
- h. Facility Maintenance, Repair and Improvement – coordinated by Department of Public Works.

PURCHASE OF SERVICES

Whenever practical the purchase of services should be conducted based upon a competitive process:

- Contractor services is defined as the furnishing of labor, time or effort by a contractor, usually not involving the delivery of specific goods or products other than those that are the end result of and incidental to the required performance. Examples of contractor service include: refuse and recycling collection, snow removal, EMS billing services, janitorial, elevator maintenance, mailing, or delivery services. Contractor services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines. The cost shall be determined by considering the maximum total expenditure over the term of the contract.
- Construction services is defined as substantial repair, remodeling, enhancement construction or other changes to any City owned land, building or infrastructure. Procedures found with in State of Wisconsin Statute 62.15 and Wausau Municipal Code 12.08 shall take precedence. In absence of guidance in these areas, construction services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines.
- Combined Goods and Services in situations where the purchase combines goods and services (exclusive of construction and contractor services), such as many technology projects, the purchase shall be treated as a purchase of professional services.
- Professional services is defined as consulting and expert services provided by a company, organization or individual. Examples of professional services include: attorneys, certified public accountants, appraiser, financial and economic advisors, engineers, architect, planning and design. Professional services are generally measured by the professional competence and expertise of the provider rather than cost alone.

1. Request for Proposal Required

- a) If it is estimated that the service being solicited has a total cost of over \$25,000 a formal Request for Proposal shall be used to solicit vendor responses. The department head shall be responsible for the preparation of all Requests for Proposal specifications, notices and advertising. Prequalification of proposers may be done at the discretion of the department head.
- b) The Purpose of an RFP is to solicit proposals with specific information on the proposer and the service offered which will allow the City to select the best proposal. The best proposal is not necessarily the proposal with the lowest cost.
- c) Based upon the services or project and the magnitude of the outcome a selection committee may be advisable.
- d) Requests for proposals shall be formally noticed. All notices and solicitations of proposals shall state the time and place of the proposal opening.
- e) Information to be requested of the proposer should include: Years of experience in the area desired services, financial strength of the company, examples of similar services/projects completed, resumes of staff associated with the project/service, list of references, insurance information, In addition the proposal should provide information about the City, scope of services requested and desired outcomes or deliverables. The proposal should also identify evaluation factors and relative importance.
- f) Establish selection criteria and include this information with the RFP. It is generally advisable to establish a numeric ranking matrix. This reduces the subjective nature of the rating process.

- g) Proposals should be solicited from an adequate number of qualified sources. Requests for proposal should be formally noticed. All notices and solicitations should provide the issue date, response due date, date and time of opening responses and a contact person.
- h) Proposals shall be opened and recorded by the Board of Public Works. A tabulation of proposals received shall be available for public inspection. All proposal documentation shall be placed on file with the City Clerk. The Department Head and selection committee (if applicable) will then review the proposals and make a selection.

2. Attorney Professional Services.

- a) The City Attorney shall hire and manage all outside legal counsel engaged to represent and/or advise the city regarding all matters of any character, in which the city is interested, before any court or tribunal.
- b) The City may enter into negotiated contracts without a competitive selection process for the procurement of services if the services are for professional services to be provided by attorneys who charge on an hourly basis, or who are designated by the city's liability insurance carriers. When retention of legal services to perform ongoing services in one type of matter, such as bond counsel or prosecution services, is required, the procurement policy, for professional services shall be followed. The City Attorney shall have authority to sign engagement letters on behalf of the City.
- c) The invoices of Counsel designated or engaged by the City's insurance carriers shall be monitored by the City Attorney and paid by the City up to the City's self-insured retention level for that matter, without further approval from the Finance Committee or Common Council. In all other matters, where the aggregate legal fees for any one matter, regardless of the time period during which work was performed, exceed \$50,000, the City Attorney shall inform the Common Council of the status of the matter and the amount of fees incurred to date.
- d) Billing Frequency and Format
 - i) Time Changes. Actual time should be billed in one-tenth (.10) hour increments.
 - ii) Billing Frequency. Invoices for legal services or expense shall be invoiced every 30 days from the date of initial suit assignment and monthly thereafter.

In any event, invoices submitted more than 60 days after the last date of legal services will require explanation of the billing delay to the City Attorney.

Invoices submitted more than one (1) year after the last date of legal services or expense will be rejected.

- Service contracts or agreements should be reviewed by the City Attorney and placed on file with the City Clerk.

SOLE SOURCE

Sole source purchasing allows for the procurement of goods and services from a single source without soliciting quotes or bids from multiple sources. Sole source procurement cannot be used to avoid competition, rather it is used in certain situations when it can be documented that a vendor or contractor holds a unique set of skills or expertise, that the services are highly specialized or unique in character or when alternate products are unavailable or unsuitable from any other source. Sole source purchasing should be avoided unless it is clearly necessary and justifiable. The justification must withstand public and legislative scrutiny. In advance of the purchase, the Department Head is responsible for providing written documentation justifying the valid reason to purchase from one source or that only one source is available. Sole source purchasing criteria include: urgency due to public safety, serious injury financial or other, other unusual and compelling reasons, goods or service is available from only one source and no other good or service will satisfy the City's requirements, lack of acceptable bids or quotes,

an alternate product or manufacturer would not be compatible with current products resulting in additional operating or maintenance costs, standardization of a specific product or manufacturer will result in a more efficient or economical operation, aesthetic purposes or compatibility is an overriding consideration, the purchase is from another governmental body, continuity achieved in a phased project, the supplier or service demonstrates a unique capability not found elsewhere, economical to the city on the basis of time and money of proposal development.

1. Sole source purchase under \$ \$10,000 shall be evaluated and determined by the Department Head. No written documentation required.
2. Sole source purchase of \$10,000 to \$25,000 a formal written justification shall be forwarded to the Finance Director in advance of the purchase, who will concur with the sole source or assist in locating additional competitive sources.
3. Except for the purchases related to the Water and Sewer Utility, sole source purchase exceeding \$25,000 must be approved by the Finance Committee.
4. Sole source purchases related to the Water and Sewer Utility exceeding \$25,000 must be approved by the Wausau Waterworks Commission.

Sole Source Exemptions: The following purchases are exempt from competitive purchasing requirements and sole source documentation:

1. Software maintenance and support services when procured from the proprietary owner of the software.
2. Original equipment manufacturer maintenance service contracts, and parts purchases when procured directly from the original manufacturer/authorized dealer or representative.
3. Insurance policy purchases and services through CVMIC and TMIC of Wisconsin
4. Utility Services and Charges.
5. Marathon County Landfill
6. Services and products purchased from CCITC

BUDGET

All purchases shall be made in accordance with the budget approved by the Common Council. The department head has the responsibility for managing departmental spending to ensure the line item budget is not overspent and for initiating Transfer of Funds Requests when appropriate.

CONTRACT AUTHORIZATION

The Mayor is authorized to enter into contracts on behalf of the City of Wausau without additional council approval if the contracts meet the following criteria:

1. Purchase of Goods – The City may purchase equipment, furnishings, goods, supplies materials and rolling stock when the costs of the same have been included in the approved City Budget.
2. Purchase of Services – The City may contract for the purchase of services without Council resolution when the following conditions have been met:
 - a) The funds for services are included in the approved City budget.
 - b) The procurement for services complies with the procurement policy.
 - c) The City Attorney has reviewed and approved the form of the contract.
 - d) The contract complies with other laws, resolutions and ordinances.
 - e) The contract term meets one of the following criteria:
 1. The contract is for a period of one year or less, or
 2. The contract is for a specific project, or
 3. The contract is for a period of not more than three years and the annual average cost of the services does not exceed \$25,000.
3. The following contracts require council approval:
 - (a) Collective Bargaining Agreements – Any contract between the City of Wausau and any collective bargaining unit representing City employees.
 - (b) Real Estate Purchases – Contracts for the sale or purchase of real estate where the City of Wausau is the proposed seller or purchaser. Council approval is **not** required for

commencement of foreclosure action to collect a loan or other debt owed to the City when the debtor has failed to cure any default in payment of the loan or other obligation.

- (c) Leases – Contracts for lease of real estate where the City is either a proposed landlord or a proposed tenant exclusive of airport hangar, parking stall rentals and short term park facilities rentals.
- (d) Easements and Land Use Restrictions – Contracts for easements, restrictive covenants or other limitations which may be placed upon the use of any City-owned property.
- (e) Intergovernmental Contracts in excess of \$5,000 – Contracts between the City of Wausau and other local, state or federal governments or agencies except, cooperative purchasing agreements.
- (f) Development Agreements – Contracts for the provision of infrastructure, financial assistance or other incentives by the City for the benefit of a developer or business venture.
- (g) City Services – Contracts whereby the City of Wausau agrees to provide services to another party.
- (h) Managed competition, outsourcing contracts – Contracts for labor or personal services to be performed by persons who are not city employees for work that has been performed by city employees within the past five (5) years and the contract will result in the elimination of positions and the layoff of personnel.

4. The common council delegates contract approval to the department level for the following:

- (a) Community Development Housing and Commercial Development Loans and Grants issued from grants and related program income.

Contracts shall be signed by the Mayor and counter-signed by the City Clerk, City Finance Director and City Attorney. The City Finance Director shall certify that funds have been provided by the Council to pay the liability that may be incurred under the contract. The City Attorney shall approve the contract as to form and the City Clerk shall attest to the Mayor's signature. Contract change orders may be signed by the Board of Public Works as long as the change order does not materially change the work performed and funds are available within the budget. Purchase contracts for goods or services valued at \$10,000 or less may be signed by individual department directors as long as the purchase is provided in the budget.

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