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To: Senate Committee on Natural Resources and Energy  
From: Toni Herkert, Government Affairs Director, League of Wisconsin Municipalities  
Date: March 15, 2023  
RE: Senate Bill 99, relating to Funding for the Reduction of Infiltration and Inflow in Connecting Laterals and Sewer Lines

Chairman Cowles, Vice-Chair Wimberger, and Committee Members,

My name is Toni Herkert, and I am the Government Affairs Director with the League. The League of Wisconsin Municipalities represents almost all of the 605 cities in villages, large and small, throughout the state. Our member municipalities operate the majority of the over 640 wastewater treatment facilities in the state.

Thank you for the opportunity to provide testimony today in support of Senate Bill 99 relating to funding the reduction of infiltration and inflow in connecting laterals and sewer lines. This is an important issue and can be very costly for municipalities both in terms of compliance and infrastructure capacity.

There are several ways stormwater, snow melt, and groundwater get into the sanitary sewer system. Diffuse water that enters the sanitary sewer system is called inflow and infiltration, or I&I. Infiltration refers to groundwater that seeps into sewer pipes through holes, cracks from tree roots, joint failures, and faulty connections. Inflow is stormwater that quickly flows into sewers through discrete sources such as connected roof drain downspouts, foundation drains, sump pumps, and through holes in manhole covers.

All the water that comes to wastewater treatment facilities needs to be treated and discharged. Inflow and infiltration can be especially problematic during spring thaw and large storm events. Neither the sanitary sewer system nor the treatment facilities were designed to handle stormwater, so when large amounts of additional water enter the sanitary sewer system, it can overburden the treatment facility capacity.

Inflow and infiltration are problematic for the following reasons:

- Increased capacity in the collection system and corresponding wastewater treatment plant results in higher treatment costs.
- Contributes to sewer system overflows in local homes and the area waterways, negatively impacting public health and the environment.
- Requires a higher energy concentration to pump the flow and the unnecessary treatment of groundwater and stormwater.
- If left untreated, I/I could lead to funding a plant upgrade, because influent flows are exceeding permit and design capacity.

Municipalities have taken many steps including main and lateral televising, repair and replacement of mains, manhole inspections and replacements, flow monitoring, sump pump inspections smoke testing, and flow modeling to identify and address inflow and infiltration issues. These types of activities are all able to be funded with loans or principal forgiveness from the state-run Clean Water Fund program. However, a problem lies in one significant difference between state law and the federal standards. The state program does not currently allow the use of Clean Water Funds for the remediation of common inflow and infiltration issues.

Senate Bill 99 rectifies this situation and allows municipalities to utilize Clean Water funding for projects that would reduce private sources of inflow and infiltration. These measures could include disconnection of sump pumps, foundation drains, downspouts and gutters from the sanitary sewer, and repair, rehabilitation, and lining of sewer laterals.

Senate Bill 99 simply allows federal funds to be utilized to fund infiltration and inflow projects, it does not prioritize these projects. In addition, by allowing federal funding (with a local match) to be utilized for small scale infrastructure repairs and upgrades, municipalities could avoid costly compliance issues or a large-scale infrastructure upgrade due to capacity issues. The latter costs would be greater and shouldered by ratepayers.

According to the EPA, wastewater collection and treatment costs can range from \$2 to \$5 per thousand gallons. An annual I&I volume of 150 million gallons would cost between \$300,000 and \$750,000 per year to transport and treat.

We would like to thank Senator Cowles and Representative Rodriguez for their leadership on this important issue and ask the committee to support SB 99. Thank you for your consideration. If you have any questions, please contact me at [therkert@lwm-info.org](mailto:therkert@lwm-info.org).