

Subsurface Sewage Treatment Systems Advisory Committee Ground Rules November 2006

Purpose and Charge

The Minnesota Pollution Control Agency's (MPCA) Subsurface Sewage Treatment Systems (SSTS) Program is responsible for building a regulatory framework for and licensure of practitioners who design, install and maintain soil based wastewater treatment systems. This program performs an important function in ensuring that new and existing systems are working properly to protect public health and the environment from untreated wastewater. Counties, cities and townships operate as co-regulators and have a significant role in adopting and enforcing SSTS regulations.

The Individual Sewage Treatment System (ISTS – precursor to SSTS) Advisory Committee was created to advise the MPCA on the administration of the SSTS program. Specific areas of SSTS Advisory Committee activity identified in MR chapter 7080 include:

- legislation
- revisions of rules
- development of policy
- licensing and enforcement
- technical review
- educational programs and materials
- administration of standards and ordinances
- small community and homeowner related wastewater issues and
- other SSTS activities considered appropriate.

Meeting frequency

The Advisory Committee will be scheduled to meet quarterly, unless otherwise noted. Each meeting will average six hours in length with a few meetings on critical issues to last longer. If a critical issue needs to be addressed, the Advisory Committee may call special meetings. Further, the Advisory Committee may consider conference call options to facilitate member participation.

Membership

Members are the original appointees or designees outlined in rule. Some members having voting rights while others do not. The voting members are specified in MR chapter 7080 and they include:

- one citizen of Minnesota,
- one shall be from the Minnesota Extension Service of the University of Minnesota;

- six shall be county administrators, such as zoning administrators, sanitarians, and environmental health specialists, representing all of the agency's six geographic areas of the state;
 - one shall be a municipal building inspector;
 - six shall be sewage treatment contractors, representing all of the agency's six geographic areas of the state;
 - one shall be a water well contractor;
 - one shall be a township official;
 - three shall be elected public officials, one from each of the three agency districts;
 - one shall be from the Minnesota Department of Natural Resources; and
 - one shall be from the Department of Labor and Industry (to be changed in new rule).
- The following are the nonvoting members as identified in MR chapter 7080: United States Department of Agriculture Natural Resource Conservation Service-Soil Survey Program, Minnesota Association of Professional Soil Scientists, Metropolitan Council, Association of Minnesota Counties, Minnesota Association of Townships, League of Minnesota Cities, Minnesota Society of Engineers, Association of Small Cities, Minnesota Association of Campground Operators, Inc., Minnesota Association of Realtors, Minnesota County Recordors' Association, Minnesota Environmental Health Association, ISTS supplier representative, Minnesota Onsite Wastewater Association (formerly Minnesota On-site Sewage Treatment Contractor's Association), American Society of Home Inspectors, and the Minnesota Waters (formerly Minnesota Lakes Association).
 - The Advisory Committee shall biennially elect a chair from among its members, and may elect other officers as necessary.
 - The chair will work with the MPCA in planning and running the meetings
 - A steering team will be formed to develop agendas, monitor progress of workgroups and assist the chair in meeting planning.
 - Members may select one alternate.
 - If the Advisory Committee member or alternate misses two consecutive meetings, MPCA staff will contact them within 10 days following the meeting regarding their status on the Advisory Committee. After three consecutive absences, the Minnesota Pollution Control Agency will act to replace the representative.

Participation of alternates

- Members will each strive to be the ongoing participant as the appointed member of this group. We may need to rely on an alternate member should unforeseen events take precedence.
- The member must notify the Minnesota Pollution Control Agency contact if the

- alternate will attend a meeting.
- It is the responsibility of the member and alternate to ensure that each is up to date on committee work.
 - It is the member's responsibility to orient the alternate in preparation for meetings, including business items and the agreed-to process for running meetings.
 - Alternates will participate fully in the discussions of the Advisory Committee.
 - The alternate may vote on formal motions in place of the member, if the member is not present at the meeting.
 - Alternates will be sent complete updates and materials.

Ensuring full participation

- All members are expected to fully participate in the work of the Advisory Committee
- The agenda will be adequately prepared to allow for presentation of information and adequate discussion of the issue
- During discussions in the group, members will raise hands to indicate they have something to contribute
- All committee members will commit to considering and understanding differing points of view creating a culture where it is the norm for everyone to feel comfortable to offer and discuss diverse ideas
- Members can call for a "check-in" with other members or the full group.
- We will question ideas, not the person.
- We will encourage and respond respectfully to questions
- We will explain the reasoning behind our statements.

Work Groups

- Work Groups may be formed to consider and report on subjects requiring special study.
- The Advisory Committee will determine the make-up and number of members of the Work Group(s) with advice from the steering team. The members of said groups should be diverse in background and have experience with the subjects being studied by the group(s).
- Non-Advisory Committee persons may be appointed to Work Groups to gain additional expertise and/or diversity of background and experience
- The Work Group(s) will be charged with an issue for study as determined by the Advisory Committee. The Work Group(s) responsibility will be to review the issue and make written recommendations back to the Advisory Committee in a time and manner determined by the Advisory Committee.
- The work group will keep a record of its findings and conclusions on the topic to be presented to the Advisory Committee with the recommendations. The Workgroup leader will keep a file that is passed on to subsequent leaders of the workgroup that documents meetings held, attendees, and work undertaken, as well as any completed products of the Workgroup.

Use of technical expertise

- Any member can propose a non-Advisory Committee member for a technical resource

- group to the Advisory Committee or Work Group. (roster)
- Any member can propose expertise to inform and provide balance for Advisory Committee deliberation.
 - Need for expertise for Advisory Committee discussion will be decided on a case-by-case basis.

Non-member participation

- Advisory Committee meetings will be open to the public
- We will encourage discussion and comments from the audience but decision making will reside with the voting membership of the Advisory Committee.
- We will encourage the use of a Website/e-mail list for information on meetings and the process.

Consensus decision making process

- We will define consensus as the whole group consents, that is, can live with the decision (70 per cent comfortable/100 per cent willing to support). Each decision will have some members more comfortable on the matter than others. Consensus will reflect a decision that everyone can live with, after thorough discussion and exchange of ideas. We will make every effort to solicit opinions so that all views are considered, and encourage minority interests to speak.
- We would like the consensus documents to reflect not only the consensus but also concerns of minority viewpoints in a less formal way than minority reports. By describing those viewpoints, we inform the Commissioner of the Minnesota Pollution Control Agency and the Legislature of our concerns.
- The need for a more formal minority report will be determined on a case-by-case basis.
- Interim consensus will be developed on parts of the Advisory Committee's product until the whole is worked through.
- Only after real effort to find consensus will the Advisory Committee move forward without it. When consensus cannot be achieved, any decision to move forward without it, towards a vote of the members, will be made by consensus.
- If members of the Advisory Committee are not present for a discussion or consensus, they are accountable for representing the decision fairly.

Recognizing the common good

- We will strive to create an atmosphere where interests and the common good of Minnesota can be discussed with respect and understanding.

Focus of Advisory Committee results

- We will have a successful product to the extent recommendations are implemented and resolve the problems they are intended to address.
- Advisory Committee recommendations will strive to be measurable, applicable, achievable, and credible, based on careful review of all relevant materials.

Communication with constituencies or member organizations

- Members will commit to communicate frequently with the constituency they represent and bring these concerns and insights to the Advisory Committee discussions;
- Members representing an organization or association must speak for the group and not their personal viewpoints.
- Members will share information with their organizations, recognizing the responsibility to communicate in a manner that does not create barriers to future operation;
- Members acknowledge a possibility of discord between Advisory Committee decisions and organization objectives. Advisory Committee members agree to properly represent the Advisory Committee decision and to help the organization understand the differing positions and interests represented on the Advisory Committee.
- The Advisory Committee may, at times, make decisions on topics that may impact or affect the Advisory Committee's constituency. The Advisory Committee may discuss distribution and timing of these decisions to facilitate appropriate communication.

Maintenance

- MPCA staff will get information to members as quickly as possible.

Time-sensitive Issues

- When key issues demand member response between Advisory Committee meetings, the turnaround time should be five working days.

Glossary of terms

- We will create an on-going glossary, including common acronyms.
- We will find an effective way to update the terms periodically.

Meeting notes

- Staff will send draft meeting summaries to members in advance.
- Advisory Committee members will approve all meeting summaries.

Changes to Ground Rules

- The Advisory Committee should periodically review these ground rules and use decision making processes outlined in these rules to make changes when necessary.