

On-site Rule Revision Committee Charter

Purpose

The On-site Rule Revision Committee (ORRC) works with the Washington Department of Health (DOH) to provide options and recommendations for revisions to chapter 246-272A WAC with the overall goal of protecting the environment and public health based on best available science and consistent with the Administrative Procedures Act.

Scope

The scope of the ORRC is to provide recommendations to DOH for:

1. potential revisions to chapter 246-272A WAC;
2. guidance to supplement the implementation of the WAC; and
3. potential changes/development of other regulations.

ORRC Membership

The ORRC provides a platform of diverse stakeholders through the inclusion of representatives from the following stakeholder groups:

- Local Health Jurisdictions (4 (2 Westside/2 Eastside))
- Washington Realtors (1)
- Financial Institutions (1)
- Department of Ecology (1)
- Puget Sound Partnership (1)
- Tulalip Tribe (1)
- Shellfish Industry (1)
- WA On-Site Sewage Association (1)
- On-site Design Engineers (1)
- Certified On-site Designers (1)
- On-site Service Providers (1)
- On-site Installers (1)
- On-site Device Manufacturers (2 (1 large/1 small))
- Environmental Groups (1)
- Citizens Groups (2)

There are a total of 20 primary members. Each stakeholder group is allowed as many primary representatives as is shown in parentheses. Each primary is allowed an alternate.

Meeting Structure and Process

ORRC meetings will use a collaborative approach to explore issues and to develop recommendations for rule revision. Recommendations will be based on rationale for effective sewage treatment, public health and environmental protection, and compliance costs for local health jurisdictions, on-site sewage system owners, and industry. Rather than spending resources to assess and justify past rule making and

current code language, ORRC members are encouraged to focus on and bring forward more recent work and new ideas to improve and update the rules.

To help ensure equal and fair representation, meeting rooms will be organized such that each ORRC member has one seat at the table. Members of the public can also attend, subject to space availability.

The meeting facilitator will solicit comments/feedback first from ORRC members seated at the table. To encourage a broader discussion, the facilitator may also seek comments from those in the audience.

Issue Submission and Prioritization

The key issues identified in the 2017 review of chapter 246-272A WAC will be prioritized for the ORRC's consideration. There are at least 20 other issues identified in rule reviews (2017 and prior reviews) and in recent legislative bills that will also be considered. DOH will solicit new issues from ORRC members. DOH will solicit ideas from each ORRC member early in the revision process to evaluate how best to prioritize these issues.

Subcommittee Recommendations

ORRC members will participate in two different subcommittees. One focused on policy/management the other focused on technical issues. Each subcommittee will be led by a DOH staff person and will have the task of coming up with recommendations to the ORRC. Recommendations must include:

- A description/background of the issue;
- The majority recommendation;
- Minority viewpoint;
- Proposed rule language (if possible).

Voting Procedures

The ORRC will attempt to reach a unanimous decision on all recommendations through a collaborative process. Only if consensus cannot be achieved on a given recommendation will a vote be held (with 60% majority rule) and with the following conditions:

- Each ORRC member has one vote. DOH staff and State Board of Health (SBOH) staff will not vote.
- Primary or alternate may vote. Both primary and alternate cannot vote on same issue.
- A quorum of 13 ORRC members are required to hold a vote. The primary member's alternate may vote in their absence.
- Votes will generally be taken by verbal/hand count. If the facilitators decide it is useful a paper tally may be used to count votes.
- DOH will convey ORRC's recommendations for revised rule language to the SBOH. DOH may also present its position/recommendation, if different than the ORRC.

Communication Procedures

Email will be the primary means of communication to the ORRC members. DOH will send meeting notices, agenda, and ORRC member assignments via a distribution list of all ORRC members (including alternates).

DOH will routinely update the On-site Rules Revision Webpage with ORRC progress, agendas, meeting times and locations, other relevant information, and notices of how interested parties can provide input.

ORRC Member Responsibilities

DOH Responsibilities

- Provide facilities for each meeting.
- Facilitate each meeting.
- Develop agendas and send to members one week before each meeting.
- Participate as an ORRC member, but not be a voting member.
- Offer policy and technical support.
- Develop issue papers for topics.
- Capture a record of the recommendations from the meetings.
- Maintain a web page with agendas, ORRC progress, and related materials.
- Provide opportunities for public input.
- Provide regular updates to the SBOH regarding the status of work and ORRC recommendations.
- Use the ORRC recommendations to develop the analyses required by the Administrative Procedures Act and proposed rule language to the SBOH.

Member Responsibilities

- Participate in good faith in order to develop regulation that protects public health and the environment.
- Attend all ORRC meetings or ensure that their alternate is informed and available to attend in their absence.
- Have one seat at the table for committee meetings and be present and prepared to vote on issues.
- Help educate each other.
- Show consideration and respect for others' ideas/words/opinions.
- Consider all perspectives.
- Keep their alternate's up-to-date on issues and positions.

Alternate Member Responsibilities

- Stay informed and current on issues considered by ORRC and the ORRC's progress.
- Attend meetings when the primary member cannot attend and be present and prepared to vote on issues.

SBOH Staff Responsibilities

- Attend all ORRC meetings and help facilitate the rule-making process.
- Provide SBOH perspective.
- Keep SBOH informed throughout the process.