

## **Charter: Septage Study Group Structure**

(Rev: August 16, 2017)

This charter outlines the background, purpose, membership and meeting organization for the Septage Study Group. The Septage Study Group is one of several initiatives resulting from the Wisconsin Department of Natural Resources (DNR) realignment in which the Environmental Management Division was created.

### BACKGROUND

The goals of the department's septage program are to:

- Protect public health from unsanitary and unhealthful practices and conditions,
- Protect surface waters and groundwaters of the state from contamination by septage, and
- Strive to operate a regulatory program that strives for a level playing field.

Related septage requirements include:

- Ss. 281.48 & 281.49, Wis. Stats.;
- Ch. NR 113 and subch. II, NR 114, Wis. Adm. Code; and
- 40 CFR 503, Code of Federal Regulations relating to septage and biosolids.

The Wisconsin DNR is not delegated by the United States Environmental Protection Agency (USEPA). However, the Wisconsin program includes many of the federal requirements simplifying compliance for septage businesses operating within the state.

The septage licensing program exempts septage businesses from the more burdensome Wisconsin Pollution Discharge Elimination System requirements. Approximately 2 full time equivalent positions manage the program. The positions are divided between region field positions and central office which includes both licensing/certification as well as statewide coordination.

Wisconsin DNR operates the regulatory program using a three legged stool approach including:

- **Compliance:** The department's field staff reviews land application site requests, follows up on complaints and inspects businesses for compliance. In addition, the licensing and certification staff administers exams, tracks continuing education, and issues certifications and business licenses.
- **Education:** The department offers continuing education opportunities and works with counties, associations and others to provide education opportunities.
- **Enforcement:** The department seeks compliance. When compliance cannot be achieved through education, stepped enforcement is used using the least amount of enforcement necessary to achieve compliance.

Overall, the department strives for a level playing field without unfair economic advantages.

### PURPOSE

The purpose is to solicit and receive information from Septage Study Group members. These topics are related to the regulation of the septage industry and include but are not limited to:

- Business and Vehicle Licensing;
- Vehicle Operator Certification including study guides, exams and continuing education requirements;
- Training by department staff and by others;
- Servicing related issues including complying with county maintenance requirements;
- Treatment facility disposal;
- Land application for beneficial reuse;

- Storage; and
- Logs/Records retention.

Ultimately, the focus of this study group is to streamline department efforts and resources to create a level regulatory “playing field” within the industry while protecting public health and protecting surface & groundwaters.

#### MEMBERSHIP

The Septage Study group is comprised of about a dozen members. Many members are directly involved with the septage industry and/or provide septage related services. Other members are indirectly involved. “Sister-agencies” are also invited and include the Wisconsin Departments of:

- Administration-Office of Business Development,
- Agriculture, Trade and Consumer Protection, and
- Safety and Professional Services.

All members are appointed by the DNR Secretary and approved by the Governor. Terms are open; members serve at the pleasure of the DNR Secretary. The Group is supported by ad hoc subgroups as needed.

#### OPERATING GUIDELINES: Timing and Structure of Meetings

The meetings of the Septage Study Group and the ad hoc subgroups follow these operating guidelines to foster understanding of meeting logistics and operations. The guidelines are also intended to facilitate group participation and enhance discussion of the issues.

#### Study Group

- SECRETARY/GOVERNOR APPROVAL. Members are submitted by the DNR Secretary to the Governor for approval. Members serve at the pleasure of the Secretary.
- CHAIR/SUPPORT. The Study Group will be chaired by a DNR representative. Fred Hegeman will chair this group. Emily James and Alexis Heim, both representing the DNR will provide support to the Study Group. James and Heim will be the contacts for the department and will be responsible for communication and support.
- ROLE OF STUDY GROUP. The Study Group is a working group and members may be asked to provide information to the group on various issues. DNR staff will also give presentations and provide documents to the group as necessary.
- MEETING FREQUENCY. Meetings are slated twice per year with up to four meetings per year depending on department policy needs and any additional input that may be necessary.
- MEETING TYPE. Meetings will typically be in person.
- MEETING NOTICES. Each meeting will be public noticed.
  - All Study Group members and interested parties will be notified of meeting times and locations.
  - Meeting agendas and materials will be prepared for each meeting.
  - This information will be sent electronically to the Study Group members about one week prior to the meetings.
  - Agendas and material will be posted to the Department’s public website.
- OPEN MEETINGS. All Study Group meetings and its subgroups are open to the public.
- USEPA. USEPA Region 5 representatives will be invited to attend Study Group meetings (and subgroup meetings as relevant).

- MEETING MINUTES. Meetings notes will be drafted during the meetings. These draft notes will be distributed to Study Group membership soon after each meeting. Upon approval of the minutes at the subsequent meeting, the minutes will become public information and be posted on the department website.
- AD HOC SUBGROUPS. The Study Group will create and establish subgroups for specific topics.
  - Individual Study Group members may be asked to fulfill certain assignments.
  - The Study Group will review draft recommendations from the subgroups.
- RECOMMENDATIONS. The format for providing recommendations will include:
  - A background narrative.
  - Proposed recommendation.
  - Type or description of recommendation (e.g., administrative, statutory or regulatory) and any resources needed from DNR, stakeholders or others.
  - Proposals that are legislative in nature should be worked on directly with legislators and their staff rather than the Septage Study Group.
- POTENTIAL FOR SUCCESS. The success of Study Group discussions is enhanced by regular attendance of the members.
  - Group members are asked to place a high priority on attending the meetings.
  - If members cannot attend a meeting, they are asked to discuss this with the chair in advance.
- SUBSTITUTION OF MEMBERS. The substitution of Study Group members is discouraged in order to maintain the collaboration and dynamics of the group.
- VALUE OF PARTICIPATION/CONTRIBUTION. Every Study Group member's participation and contribution is valuable. Each Study Group member will be allowed to present his/her opinion on topics being discussed and is asked to listen attentively to other group members.

#### Ad Hoc Subgroups

- MEMBERSHIP. Membership may include Study Group members and/or nonmembers.
  - Membership in the subgroups will be from a wide variety of interests, to ensure a balanced group and the broadest base for input.
  - Each subgroup will be chaired by a member of the Study Group.
  - The subgroup chair will provide DNR staff the names and associations for those on the subgroup.
- PUBLIC NOTICE. Each subgroup meeting will be public noticed.
  - No later than 2 weeks prior to a subgroup meeting, the chairs of the Subgroup(s) will notify DNR staff of the proposed meeting.
  - DNR staff will ensure that all subgroup members and interested parties are notified of meeting times, locations and agendas.
  - Each subgroup will take meeting notes and forward a draft of the notes to DNR staff for distribution to the subgroup for approval soon after each meeting.
  - A final draft of notes will be distributed to the Study Group and be included on the Study Group's webpage.
- CHARGE. The Study Group or subgroups will establish the charge of subgroups. A charge may include the following:
  - Identifying options or priorities for resolving septage issues.
  - Identifying whether an issue should be addressed via administrative (e.g., fact sheet/training/other), regulatory or statutory changes.
  - Identifying the amount of resources (e.g. staff or money) needed to implement a change.