

MONTANA SEPTIC TANK PUMPER ADVISORY COMMITTEE

RULES AND PROCEDURES

1. MISSION STATEMENT

To enhance communication between the DEQ and Septic Tank Pumper Industry. To educate the Septic Tank Pumper Industry and the Montana public and to advise the DEQ regarding issues for the pumper industry.

2. PURPOSE

The Septic Tank Pumper Advisory Committee (SPAC) has been created for the purpose of acting only in an advisory capacity to the Department. In that capacity, the members are tasked with furnishing advice, gathering information, and making recommendations to the Department regarding the rules governing the regulation of septic tank pumpers.

3. MEMBERS

- a. The committee is comprised of seven (7) primary regional volunteer representatives and one at large representative all with voting privileges.
- b. Each representative shall be currently licensed Montana pumper.
- c. Regional committee representatives must reside in the region they represent.
- d. One committee member will be a Department representative with no voting privileges.
- e. One committee member will be a volunteer county sanitarian representative with no voting privileges.
- f. A primary committee member shall hold a position on the committee for a six-year term.
- g. Should a primary committee member resign, the alternate member will become the primary member. The Department will request a volunteer from the same region as the resigning member to fill the alternate position.

4. ALTERNATE MEMBERS

- a. The committee is comprised of seven (7) alternate regional volunteer representatives and one vice-Chairperson all with voting privileges.
- b. Alternate representatives shall be currently licensed Montana pumpers.
- c. In the event that a committee member cannot attend a scheduled business meeting, he shall arrange with his/her organization for his duly appointed alternate to serve in his absence.
- d. While serving in the absence of the primary committee representative, the alternate shall have the authority to perform the duties and exercise the powers of the primary member.
- e. If both the primary and alternate committee members are present both have the opportunity to discuss issues but one vote per region will be counted.
- f. Should the alternate committee member resign, the Department will request a volunteer from the same region as the resigning member to fill the position.
- g. The alternate committee member shall hold a position on the committee for a six-year term.

5. OFFICERS

- a. The committee shall select from among its members a Chairman, Vice-Chairperson, and such other officers as it considers necessary.
- b. It shall be the duty of the Chairperson to preside at all meetings of the committee, call special meetings, appoint subcommittee Chairpersons with the consent of the committee, and perform such other duties as pertains to the office.
- c. It shall be the duty of the Vice-Chairperson to perform the duties of the Chairperson in the absence of that Chairperson, and assist the Chairperson in the performance of such duties as are mutually agreeable.
- d. The Department shall insure representation to serve without additional compensation, keep a record of all transactions of the committee and provide the committee with all information necessary to perform its duties.
- e. Should a committee officer resign from his/her appointment, the committee members will nominate and vote in a new officer.

6. PARTICIPATION BY NON-MEMBERS

- a. Any person may attend a committee meeting.
- b. Non-members do not have the ability to vote on issues.
- c. Septic Tank Pumpers from any region that are not committee members may attend committee meetings as non voting members.
- d. Non-members may participate in meetings but may have a time limit imposed at the discretion of the Chairman.

7. MEMBER RESPONSIBILITIES

- a. Committee membership shall not be used to accept or solicit, for personal financial gain, any benefit that might reasonably tend to influence them to act improperly in the discharge of their duties as a committee member.
- b. Committee members shall not give reasonable basis by their conduct for the impression that any person can improperly influence, or unduly enjoy their favor in, the performance of their official duties, or that they are unduly affected by the kinship, rank, position or influence of any person.
- c. Committee members shall not use their membership improperly to secure unwarranted privileges or exemptions for themselves.
- d. The committee member does not establish Department rule or policy related to the regulation of septic pumpers in Montana.
- e. The committee has no authority to hire or fire Department staff, nor does it have the authority to revoke or deny individual license's or license applications.
- f. The committee has no enforcement authority.

8. DEPARTMENT RESPONSIBILITIES

- a. The Department of Environmental Quality (Department) does not provide, imply, or express any endorsement or warranty of the professional services provided by the committee members.
- b. The Department will continue to facilitate the open discussion format for as long as the STP industry perceives the need for participation.
- c. The responsibility of the Department is to provide program and administrative support to the committee. This support includes framing issues for the committee and providing the

necessary information for committee discussions; assisting in the development of agendas and meeting schedules. Administrative support includes transcribing, mailing and maintaining a permanent record of meeting minutes, mailing agendas and materials to committee members prior to meetings, posting agendas, handouts and meeting minutes on the DEQ Web site.

- d. With respect to the development of Administrative Rules, the Department will provide timely briefings and consult with the appropriate advisory committee. For proposed rules, the Department will involve the committee early in the drafting stage of proposed rules and rule changes. For final rules, the Department will report to the committee on the extent and nature of comments and final decisions.

9. ELECTION AND TERMS OF OFFICE

- a. Committee members serve on a voluntary basis and, as such, are not entitled to compensation from the Department for their service as members.
- b. Committee Officers are voted into office by active committee members.
- c. Officers of the committee shall be voted into office by active committee members at a regular meeting of the committee.
- d. Officers shall hold their committee office for a term of six years or until a successor is elected.

10. MEETINGS

- a. The committee shall hold regular meetings as it deems necessary during each calendar year to discuss issues related to STP rules and educational opportunities for licensed pumpers.
- b. The committee shall keep a written record of its proceedings.
- c. The committee may meet at other times on the call of the chairman or a majority of its members.
- d. When a member has an unexcused absence (not calling) from three consecutive meetings of the committee, the secretary shall report this fact to the chairman and the committee may vote on the removal of such member.

11. VOTING

- a. A quorum shall consist of five regular members which may consist of primary and alternate members.
- b. **If a quorum cannot be met due to a lack of participation of committee members then a majority vote will be taken of those present.**
- c. No final action shall be taken on any matter except pursuant to the majority vote of the regular members present.

The Montana Septic Tank Pumper Advisory Committee Rules and Procedures have been voted and accepted on this signed date: *November 20, 2009*

Committee Members Present: