

	Department of Environmental Quality CHARTER		Number	DEQ-WUTMB
			Original Effect. Date	September 2, 2015
			Revision No.:	1
Section:	OP - Operational	Revision Date:	September 2, 2015	
Sub-Section:	Asbestos Advisory Group			
Resource Contact:	Bob Habeck			
Originating Unit:	Director's Office			
Asbestos Advisory Group				

1. PURPOSE

The purpose of the Asbestos Advisory Group is to advise the Department of Environmental Quality (DEQ) on various issues related to asbestos regulation as outlined in HB434, 2015 Legislature. Beyond these Legislative requirements and as time allows, an important outcome is to also foster positive working relationships between stakeholders and DEQ personnel to discuss other asbestos related issues.

Comment [A1]: This addition seeks to recognize the importance of addressing asbestos topics beyond the 8 outlined.

Comment [A2]: 'Members' is defined as representatives on the AAG. 'Stakeholders' is defined as the larger universe of asbestos regulated and non-regulated community.

The Advisory Group is not intended to advise DEQ on established Superfund processes such as the Libby Superfund site or comparable sites across the state.

2. SCOPE

The scope of the Advisory Group is specifically outlined in HB434. Specifically, the Advisory Group shall advise DEQ on the following:

Section 1. Asbestos advisory group -- members -- duties.

(1) The department of environmental quality shall convene an asbestos advisory group that represents a broad variety of people with interests in asbestos regulation.

(2) The asbestos advisory group shall advise the department on:

- (a) regulatory thresholds for permits and whether a tiered permitting system is appropriate;
- (b) the appropriate types of projects and the size of structures subject to permitting;
- (c) the appropriate timeframe for asbestos project notification and issuance of permits;
- (e) the scope of the department's enforcement and cleanup authority;
- (f) appropriate funding options;
- (g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts;
- (h) options to streamline the permitting process while still protecting public health and safety;

(i) any other issues related to asbestos regulation considered appropriate by the advisory group.

(3) The asbestos advisory group shall complete its work, including issuing recommendations to the department, by December 31, 2016.

3. MEMBERSHIP

The Advisory Group is comprised of 13 members representing a broad variety of professional disciplines with an interest in asbestos regulation. DEQ is not considered a member of the Advisory Group.

Advisory Group members are encouraged to share information and to solicit comments from fellow stakeholders to ensure for adequate participation in specific topics or presentations. Member participation is anticipated to be varied depending upon the topic.

Members of the public and stakeholders are encouraged to attend meetings and to participate under the public comment section of the meeting agenda.

If a vacancy occurs, DEQ shall review existing letters of interest or solicit for additional interest in order to fill that vacancy in a timely manner.

Advisory Group members are not eligible for honorariums, per diem, or other expenses associated with membership on this group. All expenses are the responsibility of the member. To that end, meetings will be established allowing for travel arrangements and expenses.

3.1 ROLES & RESPONSIBILITIES

The DEQ facilitator will be responsible for coordinating the monthly meetings and setting the agenda with input from Advisory Group members. In the absence of the facilitator, an alternate facilitator from DEQ will be designated ~~as meeting facilitator.~~

DEQ will be responsible for the administrative support including venue selection, meeting minutes and agenda's, and any costs incurred thereof.

Advisory Group members are expected to:

1. ~~Attend-Participate in all regular and ad hoc meetings to the maximum extent possible in order to be fully informed of issues that will lead to an informed recommendation. Members should notify the facilitator of any anticipated absence;~~
- 1-2. ~~in addition to attending other ad hoc meetings to the greatest extent possible and should notify the facilitator of any anticipated absence; Advisory~~

Comment [A3]: This correction seeks to recognize that some members will attend via Lync or phone.

Group members may appoint a designee to attend meetings in their absence. Member designees may vote on floor or standing motions only after a proxy form is submitted by the member prior to the meeting;

Comment [A4]: This comment seeks to recognize that at times, the member may appoint someone else to attend a meeting and represent the member category. An appointed member designee has the authority to vote on floor motions. Voting via proxy form is also an option.

~~2. Participate on ad hoc committees of interest in order to be fully informed of issues that will lead to an informed recommendation;~~

Comment [A5]: Item was moved and added to the first bullet.

3. Being professional by avoiding personal attacks, listening attentively without interrupting and stating concerns promptly and candidly during discussions and debates with other members;

4. Advancing topics of interest to their respective stakeholder group and not advance personal agendas or ideologies without notice; and

5. Recognize final Advisory Group positions or recommendations, but understand that some members may take a different position during deliberations or at a later date.

Comment [A6]: This addition seeks to clarify that member positions taken on the AAG are not binding and may change over time with new information.

DEQ staff members are expected to:

1. Provide timely and accurate information to group members and interested parties;

2. Being professional by remaining objective in its communication and positions it may take; and

3. Quickly forwarding Advisory Group recommendations including both the proponent and opponent positions discussed and requests to DEQ Director and affiliated programs.

Comment [A7]: This addition seeks to ensure that all member positions on an issue is captured for the record and is part of the recommendation.

4. MEETINGS

Regular meetings will occur every monthly and will be scheduled for between two and four hours depending upon the agenda. Ad hoc meetings to discuss special projects may also occur during the month. Agenda topics will be solicited prior to the meetings and distributed in advance and posted to the DEQ website. Meetings may be cancelled if deemed appropriate by the facilitator and concurred by the Advisory Group members.

~~The Advisory Group shall elect officer positions of Chair and Vice-Chair. These positions shall be nominated and selected by advisory group members at a general meeting. The Chair shall ensure for the preparation of the agenda and conducting meetings in an orderly manner. The Chair is eligible to vote. The Vice Chair shall perform all duties of Chair should that individual be absent or unable to serve.~~

Comment [A8]: These corrections seek to clarify the AAG members want monthly meetings, for about 2 hours each, to be facilitated by DEQ. A quorum consists of the majority of those participating both in person or remotely.

A quorum consists of a majority of members participating and is necessary for the transaction of any official business. ~~Proxy votes on standing motions will be allowed.~~

Comment [A9]: This comment is addressed in Section 3.1(a) above.

Parliamentary conduct of the meeting shall be in accordance with Robert's Rules of Order, newly revised, unless otherwise specifically stated herein. Advisory Group motions and subsequent actions will be captured in the meeting minutes. Unanimous votes will be recorded as such while roll-call voting will reflect member votes by name.

Comment [A10]: This addition clarifies that AAG votes will be captured in the minutes and when it's not unanimous, the minutes will reflect member votes by name.

All regular and ad hoc meetings are open to the public. Meeting dates, times, and locations will be published in advance by DEQ and held at accessible locations. DEQ shall keep a record of all meetings and make the agenda and minutes available for public inspection.

DEQ has a policy which encourages public participation in agency decisions and which "assures adequate notice and assist public participation before a final agency action is taken that is of significant interest to the public." Mont. Code Ann. § 2-3-103(1). All Advisory Group matters of "significant public interest" will trigger the public notice requirements associated with the constitutional right of participation.

Comment [A11]: This addition seeks to clarify that AAG business is subject to open meeting laws. Ad hoc work groups should determine if its work is of 'significant public interest' or not and then take the appropriate steps to comply with the MCA.

4.1 COMMUNICATION

Advisory Group member contact information along with the DEQ support staff will be posted on the DEQ website.

Comment [A12]: These corrections seek to clarify where AAG Members and interested parties can access information.

~~Email will be the primary~~ DEQ will establish a central means of communication among Advisory Group members.

~~For questions or discussions that might be of interest to others, members will contact the facilitator for group distribution.~~

The DEQ website will be ~~the main workspace and information hub for the Advisory Group. Posted items may include, but are not limited to~~ used to post the following information:

- Meeting agendas and minutes;
- ~~Information sharing among advisory group members;~~
- Technical documents;
- Member contact information;
- HB434 bill, transcripts; and
- Other Advisory Group administrative items deemed appropriate. support letters, documents, and other items.

5. GOALS / OBJECTIVES

The following are broad goals and objectives:

Goal/Objective		Tasks	
1	Administrative Process	A	Finalize the advisory group charter.
		B	Establish meeting frequency.
		C	Member status under MCA 2-15-122
		D	
2	Establish Working Objectives	A	Review HB434 eight focus areas
		B	Common understanding of final product
		C	Prioritization of work
		D	Member commitment to work areas
3	<u>Priority project here</u>	A	
		B	
		C	
		D	
4	<u>Priority project here</u>	A	
		B	
		C	
		D	
5	<u>Priority project here</u>	A	
		B	
		C	
		D	
		A	
		B	

6	<u>Priority project here</u>	C	
		D	
7	<u>Priority project here</u>	A	
		B	
		C	
		D	
8	<u>Priority project here</u>	A	
		B	
		C	
		D	