

 Advisory committee Charter

 **Rulemaking Name**

Contact:

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# Objectives and Scope

There are several committee objectives:

* Provide general feedback on the draft regulations, especially with regard to clarity and anticipated effectiveness;
* Discuss and provide recommendations on an appropriate year beyond which buildings will not need to be inspected for asbestos prior to demolition;
* Discuss and provide input on a proposed requirement that regulated parties must send a copy of the survey report to DEQ upon request and keep a copy of the survey report onsite at the facility during demolition;
* Discuss and provide input on the fiscal impacts of the proposed regulations.

## Technical and Policy

The committee will discuss and provide input on key program requirements.

Individual meeting agendas will identify specific topics of discussion where DEQ needs input.

## Fiscal and Economic Impact

As ORS 183.333 requires, DEQ will ask the committee to consider the fiscal and economic impact of the proposed rules including:

* Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be, and,
* Whether the rules will have a significant adverse impact on small businesses, and if so, provide recommendations on how DEQ can meet the requirements of ORS 183.540.[[1]](#footnote-1)

## Out of Scope

The scope of this charter does not include:

# Roles

 DEQ expects the advisory committee members to evaluate information for accuracy and relevance to conditions in Oregon as well as contribute information and recommendations based on their professional experience in asbestos inspection and abatement. These duties are advisory only.

Only one member, the primary or alternate, may participate in a meeting. DEQ expects either the primary and alternate members to:

* Participate actively in all scheduled meetings;
* Lead and contribute resources and time to committee endeavors;
* Keep an open mind.

## Chair

Responsibilities of the Chair:

* Facilitate the conversation so the committee stays focused on the agenda and on intended outcomes of the meeting;
* Ensure that all perspectives are heard;
* Ensure that all members adhere to the process and ground rules;
* Facilitate comments and input from the public when relevant.

## Primary members

Primary members will:

* All take responsibility for the success of the meeting;
* Notify chair of known absence;
* If not at a meeting, agree to relinquish the opportunity to comment, and understand that those present may reach a decision. (If those present need more input, the committee may wait for additional input.)

## Alternate Members

Alternate members will not participate in the same meeting as their principle member.

## Support

DEQ air quality planning in headquarters will be responsible for providing necessary support for the committee.

The committee support will post:

* An agenda and meeting materials on the committee web page one week in advance
* Draft meeting notes within two weeks of the subject meeting;

## Decision making

DEQ will ask for the committee’s recommendations as a group.

DEQ will use the committee’s discussions in forming draft rules. The draft rules will be part of the required formal notice process that includes public hearings and an opportunity for the public to comment.

When information is shared with the group, there will be a reasonable timeframe for comments.

## Non Committee member attendees

Those who attend the committee meetings but are not members will be allowed to observe but not to actively participate

# Duration and Meetings

 DEQ anticipates the advisory committee will complete its charge by .

 DEQ’s best practice is to establish the dates, time and location of the meetings before sending invitations to potential committee members.

# Membership

 The table below describes advisory committee representation. DEQ endeavored to include members with statewide geographic representation, the various trades that assess or handle asbestos in residences, and those who regulate asbestos or the asbestos trades.

## Recordkeeping

All committee and any subcommittee records, formal and informal, become part of the rulemaking record. All DEQ rulemaking records are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings.

 DEQ captures and maintains committee agendas, minutes, materials and committee reports and recommendations. DEQ will destroy the committee record 10 years after Oregon repeals the related rules.

## Expenses

DEQ is able to reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance.

# Changes To Charter

This charter may change based on a recommendation of the lead DEQ asbestos program manager. Conditions that may warrant a charter update are inclusion of unforeseen issues. The rulemaking team will review and, if warranted, update this Charter.

1. If the statement of cost of compliance effect on small businesses required by ORS 183.335 (2)(b)(E) shows that a rule has a significant adverse effect upon small business, to the extent consistent with the public health and safety purpose of the rule, the agency shall reduce the economic impact of the rule on small business by: (1) Establishing differing compliance or reporting requirements or time tables for small business; (2) Clarifying, consolidating or simplifying the compliance and reporting requirements under the rule for small business; (3) Utilizing objective criteria for standards; (4) Exempting small businesses from any or all requirements of the rule; or (5) Otherwise establishing less intrusive or less costly alternatives applicable to small business. [↑](#footnote-ref-1)