

**U.S. ENVIRONMENTAL PROTECTION AGENCY
UNDERGROUND INJECTION CONTROL PROGRAM
NATIONAL TECHNICAL WORKGROUP CHARTER**
Effective September 16, 2005

Purpose

The Underground Injection Control (UIC) National Technical Workgroup (NTW) provides a forum whereby technical issues relating specifically to the UIC Program can be discussed, reviewed and resolved by UIC program experts. The NTW provides an avenue for open dialogue, communication, and coordination between EPA and State representatives concerning technical matters related to underground injection as defined in the Safe Drinking Water Act (42 USC 6A, Part C). As necessary, the Chair or EPA's UIC management may invite (in a non-voting capacity) outside experts to participate with and advise the NTW on issues in order to achieve the workgroup's objectives. On occasion, the NTW will be charged with developing solutions to technical issues, or assisting in the development of program guidance that may affect EPA policy; however, the NTW is not a formal policy or rule-making body.

Mission Statement

The NTW strives to promote consistent implementation of applicable UIC programs by providing for open communication in the exchange of technical and programmatic information and ideas. The NTW envisions a process that identifies existing and potential technical problems and develops proposed solutions to those problems in a sound scientific manner through the involvement of the NTW and interested or affected parties. This process fosters the continued education of and by NTW members through open communication and exchange of technical and programmatic information. An effective NTW results in more consistent implementation of all applicable UIC programs.

Goals and Objectives

The NTW fosters the following UIC program goals and objectives:

- Promote UIC program consistency.
- Respond to directives from EPA's UIC management on programmatic issues as well as communicate to that management important issues and technical concerns.
- Provide a forum for the exchange and sharing of technical information and ideas.
- Promote and enhance sound scientific decision-making.
- Assure appropriate peer review of formal NTW products in accordance with Agency peer review procedures, and offer peer review services to others.
- Demonstrate and promote the importance and value of the UIC program to the public.
- Produce and ensure the high quality of work products.

- Foster continued development of State, EPA Regional, and EPA Headquarters UIC technical expertise.
- Provide for open dialogue, education, communication, and coordination, between the NTW and: State UIC Programs; organizations and associations with an interest in underground injection; related industries; and public interests.
- Communicate relevant events and issues, when requested, that develop in the Regions and States, and provide information and assistance to the Regions and States in matters regarding UIC technical and programmatic issues.
- Assist in the development of future UIC regulatory revisions, clarifications, and technical guidance as directed by EPA's UIC management.
- Review, develop, and recommend effective mechanical integrity testing (MIT) alternatives as directed by EPA's UIC management.
- Develop an awareness of and educate one another about global UIC programmatic issues.
- Anticipate and resolve potential UIC program problems in a proactive manner.

The UIC NTW makes every effort to conform to and implement specific policies outlined in the Agency's Strategic Plan and fostered by the Office of Water as priorities. These priorities emphasize developing innovative practices to achieve Agency goals; fostering integration among all environmental protection practices; coordination between all entities; establishing partnerships between federal and state governments, the regulated community and the public; and building strong working relationships with all stakeholders.

General Operating Procedures

Membership

NTW membership consists of UIC programmatic/technical experts as selected by EPA's UIC management from the following areas: Primacy States; EPA Regions; and Headquarters. UIC managers from each Region and Headquarters designate a lead NTW EPA representative for their respective office. With direction from their management, each EPA lead representative accounts for their respective NTW responsibilities and expresses their management's position on issues that need resolution.

At the start of the federal fiscal year prior to the end of a two year cycle or as needed to fill vacancies on the workgroup, the Chair will send out a memo to EPA's UIC management requesting nominations for their respective lead EPA representative as well as their nominations for UIC Primacy State representation on the workgroup. Additionally, a memo to the Ground Water Protection Council (GWPC) will be sent soliciting their nominations for UIC Primacy State representation from their membership. EPA NTW members evaluate all State nominations and make recommendations to EPA's UIC management who then make the final selection of up to six (6) UIC Primacy State representatives as NTW participants. The final selections are based on both: geographic diversity; and diversity in expertise with shallow and/or deep wells.

All NTW representatives, both EPA and State, serve a two calendar year term with the possibility of their term being renewed by EPA's UIC management following the above selection process. This selection process assures some continuation of "communal memory" among the membership.

As necessary, the Chair may invite outside experts (including but not limited to: other EPA/State staff; industry representatives; environmental consultants; environmental organizations; and the public) to participate with and advise the NTW on issues being discussed by the group. Additionally, EPA's UIC management may also designate additional NTW members as needed to augment the workgroup on key issues. While these members may participate in discussions and the development of workgroup products, voting authority is limited to the lead EPA and State NTW members.

Workgroup Management

In order to facilitate the group and guide discussions, the NTW elects a Chair and Co-chair from its EPA membership. The Co-chair assumes the position of Chair each succeeding year on a calendar basis or earlier if the Chair steps down; therefore, a two-year commitment is required. A Co-chair from the EPA membership is elected each year or as needed after a nomination process by the workgroup. The Chair acts as spokesperson for the NTW and communicates to interested customers the ongoing activities of the NTW. The Co-chair assists and supports the Chair as directed. The Chair is also responsible for gathering relevant issues from each of the NTW members as they develop, summarizing as well as disseminating information to the NTW, and acting as the facilitator for group meetings. Teamwork is essential to the NTW's success.

The Chair, in consultation with NTW, is authorized to form subcommittees and working groups for any purpose consistent with this charter to consider specific matters and report back to the full NTW. The Chair may disband any subcommittee or working group that no longer serves a purpose under this Charter. Subcommittee membership consists entirely of NTW members; however, working groups can consist of persons other than NTW members. All subcommittees and working groups operate under the direction of the NTW.

Meetings

The NTW conducts as much business as is practical through monthly conference calls. Therefore, each NTW member must commit to participate in these calls. The calls are generally scheduled for the third Wednesday of each month. The responsibility for arranging these calls rotates between participating Regions, Headquarters, and State representatives. Any State that hosts a call can coordinate with their EPA Region to arrange a conference call setup through the EPA teleconferencing system. The NTW member responsible for arranging the monthly call also develops an agenda for that call and summarizes and distributes the minutes following each call. Up to two NTW meetings per year may be necessary and each participating Region, Headquarters, or State representative is expected to participate. When possible, these meetings are coordinated with other previously scheduled national meetings that NTW members are likely to attend. This coordination permits the NTW to meet and communicate, as necessary, with other groups involved in UIC practices and issues.

Work Product Process

General

The NTW may informally propose, discuss, and seek information on potential work products involving technical issues from outside its membership. However, the NTW must seek approval from EPA's UIC management before working on issues that involve national consistency, guidance, or policy considerations. Each State, EPA Regional, and EPA Headquarters member is responsible for bringing any pertinent issue(s) generated within their respective area to the attention of the NTW Chair. Each NTW member is expected to act as advocate for any issue they bring before the group. All final work products, however, are the responsibility of the NTW as a whole. The NTW strives to resolve all issues as soon as possible; however, ultimate resolution largely depends upon the issue before the group.

The NTW conducts much of its business through "general consensus" of the lead members by voting. However, on issues that cannot be resolved internally after a vote, the NTW may seek direction from EPA's UIC management. When elevating such difficult issues, the NTW will provide options for resolution including pros and cons for management's consideration.

Informal Issues

Informal issues involve topics that are brought to the NTW that do not involve national consistency, guidance or policy considerations and therefore do not require approval by EPA's UIC management before proceeding. These issues may be discussed by the NTW via e-mail or during the monthly teleconferences and usually require just a simple opinion or response from the group and not a formal work product from the group. When an issue appears to be dealt with in an inconsistent manner; or involves guidance or policy considerations, the workgroup will elevate the issue to EPA's UIC management for consideration as a formal work product. To the extent that the workload before the NTW allows, the NTW strives to provide comment on informal issue requests within a two-week time frame after the issue has been presented to the entire workgroup.

Formal Issues/Work Products

Formal issues involve topics that are brought to the NTW that may involve national consistency, guidance and/or development of a work product by the group. In these cases, the NTW relies on EPA's UIC management to provide them with direction/approval for each of the products or issues that the NTW proposes to address. To better manage formal issues and approved work products, the NTW prepares a list of potential and approved issues or products for review and discussion at the annual EPA UIC Managers meeting. For each proposed issue/work product, the NTW prepares a detailed paper that states the issue; details its importance; identifies any public health, regulatory or legal implications; defines project objectives; lists project output and milestones; and identifies the membership lead(s) for the project. These papers are then submitted to EPA's UIC management for approval to proceed with the project. If during the year the NTW receives additional issues that require management approval, the NTW will raise such issues formally to EPA's UIC management for their input and approval. After review, EPA's UIC management then provides direction back to the NTW on if they should proceed either as a written communication to the NTW Chair or as part of meeting notes. If a decision is reached to move forward, the communication will also indicate the level of involvement with products or issues that EPA's UIC management will take as they are developed or discussed. During the

process of considering formal issues or developing papers for submission to receive approval, they may be discussed by the NTW via e-mail or during the monthly teleconferences without approval from EPA's UIC management but no formal work product will be started by the group until it has been approved by EPA's UIC Management.

When developing formal work products, NTW representatives may share and seek input from experts and other interested/affected parties outside the NTW concerning the issues or products including sharing drafts of work products but comments on these issues may only come from members of the NTW. Comments on all formal issues are sent to the NTW Chair for summary and then disseminated back to the NTW for final review and approval. The final work product will represent the majority opinion of the lead members after voting but will also include a discussion of the minority opinion. When issues cannot be resolved internally after a vote, the NTW may seek direction from EPA's UIC management.

The NTW is responsible for disseminating the final product or recommendation involving formal issues to States and others, with coordination from GWPC as necessary. Prior to general release, a hardcopy of any work product will be transmitted to EPA's UIC management for review and comment.

Policy Issues

Occasionally, the NTW may deal with issues that impact program policy at the direction of EPA's UIC management. When directed to work on policy issues, the NTW will prepare a detailed paper that states the issue; details its importance; identifies the regulatory or legal implications; defines project objectives; lists project output and milestones; and identifies the membership lead(s) for the project. Such papers are then submitted to EPA's UIC management for their approval to proceed with the project. If approved, EPA's UIC management then provides communication back to the NTW Chair either as a written communication or as part of meeting notes that provide direction to the NTW regarding products or issues, and also indicates management's future level of involvement with products or issues as they are developed or discussed. During the process of developing papers for submission to receive approval, policy issues may be discussed by the NTW via e-mail or during the monthly teleconferences but no formal work product will be started by the group until it has been approved by EPA's UIC Management.

When developing policy related work products, NTW representatives are required to restrict access to all working drafts and comments until the final work product has been formally released by EPA's UIC management. During the development of these work products, NTW members may still seek input from experts and other interested/affected parties outside the NTW concerning the issues or products but only if the NTW products aren't shared. Comments on all policy issues are sent to the NTW Chair for summary and then disseminated back to the NTW for final review and approval. The final work product will represent the majority opinion of the lead members after voting but will also include a discussion of the minority opinion. When issues cannot be resolved internally after a vote, the NTW may seek direction from EPA's UIC management.

Any final work products involving policy issues that are developed by the NTW are submitted by hardcopy only to EPA's UIC management for their review and to determine the next steps, if any, which may be taken. EPA's UIC Management is responsible for disseminating the final

product or recommendations involving policy issues to States and others, with coordination from GWPC as necessary.