

Innovative and Emerging Technologies Review and Approval Process
Revised December 2015

1. Application received in Central Office

OSWP stamps the application submittal package ("Application") "received" in the Central Office.

Note: Initial Application submittal is via hard copy to the Central Office. Thereafter, information must be submitted electronically whenever possible to ensure that the Department meets mandated timelines for review and decision-making.

2. Review of Application for Completeness

The Project Manager (designated by the Branch Head) reviews the Application in accordance with .1969(c)(1) for completeness to determine whether the submittal includes items specified in .1969(b), including the fee. This does not constitute a technical review and will be completed within 15 calendar days of receipt.

If the package is incomplete, the Project Manager notifies the Applicant via email to specify missing information with appropriate rule citation. The Application review process pauses until the Applicant provides the specified additional information. If the Applicant fails to provide the information within twenty-one (21) calendar days of notification, the Application is considered void. The Applicant may resubmit the Application (with the appropriate fee) at any time.

If the package is determined to be complete, the 90 day timeframe for review and processing begins. The Project Manager notifies the Applicant that the Application is complete within two (2) business days of the determination via email. The notification includes a directive for the Applicant to send complete electronic copies of the Application to all TAP members and OSWP staff members within three (3) business days of receipt of the notice. The Project Manager provides the Applicant contact information for recipients.

3. Technical Advisory Panel (TAP) Review

The Project Manager solicits comments from TAP members with a specified timeframe for response. The Project Manager compiles and distributes TAP comments to OSWP staff for review.

4. OSWP Staff Review

The Project Manager coordinates Application review meetings with OSWP staff. This is a qualitative review to:

- Determine whether data supplied is the required minimum based on the approval being sought,
- Assess whether the data meets the treatment standard(s) specified in the Application, and
- Review TAP member comments and identify other items of concern.

The Project Manager drafts a written summary of the outcome of the OSWP review meetings, including summarized staff comments and all TAP comments.

5. Compiled Comments to Applicant, TAP and Staff

The Project Manager conveys electronic and hard copies of the review letter with comments to the Applicant no later than sixty (60) days after a determination of completeness, with electronic copies to the TAP and OSWP.

6. Applicant Response to Comments

The Applicant responds in writing to all comments. Response may be submitted at or prior to the designated meeting date.

7. TAP Meeting

The Branch Head or their designee leads the proceedings. The Applicant presents information on the proposal with specific reference to TAP and OSWP comments. TAP members, OSWP staff and other attendees may pose questions during the meeting. Comments voiced during the meeting must be received in writing within two (2) business days after the TAP meeting. OSWP compiles written comments for consideration and documents proceedings of the TAP meeting.

8. OSWP Decision

If necessary, OSWP staff meets again after the TAP meeting to review comments and the Applicant's response. Potential outcomes include approval or denial (with justification) of the product, component or device for use in NC. If the Department is unable to reach consensus on a request for Innovative Approval and 90 days has passed since determination of completeness, the Applicant may treat this as a denial and challenge that denial through OAH per 130A-334.

Designated Duties of TAP and OSWP Staff

Technical Advisory Panel (TAP)

The Technical Advisory Panel (TAP) is an independent voluntary advisory body working in conjunction with OSWP. The TAP consists of persons with expertise in the following areas related to subsurface wastewater systems: collection, treatment and dispersal; soils and siting; design; testing and research; installation and repair; and operation and maintenance. Representatives of licensing boards for industry professionals as well as related disciplines will also be invited to participate.

TAP members agree to:

- Volunteer their time and respond to requests for review within scheduled timelines.
- Cooperate with other experts, boards, organizations and stakeholders, including OSWP staff.
- Provide objective technical advice and relevant information on matters related innovative and emerging wastewater technologies for subsurface wastewater systems.

TAP Coordinator

- Receives Applications and conveys to Project Manager designated by Branch Head.
- Tracks review process and assists Project Manager with Application review process logistics.
- Schedules meetings and sends notifications of same to Staff and TAP.
- Posts information regarding Innovative Approval Applications on the NC Register.

Project Manager

The Project Manager guides the Applicant through the review process and coordinates deadlines and deliverables:

- Informs the Applicant of receipt of the Application submittal package (Application).
- Performs the completeness review of the Application in consultation with OSWP staff, as necessary.
- Informs the Applicant and the TAP Coordinator of the completeness status of the Application, including specifying additional required information.
- Assists the Applicant in refinement of the draft approval document.
- Coordinates technical review of the Application.
- Receives and compiles all comments regarding the Application from all reviewers (e.g., TAP members, OSWP staff, or any other stakeholders).
- Leads OSWP in internal discussion and assessment of comments.
- Provides summarized OSWP comments and specific TAP comments to the Applicant.
- Receives and processes written copies of comments voiced in TAP meetings and distributes to OSWP
- Assists Applicant in preparation of final Approval documents, as appropriate.
- Prepares Approval documents and cover letter for review and signature by the Section Chief.

OSWP Staff

Branch staff performs technical reviews of Applications and provides comments to the Project Manager. Staff discusses comments and attempts to reach consensus. Designated staff members serve as Project Manager and lead meetings as directed by Branch Head.