

Resolution 2025-01

of the Indiana

Technical Review Panel

WHEREAS, Indiana Code 16-19-3-27.5 et seq. governs the approval of “technology new to Indiana” (“TNI”), specifically the role of the technical review panel in receiving, reviewing, and rendering a final decision on TNI applications; and

WHEREAS, the same statute establishes that the technical review panel shall notify applicants that their application has been received and whether the application is complete no later than thirty (30) days after the panel receives the application; and

WHEREAS, the same statute establishes that the technical review panel shall inform the applicant of a decision no later than ninety (90) days after the panel notifies the applicant of receipt of their application; and,

WHEREAS, the technical review panel recognizes that Indiana Department of Health staff must communicate with the applicant if an application is incomplete to request additional materials; and,

WHEREAS, communication between Indiana Department of Health staff and applicants has been a regular practice of this Panel;

NOW THEREFORE BE IT RESOLVED: that the Panel **memorializes** the delegation of communication with applicants to the Indiana Department of Health staff until otherwise indicated by resolution of this Panel.

BE IT FURTHER RESOLVED: that the following material must be submitted for the application for TNI approval to be consider complete. Not all items will be required for each type of technology:

- a. Background information
- b. Description of function/operation, including applicable scientific and engineering principles and a process flow diagram;
- c. If the product is housed in a tank, basin, bin, or container, the applicant must provide a list of suppliers for the product housing which have been approved as meeting the volume, material specifications, material integrity, configuration, dimensions, performance expectations for each model.
- d. Performance expectations based on Research and Development date (R&D0, field performance data, and including prohibitions (water softener recharge, garbage grinders, grease, etc.);

- e. All study reports generated for technology supported financially in whole or in-part by the applicant or manufacturer;
- f. All independent studies conducted on the technology;
- g. Certification for the technology, with test results, from independent testing laboratories;
- h. A copy of approvals for the technology from other states or government units and the regulations under which the approval was granted;
- i. Life span of the materials used in the technology, if applicable; and
- j. Manufacturer's product warranty information;
- k. Copies of the design and installation manual, owner's manual, operations and maintenance (O&M) manual, O&M service report form, and O&M contract and product literature;

For a technology used in a soil absorption field:

- l. A description of the site criteria required for successful operation of the technology;
- m. A concise list of the model numbers/names, product numbers, sizing criteria, hydraulic loading limitation, BOD loading limitation, expected performance (CBOD, TSS, FOG, DO), cross-section and plan view scaled engineer drawings of each model;
- n. The design criteria for sizing the technology to meet all site and soil conditions using soil morphology and soil load rate tables in the Indiana Administrative Rules and Indiana Department of Health standards;
- o. Site characteristics which necessitate design adjustments; and
- p. Distribution methods consistent with testing protocols; flowrates (gallon per minute, gallons per dose, gallons for unit, and gallons per day, etc.);

For treatment devices certified under American National Standards Institute (ANSI)/ National Sanitation Foundation Standard (NSF) 40, Residential Wastewater Treatment Systems, Class 1:

- q. A current product listing with an ANSI accredited third party certifier; and
- r. Compliance with the Indiana Standards for aerobic treatment units (ATU);

Training Requirements:

- s. Provide training materials for regulators, designers, installers, and service providers, include design installation, operation and maintenance training; and
- t. Methods for providing training and ensuring quality control (QC);

BE IT FURTHER RESOLVED: that the Indiana Department of Health staff will provide the Panel with application status if the application remains incomplete.

Members of the Panel and Department are hereby requested to effectuate this Resolution.

So approved, this 25th day of July, 2025:

A handwritten signature in black ink, appearing to read "Kelly MacKinnon", is written over a horizontal line.

Kelly MacKinnon, JD
Technical Review Panel
Office of Legal Affairs
Indiana Department of Health