

Alabama Department of Public Health
Final Public Health and Infrastructure Improvement Plan (PHIIP)
Bureau of Environmental Services

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1. Public Health and Infrastructure Improvement Plan (PHIIP) Overview

Background

Interim Resolution Agreement

On May 3, 2023, the Alabama Department of Public Health (ADPH) entered into an Interim Resolution Agreement (Agreement) with the United States Department of Justice (DOJ) and Department of Health and Human Services (HHS) (collectively, the United States) following a civil rights investigation into ADPH's onsite wastewater and infectious diseases and outbreaks programs. Under the Agreement, ADPH has taken multiple actions to improve access to proper onsite wastewater disposal and improve public health for Lowndes County residents who lack the means to install/repair functioning septic systems. These actions include suspending criminal penalties and liens related to possible violations of sanitation laws, expanding public health awareness, and developing a plan to improve public health and wastewater infrastructure in Lowndes County. ADPH is also required to provide DOJ and HHS with monthly updates on its compliance with these actions.

Under the Agreement, ADPH is required to create a Public Health and Infrastructure Improvement Plan (PHIIP) that sets forth actions ADPH will take to protect public health, improve the onsite wastewater infrastructure of Lowndes County, and establish a strategy for abating the public health nuisance of raw sewage exposure from inadequate onsite sewage systems (OSS) in Lowndes County. ADPH has already begun implementing many of these actions as outlined in more detail below. Primary among these actions is the creation of ADPH's [Lowndes County Septic System Improvement Program](https://www.alabamapublichealth.gov/environmental/septic-system-program.html) (<https://www.alabamapublichealth.gov/environmental/septic-system-program.html>) through which ADPH will fund the installation or repair of OSS for Lowndes County residences in accordance with the PHIIP. ADPH created the Lowndes County Septic System Improvement Program in May 2023.

On August 23, 2023, ADPH received a direct appropriation of \$5 million of American Rescue Plan Act 2 (ARPA) funds to address sewage problems in Black Belt counties. Of these funds, the State legislature allocated \$1.5 million to specifically address Lowndes County sewage problems. ADPH is using this funding to implement the PHIIP and the Lowndes County Septic System Improvement Program.

ADPH created this PHIIP pursuant to the Agreement. DOJ and HHS reviewed this Plan and provided final approval on December 2, 2024.

Environmental Health Assessment

The Agreement requires ADPH to conduct a comprehensive assessment of site conditions and prerequisites for the installation of OSS in Lowndes County. As part of this provision, ADPH developed a comprehensive Environmental Health Assessment (Assessment). The purpose of the Assessment is to determine which residences face the most serious environmental and health risks from exposure to raw sewage from inadequate OSS. ADPH is using the information collected through the Assessment to prioritize households for installation of new OSS or repairs, as appropriate, through ADPH's Lowndes County Septic System Improvement Program.

ADPH developed the Assessment's environmental risk component with technical assistance from the Centers for Disease Control and Prevention (CDC). The Assessment asks questions about each home's individual sewage conditions, including whether residents use straightpipes or other forms of inadequate wastewater systems, how often they experience issues such as sewage backing up into their homes, and how close they are to sources of raw sewage such as cesspools and ditches. The Assessment also asks about the age of residents and whether any are experiencing certain medical conditions that cause them to be more vulnerable to becoming ill if they come into contact with raw sewage. Additionally, the Assessment asks questions to determine what barriers are preventing residents from obtaining functioning ADPH-permitted systems.

ADPH's Community Liaison regularly attended Lowndes County Commission meetings and work sessions in an effort to keep the Commission updated and receive preliminary feedback on the forthcoming Assessment prior to development. Additionally, the Community Liaison also attended and discussed the forthcoming Assessment with residents at the Hayneville Health Fair on August 26, 2023. On September 26, 2023, ADPH and DOJ/HHS met with a group of religious leaders from Lowndes County to discuss the draft Assessment and to obtain feedback on data collection, the methods for determining residences most-at-risk of exposure to raw sewage, and questions used to solicit information from residences. ADPH also contacted community members and representatives individually via phone and email to obtain feedback on the Assessment. Community organizations including members from the Center for Rural Enterprise and Environmental Justice also provided feedback. ADPH's Community Liaison and other staff met with the mayors of Mosses, Whitehall, Benton and Hayneville during October 2023 to discuss the forthcoming Assessment, distribution, and plans for community engagement. On February 7, 2024, ADPH staff met in person with the Pastor of New Salem Missionary Baptist Church, to discuss ways to increase completion rates for the Assessment.

ADPH published the Assessment on its website on January 17, 2024. ADPH issued a news release statewide on January 18, 2024, (<https://www.alabamapublichealth.gov/blog/2024/01/nr-18.html>) to let residents know the Assessment is available to complete online and that a printed version, with a postage paid return envelope, would be mailed out. ADPH worked with a vendor to mail the Assessment to all residences in Lowndes County on January 26, 2024; the total was 4,907 addresses. ADPH also made the Assessment available to complete at the Lowndes County Health Department, and trained ADPH staff to assist residents with the Assessment.

To encourage residents to fill out the Assessment, ADPH created a postcard that included a QR code linked to the [Lowndes County Septic System Improvement Program](#) page on ADPH's website. ADPH distributed the postcard at public places across the County, such as community centers, stores, and gas stations. To answer common questions about the Assessment, ADPH developed a Frequently Asked Questions and Answers document. Copies are available at the Lowndes County Health Department and have been distributed at community events.

ADPH held several community meetings to assist residents in filling-out the Assessment, answer questions, and encourage participation. These include meetings with residents at Snow Hill Christian Church on March 18, 2024, and with local elected leaders at Hayneville Town Hall

on March 19, 2024. ADPH also conducted outreach on the Assessment at several community meetings and events in Fort Deposit, Mosses, and White Hall in April 2024. ADPH is continuing to contact community representatives to encourage participation in the Assessment and to answer questions. These community representatives include church leaders, members of local government, school leaders, and local business owners. ADPH is also continuing to attend and organize community outreach events where residents have the opportunity to fill out the Assessment in-person and ask questions.

ADPH engaged the [Black Belt Community Foundation](#) (BBCF) to provide staff resources in Lowndes County to assist with community outreach and individual Assessment follow-up efforts. ADPH selected BBCF because of its ongoing partnership with ADPH's Office of Health Equity and Minority Health on projects in Lowndes County and surrounding counties and relied on BBCF's existing infrastructure and relationships within Lowndes County. On March 12, 2024, ADPH trained 22 Community Health Workers on administering the Assessment, as well as on the Agreement and the wastewater issues affecting Lowndes County residents. Community Health Workers organized 14 events for the express purpose of distributing and assisting community members in completing the Assessment and utilized giveaways to increase attendance at events. Community Health Workers also conducted outreach through door-to-door canvassing and hosted events at local churches. Through these efforts, Community Health Workers collected over 300 Assessments.

As of November 15, 2024, the total number of Assessments received is 600.

Site Conditions and Other Prerequisites for Onsite Sewage System Installations

Under ADPH's Onsite Sewage Treatment and Disposal Rules, for engineered OSS, the property owner is required to have clear title. For conventional OSS, ADPH does not verify property ownership. For both engineered and conventional OSS, ADPH requires a legal description of the property which may be a deed, subdivision plat, or survey.

Under ADPH's new Lowndes County Septic System Improvement Program, for participants whose property will require installation of an engineered system, ADPH has determined it can waive the clear title requirement of the ADPH Onsite Sewage and Disposal Rules for the duration of ADPH's Lowndes County Septic System Improvement Program. This means there is no clear title to property requirement for septic system installations under ADPH's Lowndes County Septic System Improvement Program.

Based on responses to the Assessment as of September 15, 2024, residents have identified the following as barriers preventing them from repairing or obtaining a functioning, ADPH-permitted system: lack of money and credit.

Purpose

The PHIP sets forth concrete actions ADPH will take to protect public health, improve the onsite wastewater infrastructure of Lowndes County, and establish a strategy for abating the public health nuisance of raw sewage exposure from inadequate OSS in Lowndes County.

Timing

The final United States-approved PHIIP covers a three-year period from the date that the United States approves the PHIIP, with termination as provided in Section VI of the Agreement (Effective Date and Termination) or as modified by all Parties to the Agreement. The United States approved the PHIIP on December 2, 2024, and thus the PHIIP will remain in effect unless modified until December 2, 2027.

Definitions

Approval for Use - The authorization issued to the responsible person to operate an OSS or effluent discharge system. This is issued by the local health department (LHD) after all conditions of these rules and permits are satisfied.

Covenant - A legal document stating that an engineered OSS is installed on a property and is signed by the property owner and recorded in a county probate office.

Conventional Onsite Sewage System (OSS) - a system for treating sewage that involves the use of a septic tank or proprietary advanced treatment unit that has been issued a Product Permit followed by non-pressurized dispersion of effluent in an effluent disposal field (EDF) such that the trench bottom and sidewalls are located completely in unaltered natural soil and the bottom of the trench is at a depth not greater than 60 inches below the unaltered natural ground surface. Such systems do not require an engineered design. Statewide, a conventional septic system is the most common type of OSS installed.

Engineered OSS - all systems, other than those meeting the definition of a Conventional OSS, that require an engineer design. This includes, but is not limited to, controlled fill mound systems, advanced treatment (except proprietary advanced treatment followed by a conventional EDF), drip irrigation, low pressure pipe, non-proprietary uniform distribution, constructed wetlands, and systems with a septic tank, followed by an EDF where any portion of the EDF protrudes above the unaltered natural soil surface.

Environmental Health Assessment (Assessment) - the series of comprehensive questions ADPH developed to determine which Lowndes County residents face the most serious health risks from exposure to raw sewage from inadequate OSS for purposes of prioritization of septic system installations/repairs under ADPH's Lowndes County Septic System Improvement Program.

Moratorium - the temporary suspension of the state law authorizing ADPH to refer for prosecution potential violations of the sanitation laws in the Code of Alabama, regulations in the Alabama Administrative Code, or any other State or local statute or regulation used by ADPH against residents without the means to install or repair an ADPH-permitted system as outlined in further detail below.

Parties - the Alabama Department of Public Health (ADPH) and the United States Departments of Justice (DOJ) and Health and Human Services (HHS).

Program Administrator - the third-party organization/company selected to administer ADPH's Lowndes County Septic System Program.

Public Health and Infrastructure Improvement Plan (PHIIP) - this plan setting forth actions that ADPH will take to protect public health, improve onsite wastewater infrastructure of Lowndes County, and abate the public health nuisance of raw sewage exposure from inadequate OSS in Lowndes County.

Sewage or Wastewater - this term refers to the following:

(a) Sewage - waterborne waste of similar composition and strength as may be found in the typical residence or dwelling and that typically has a concentration of 250 mg/l of BOD, Total Suspended Solids - 250 mg/l, Ammonia - 10 mg/l, and Total Phosphorus - 9 mg/l.

(b) High Strength Sewage - waterborne waste from establishments, such as kitchen waste, that is of similar composition but of higher strength than would be found in a typical dwelling. This may be permitted at the discretion of the LHD.

(c) Graywater - the portion of sewage generated by a water-using fixture, excluding toilet and food preparation waste from dwellings and regulated establishments. It is of similar composition but of lower strength than sewage.

(d) Processed Septage - waterborne waste of similar composition and strength found in a typical residence or establishment where the solids have been removed through a dewatering process.

Without the Means - an individual “without the means” to install or repair an ADPH-permitted OSS refers to a resident or homeowner who faces one or more financial, legal, or other barrier limiting their ability to complete the process of obtaining a functioning, ADPH-permitted OSS. This term is to be interpreted expansively with the presumption that residents who currently do not have an ADPH-permitted OSS are in that situation because they are without the means to do so.

2. Plan Development and Implementation

Several units of ADPH were essential in developing and drafting the PHIIP. They include, but are not limited to: Administration; Governmental Affairs; External Affairs and Community Relations; Office of Health Equity and Minority Health (OHEMH); Legislative and External Affairs; Office of General Counsel (OGC); Environmental Services; Prevention, Promotion and Support; Health Media and Communications; Informatics and Data Analytics (OIDA); Disease Control and Prevention; Communicable Disease; Infectious Disease & Outbreaks (ID&O); and the East Central Public Health District (ECD). The United States reviewed and approved the PHIIP on December 2, 2024. As required by the Agreement, Section II.F.1.e.ii., ADPH hired a full-time Community Liaison for Lowndes County and Black Belt Communities with oversight for implementation of the PHIIP on April 1, 2024. The Community Liaison serves the Black Belt communities, focusing on Lowndes County, in order to ensure sewage issues are addressed through contacts with and involving stakeholders and partners. The liaison coordinates outreach efforts which include scheduling events, identifying target audiences, and gathering and disseminating appropriate public health materials in coordination with community partners and stakeholders to assist with onsite sewage issues. The Community Liaison reports to a committee consisting of one representative from OGC, Environmental Services, OIDA, Disease Control and Prevention, and ADPH’s East Central District.

To ensure a consistent stream of funding to support ADPH's Lowndes County Septic System Improvement Program, ADPH will assign a Bureau of Environmental Services staff member to seek funding opportunities in conjunction with a Grant Manager with the ADPH Finance Office. The Bureau of Environmental Services and Health Finance will manage and distribute any funds received in accordance with State Finance requirements.

ADPH is the party responsible for implementing the PHIIP. However, ADPH has and will work with local organizations and other vendors where needed to carry out activities pursuant to the PHIIP. For example, ADPH contracted with the Black Belt Community Foundation to assist with outreach on the Environmental Health Assessment, and the Lowndes County Unincorporated Wastewater Program (LCUWP) to manage the Lowndes County Septic System Improvement Project. ADPH will continue to work with independent, locally trusted parties, including local religious and community leaders and Historically Black Colleges and Universities (HBCUs), where appropriate.

3. Community Input

ADPH sought and received community input while developing the PHIIP. As part of ADPH's outreach for the Assessment, staff also discussed with community members questions and concerns about ADPH's then-forthcoming Lowndes County Septic System Improvement Program. These discussions covered topics such as maintenance fees, liens, potential loss of property, and program eligibility. ADPH incorporated the community's feedback on these topics in the initial PHIIP draft.

After ADPH submitted the PHIIP to the United States, ADPH sought additional community review and feedback. On May 6, 2024, ADPH issued a press release with a link to the full PHIIP and requested that Lowndes County residents and other stakeholders provide comments by June 1, 2024. ADPH's Community Liaison also conducted targeted outreach by contacting individual residents and community representatives by phone and email asking for their input. This group included local religious leaders, the Lowndes County Commission, LCUWP, and the Center for Rural Enterprise and Environmental Justice. ADPH's Community Liaison followed up with this stakeholder group on three occasions. ADPH received several comments on the PHIIP through this effort.

In response to community feedback, ADPH revised the PHIIP to clarify that the Moratorium applies to Lowndes County residents without the means to install or repair an ADPH-permitted OSS, consistent with the Interim Resolution Agreement. While ADPH received a request to remove the "without the means" requirement as well as the requirement that residents take steps to come into compliance with state sanitation laws, it determined both requirements are needed to strike a balance between upholding ADPH's obligation to abate public health nuisances and ensuring that residents are not unduly penalized for circumstances beyond their control. Another request was for the Moratorium to be indefinite or a minimum of 10 years. While ADPH did not make that change for the same reasons explained above, ADPH updated the PHIIP to confirm the Moratorium's current expiration date, at which time the Moratorium will be re-issued with a new expiration date.

ADPH received a request to contract with locally trusted parties such as religious leaders and HBCUs to administer the Environmental Health Assessment and Lowndes County Septic System Improvement Program and to implement the PHIIP. As a result, ADPH revised the PHIIP, confirming its commitment to continue working with locally trusted parties where appropriate and updated the Public Outreach and Participation Plan (Appendix A) to confirm that HBCUs should be involved in public engagement activities.

ADPH received comments expressing confusion about ADPH's program and other independent efforts to expand access to septic systems in Lowndes County and recommending updates and specific edits to ADPH's outreach strategy and informational materials. While no corresponding changes were made to the PHIIP, ADPH is continuing to modify and develop its community engagement strategies and related materials consistent with this feedback.

ADPH received feedback requesting a 10-year parts and services warranty for all systems installed pursuant to the PHIIP. The Alabama Onsite Wastewater Board requires OSS installed by licensed Alabama professionals to carry a five-year workmanship warranty. For both conventional and engineered OSS, ADPH requires a permit for the manufacturer to sell the system (or components thereof), and a separate permit for installers to install the system.

ADPH requires proprietary treatment and disposal products carry a two-year warranty. The vast majority of conventional and engineered OSS in Alabama contain proprietary treatment and disposal products and are thus covered by this requirement. Additionally, ADPH requires that treatment products carry two-year maintenance plans, which are typically handled by the distributor/service provider (usually the installer). The installers that receive a Proprietary Product Permit are also required to offer an extension of the maintenance plans after the conclusion of the initial two years. The two-year warranty, maintenance plan, and offer of extension that ADPH requires follows the National Sanitation Foundation Standard recommendation. ADPH has determined that going beyond national industry standard raises serious concerns about statewide product availability.

ADPH does not offer warranties and has surveyed other state onsite regulators and found no instance of similar agencies offering warranties for OSS. Additionally, presently there are no identified funding sources for ADPH to provide any additional warranty. Proper maintenance can extend with the life of an OSS. Therefore, ADPH is promoting an information campaign on best practices for system maintenance. Any proposed plan for routine maintenance of septic tanks installed as part of the Lowndes County Septic System Improvement Program would be subject to available funding.

Finally, ADPH received feedback asking for federal and community oversight. ADPH's implementation of the PHIIP is incorporated into the Interim Resolution Agreement with the United States. ADPH also received a request to expand the PHIIP to include solutions beyond OSS such as centralized wastewater systems. ADPH revised the PHIIP to confirm that it does not preclude consideration or installation of such systems; however, larger centralized and municipal wastewater systems are outside ADPH's jurisdiction.

4. Public Health and Infrastructure Improvement Plan (PHIIP)

In compliance with Section II.F. of the Parties' Agreement, ADPH developed this PHIIP. The PHIIP sets forth actions that ADPH will take to protect public health, improve onsite wastewater infrastructure for Lowndes County residents, and to establish a strategy for abating the public health nuisance of raw sewage exposure from inadequate OSS in Lowndes County. Each topic below is followed by specific **Action Steps**. These actions will be prioritized based on risk of exposure to infectious diseases and public health threats.

a. Methodology for Selecting and Prioritizing Lowndes County Residents to Receive Onsite Sewage Systems

ADPH's Bureau of Environmental Services, Infectious Diseases & Outbreaks Division of the Bureau of Communicable Disease, Office of Informatics and Data Analytics, and its East Central District consulted with CDC for technical assistance to develop the Assessment's environmental risk component for the purpose of determining residents' level of risk of infectious diseases and public health threats related to exposure to raw sewage from inadequate OSS.

ADPH developed a ranking system in consultation with CDC to select and prioritize Lowndes County residences for installation of OSS through ADPH's [Lowndes County Septic System Improvement Program](#) based on residents' answers to the Assessment. CDC, DOJ, and HHS approved the ranking system, which considers three risk criteria:

1. Adequacy of current OSS.
2. Exposure to raw sewage.
3. Health conditions of residents.

Based on the above criteria, residences are placed in one of three tiers:

- I. Inadequate system, exposure to sewage, and health conditions.
- II. Inadequate system and exposure to sewage (no health conditions).
- III. Inadequate system only (no exposure to sewage or health conditions).

Residences within Tier I are further ranked based on their proximity to the raw sewage:

1. Sewage backed up into your home.
2. Sewage under the house.
3. Sewage within 30 feet of the house.

ADPH determines ranking within Tier I by reviewing answers to question eight (8) of the Assessment.¹ Depending on which and how many of the above conditions are present, residences are placed into subgroups. Residences with sewage backed up into their homes are placed in

¹ Question 8 of the Assessment asks, "In the past year, have you or anyone in your household seen the following?" Residents are to check all that apply: "Sewage backed up into your home through the sink, toilet, bathtub, shower, etc.;" "Sewage under the house;" and "Sewage within 30 feet of the house (about 10 adult steps). This can include sewage in a pit, cesspool, roadside ditch, or other location."

subgroup 1(a), being identified as those most in need. Within subgroup 1(a), residences are further prioritized if they are experiencing additional conditions – sewage under and/or within 30 feet of the home – and if at that point any residences are equal then a final tie-break is decided on Assessment submission date. Residences with sewage under the house are placed in subgroup 1(b) with further ranking following the same pattern with prioritization based on whether the home also experiences sewage within 30 feet, and consideration of Assessment submission date if needed. Residences with only sewage within 30 feet are placed in subgroup 1(c) with any further ranking based on Assessment submission date.

ADPH’s Office of Informatics and Data Analytics (OIDA) is responsible for completing data input and analysis using the ranking system. Assessments are analyzed in batches based on time periods during which they are received. Assessments received during Phase 1 (received by February 7, 2024), Phase 2 (received by March 20, 2024), and Phase 3 (received by June 12, 2024) have been analyzed and placed into Tiers I, II, and III. The Phase 4 collection is ongoing. As additional phases of Assessments are collected, they will be integrated into the original rankings, thereby creating one ranking order for all Assessments collected.

The ranking results, consisting of the names and contact information of residences in ranked order, are shared with the Lowndes County Septic System Improvement Program Administrator once analysis is complete for each batch of Assessments. The Program Administrator is responsible for contacting the soil professionals, the first step in the installation process, once this information is received.

Action Steps

ADPH will:

- 1) Analyze data received from Assessments based on the required criteria.
- 2) Conduct the data analysis to rank residences within Tiers I, II, or III.
- 3) Continue to administer the Assessment and implement the ranking criteria and priority methodology described in this section.

b. Timeline for Installing Onsite Sewage Systems

Installation of a proper OSS begins with a soil and site parameters assessment. This assessment is done by a licensed soil professional (engineer, land surveyor, geologist, or professional soils classifier). The Program Administrator implementing the Lowndes County Septic System Improvement Program will hire licensed, qualified, and appropriate soil professionals to do this assessment. Based on the findings of each soil and site parameters assessment, the soils professionals will recommend either a conventional OSS or an engineered OSS.

If an engineered OSS is recommended, the ADPH Program Administrator will submit the OSS design to the Lowndes County Health Department as an Application for a Permit to Install. If the Lowndes County Health Department finds discrepancies in the report, it will contact the soil professional to correct any identified issues. After all corrections are completed, the Lowndes

County Health Department will issue the Permit to Install. Then, the ADPH Program Administrator will hire a licensed installer to install a system based on the permit conditions.

If a conventional OSS is recommended, the Lowndes County Health Department will visit the site to confirm that the listed soil conditions and any other limitations match the Application for a Permit to Install. After the Lowndes County Health Department confirms the accuracy of the information, ADPH will issue a Permit to Install. Then, the ADPH Program Administrator will hire a licensed installer to install the conventional OSS.

Although the timeline for these steps can vary due to various factors such as major weather events, for example, the steps as detailed above should generally be completed within the following timeframes if ideal circumstances exist:

1. Soil and site parameters assessment: 1-2 weeks
2. Submission of OSS design to Lowndes County Health Department, as part of an Application for a Permit to Install: 2 weeks
3. For conventional systems, Lowndes County Health Department issues the Permit to Install: 2 weeks
4. For conventional systems, after step 3 is complete, the ADPH Program Administrator shall hire a licensed installer to install a system based on the permit within a reasonable time
5. For engineered systems, ADPH shall contact the soil professional to correct any discrepancies in the engineer's report within 28 days²
6. For engineered systems, after the soil professional corrects all discrepancies, the Lowndes County Health Department shall issue the Permit to Install: 30 days
7. For engineered systems, after steps 5-6 are complete, the ADPH Program Administrator shall hire a licensed installer to install a system based on the permit conditions within a reasonable time

The \$1.5 million ARPA 2 funding allocated to address Lowndes County sewage issues must be expended by December 30, 2026. Funding not expended under ADPH's Lowndes County Septic System Improvement Program will be returned to the State legislature. Therefore, ADPH and its Program Administrator for the Lowndes County Septic System Improvement Program will

² **420-3-1-.13 Time Limitations and Permitting Actions**

(1) All ADPH applications shall be submitted to the LHD or the ADPH as applicable.

(a) The LHD or ADPH shall fulfill any request for a permit within 28 calendar days after receiving the application or notify the responsible person of the reason for failure to issue the permit. After the initial 28 days, if the application remains incomplete, the responsible person shall be allowed an additional 30 calendar days to submit a complete application, or the application review period shall expire. After an application has expired, a new application and applicable fee shall be required.

(b) If the application does not meet the requirements of this rule, it shall be denied pursuant to the Ala. Admin. Procedure Act, § 41-22-1, et seq., Code of Ala. 1975.

promptly take all actions to appropriately install OSS under the program, as required by ADPH rules and regulations for installation of OSS and this PHIIP.

Action Steps

- 1) For conventional OSS, the Lowndes County Health Department will visit the site to confirm the listed soil conditions and any other limitations match the application. If so, the Permit to Install is issued.
- 2) For engineered OSS, a permit will be issued based on the engineer's soil report. If there are discrepancies, the professional will be contacted to work out any identified issues, and then the Permit to Install is issued.

c. Number and Type of Onsite Sewage Systems to Be Installed

The number and type of OSS installed under ADPH's Lowndes County Septic System Improvement Program will depend on several factors. The number OSS installed will be based on the number of residences ranked by ADPH through the Environmental Health Assessments (See 4.a.). The number of systems installed will also depend on available funding. The type of OSS installed – conventional or engineered – will depend on the soil and site parameters assessment discussed above. (See 4.b.) While ADPH anticipates the most appropriate wastewater system for the majority of homes participating in the Lowndes County Septic System Improvement Program will be conventional or engineered OSS, nothing in the PHIIP should be read to preclude consideration or installation of alternative wastewater solutions in accordance with ADPH's governing laws and regulations.

Based on information collected through the ADPH Lowndes County Septic System Improvement Program, conventional and engineered OSS needed for residences participating in the program are currently estimated to cost ADPH on average \$25,000 per residence. Therefore, under ideal circumstances and based on current funding, ADPH's goal is to install approximately 60 systems by December 30, 2026.

Action Step

ADPH will provide quarterly updates on the number of OSS installed under the Lowndes County Septic System Improvement Program on the program's [website \(https://www.alabamapublichealth.gov/environmental/septic-system-program.html\)](https://www.alabamapublichealth.gov/environmental/septic-system-program.html).

d. Process for Informing Residents of ADPH's Lowndes County Septic System Improvement Program

ADPH informed Lowndes County residents about the methodology for selecting and prioritizing residences, the process for installation, and the number and type of systems to be installed by its Lowndes County Septic System Improvement Program (items a-c above), through a variety of methods. Information was shared widely through community outreach events, news releases, mailings, social media posts, and on ADPH's website. Additionally, ADPH worked with local faith and community leaders and the Lowndes County Board of Commission to disseminate information throughout Lowndes County. Individuals who provided their contact information

through the Assessment were also provided this information directly. News releases can be accessed through the following links:

- 1-18-24: News Release: <https://www.alabamapublichealth.gov/blog/2024/01/nr-18.html>
- 7-5-23 News Release: <https://www.alabamapublichealth.gov/blog/2023/07/nr-05b.html>
- 6-6-23 News Release: <https://www.alabamapublichealth.gov/blog/2023/06/nr-06.html>

ADPH will continue to use these methods of communication and others outlined in ADPH's Public Outreach and Participation Plan detailed below to disseminate information and other updates about ADPH's Lowndes County Septic System Improvement Program. This includes any information about future deadlines related to the program. For residents selected for an OSS, ADPH will provide information directly through: (1) email, (2) phone, and/or (3) regular mail.

Action Steps

ADPH will:

- 1) Continue to provide information to participants in ADPH's Lowndes County Septic System Improvement Program in the following order: (1) email, (2) phone, and/or (3) regular mail.
- 2) Continue to provide additional information to residents relating to ADPH's Lowndes County Septic System Improvement Program through community outreach events, news releases, mail-outs, social media posts, the ADPH website, collaboration with local faith and community leaders and the Lowndes County Board of Commission, and other methods in accordance with ADPH's Public Outreach and Participation Plan.

e. Obtaining and Using Federal and Other Funding

ADPH has applied for funding to support its Lowndes County Septic System Improvement Program from federal agencies, private foundations, and other sources. In 2023, ADPH received from the State Legislature a direct appropriation of \$5,000,000 of second tranche ARPA 2 funds for sewage problems in Black Belt counties. Of these funds, the State Legislature allocated ADPH \$1.5 million to address the sewage issues in Lowndes County, with the remaining funds to address similar issues in other Black Belt counties. The ARPA 2 funds were contracted through a Request For Proposals process – one to focus on Lowndes County, and a second to focus on other Black Belt counties. ADPH is required to expend the ARPA 2 funds for Lowndes County by December 30, 2026.

In 2024, ADPH met with the State Finance Director and General Fund Budget Chairs to discuss requesting funding support from the FY25 General Fund Budget. As a result, the Governor's Office presented a FY25 budget to the Legislature that included \$1.5 million for the Lowndes County Septic System Improvement Program. The Governor's Budget is presented to both legislative bodies for review and approval. Budget items requested by the Governor could

be changed during the legislative process. ADPH is communicating with the region's federal representatives and senators on the need for funding.

To ensure a consistent stream of funding to support ADPH's Lowndes County Septic System Improvement Program, ADPH has hired a Bureau of Environmental Services³ staff member to seek funding opportunities in conjunction with a Grant Manager from the ADPH Finance Office. The Bureau of Environmental Services and Finance Office will manage and distribute any funds received in accordance with State Finance requirements.

In December 2023, ADPH received approval to use existing CDC National Wastewater Surveillance System funds to implement wastewater surveillance at schools in Lowndes County. These funds will include testing for respiratory viruses (e.g., SARS-CoV-2, influenza, respiratory syncytial virus), norovirus, and soil-transmitted helminths. GT Molecular has been selected as the vendor to develop the test kit to identify soil transmitted helminths in wastewater. CDM Smith, Inc. has been approved to be a sole source vendor and will be responsible for onboarding new sites (including the school in Lowndes County), installing autosamplers, and collecting wastewater samples. ADPH gave a presentation to school administrators in Lowndes County on August 20, 2024, in an effort to obtain buy-in on the wastewater surveillance project prior to contact by CDM. The soil transmitted helminths test is currently under development, and until it is ready to be implemented, ADPH will test wastewater for the other pathogens mentioned above, which are important pathogens of concern in Lowndes County.

Action Steps

ADPH will:

- 1) Apply for additional funding through grants from federal agencies including the United States Department of Agriculture, Environmental Protection Agency, and Department of Housing and Urban Development.
- 2) Apply for additional funding from private foundations.
- 3) Seek additional funding from the state legislature.
- 4) Continue to communicate with federal representatives and senators for the region the need for funding for Lowndes County Septic System Improvement Program.
- 5) Provide status updates on the 15th day of each month to the United States, unless modified by the Parties to the Agreement, regarding ADPH's efforts to obtain funding.

f. Initiatives to Expand Access to Onsite Sewage Systems

Under ADPH's Lowndes County Septic System Improvement Program, the ADPH-permitted OSS will be provided with a minimum two-year warranty on permitted proprietary products, and an associated two-year maintenance plan for treatment products. ADPH issues permits for septic system products. Standard language from product permits state that OSS shall be provided with a minimum two-year warranty that complies with the provisions of Ala. Code

³ This Bureau of Environmental Services shares this hire with the Office of Health Equity and Minority Health.

1975 §§7-2-316(2), 7-2-714(1)(3), and 7-2-318, and under which the repair or replacement of a failing or defective product, OSS, or a component thereof shall be guaranteed at no cost to the owner.

As required under the Agreement (Section II.F.1.f), ADPH will not seek liens in relation to the installation or maintenance of OSS under the Lowndes County Septic System Improvement Program. ADPH will only accept contractors who agree to not seek liens in relation to installation or maintenance of OSS. ADPH will specifically state in any contract that the recipient of ADPH-provided funds will not place any lien on the property when ADPH-provided funds are used for OSS installation, and further, any sub-contractors hired by the recipient will not place liens on the property.

ADPH has coordinated with Faulkner University, Thomas Goode Jones School of Law-Public Interest Program (Faulker) to provide free assistance to residents who are facing obstacles in obtaining clear title to their property. The Director of the Public Interest Program agreed to make available individuals to attend any of the ADPH community events held in Lowndes County for the purpose of offering legal aid related to heirs' property. ADPH will refer residents in need of this free assistance to Faulkner as requested throughout the entirety of the PHIP.

Action Steps

ADPH will:

- 1) Require OSS installed by licensed installers through any ADPH program to provide warranties of at least two years in accordance with manufacturer standards.
- 2) Not seek liens in relation to the installation or maintenance of OSS.
- 3) Require that contractors, and sub-contractors, agree to not seek liens in relation to installation or maintenance of OSS.

g. Continued Collection of Data for Compliance with Title VI and Section 1557

DOJ and HHS Title VI regulations require recipients of Federal financial assistance, such as ADPH, to “keep such records and submit to [the agencies] timely, complete, and accurate compliance records at such times, and in such form and containing such information . . . to ascertain whether the recipient has complied or is complying with [the regulations]. In general, recipients should have available for [DOJ and HHS] racial and ethnic data showing the extent to which members of minority groups are beneficiaries of federally assisted programs.” 28 C.F.R. § 42.106(b) (DOJ); 45 C.F.R. § 80.6(b) (HHS). In its agreement for receiving Federal financial assistance, ADPH agrees to comply with these and other requirements.

To comply with the Title VI data collection requirements, ADPH asks for residents' race/ethnicity information as part of the Assessment.

Additionally, those responsible for implementing ADPH's Lowndes County Septic System Improvement Program, including contractors, will be required to collect race and ethnicity data as part of the application process for residences who seek ADPH-permitted OSS.

Action Steps

ADPH will:

- 1) Continue collecting race and ethnicity data of residents through the Assessment.
- 2) Require those responsible for implementing its OSS installation program, including contractors, to collect race and ethnicity data for residents as part of the application process for the Lowndes County Septic System Improvement Program.

h. Continued Public Health Information Campaign and Information-Sharing with Healthcare Providers

In July and August of 2023, ADPH finalized a series of informational flyers on topics related to septic systems and exposure to raw sewage, including:

- *Exposure to Sewage Can Make You Sick - Learn How To Protect Yourself*,
<https://www.alabamapublichealth.gov/onsite/assets/sewage-exposure-flyer.pdf>
- *Prevent Sewage Exposure*,
<https://www.alabamapublichealth.gov/onsite/assets/prevent-illnesses-flyer.pdf>
- *Protect Yourself from Illness*,
<https://www.alabamapublichealth.gov/onsite/assets/sewage-illnesses-flyer.pdf>
- *Maintaining Your Septic System*,
<https://www.alabamapublichealth.gov/onsite/assets/maintain-system-flyer.pdf>
- *Cleaning Up Indoor Sewage Spills*,
<https://www.alabamapublichealth.gov/onsite/assets/indoor-sewage-spill-flyer.pdf>

ADPH posted these flyers on its website and social media, mailed them to Lowndes County residents, and distributed them during community outreach events and meetings with local faith and community leaders and government officials.

ADPH also shared these and other materials to healthcare providers through a Health Action Network (HAN) alert. The HAN alert went out to providers including private physicians, urgent care facilities, pharmacies, and medical associations. In addition, the Alabama Department of Education distributed the HAN alert to Lowndes County schools. ADPH is encouraging healthcare providers to expand their understanding of the link between inadequate wastewater sanitation and related health conditions, diagnostic considerations, and recommended treatments by promoting the University of Alabama (UAB) School of Medicine online course – UAB Sanitation Health Study. Healthcare providers can receive 1.5 hours of continuing medical education credit by registering and completing the course by using the following link: <https://prostudies.uab.edu/corporate/search/publicCourseSearchDetails.do?method=load&courseId=34584069&corporateGroupId=34583611>.

Action Steps

ADPH will:

- 1) Continue to update informational flyers on topics related to OSS and exposure to raw sewage.
- 2) Continue to make informational flyers available to the public by posting them on an easily accessible page on ADPH's website.
- 3) Continue to disseminate the above-referenced information through ADPH's social media, mailings to Lowndes County residents, community outreach events and meetings with local faith and community leaders and government officials, and HAN alerts to healthcare providers in accordance with ADPH's Public Outreach and Participation Plan detailed below.

i. Screening and Monitoring for Infectious Diseases and Outbreaks Related to Raw Sewage Exposure

ADPH updates its website (alabamapublichealth.gov/bcd/index.html) with the list of notifiable diseases and conditions, the timeframe to report, and the required method of reporting. The Infectious Diseases & Outbreaks Division (ID&O) will continue to investigate reports of notifiable diseases and conditions, including cases of public health importance and outbreaks of any kind, following appropriate processes and protocols. ADPH medical officers are available to provide guidance on specimen collection and testing and offer treatment recommendations as needed. ADPH will also provide stool specimen collection cups to residents when needed.

ADPH will collaborate with the UAB Sanitation Health Program and ADPH's state public health laboratory to offer screening for notifiable diseases and conditions. UAB works with the University of North Carolina and CDC's parasitic disease diagnostic division. Testing and treatment are provided through UAB's program free of charge for uninsured residents. The ADPH health laboratory also performs microscopy testing for soil transmitted helminths and requests assistance from CDC when needed. With funding from CDC, UAB's program continues to offer a \$50 incentive for patients who seek care through local healthcare providers and request testing for notifiable diseases and conditions.

ID&O will explore the use of additional supplemental questions for specific disease investigations.

ADPH uses the Alabama National Electronic Disease Surveillance System Base System (ALNBS) and ID&O continues to research if there are fields where supplemental questions could be added, such as questions related to exposure to raw sewage.

The Public Health District Epidemiologist for the East Central District will continue to monitor cases of infectious diseases in Lowndes County, and staff will continue to recommend appropriate control measures and provide educational materials. Epidemiologists will monitor the enteric disease "documents requiring review" queue within the ALNBS to identify cases of reportable notifiable diseases and health conditions in Lowndes County with an exposure or condition of concern. Enteric diseases are caused by micro-organisms such as viruses, bacteria,

and parasites that cause intestinal illnesses and are most frequently acquired through contaminated food and water, contact with fecal matter, and through other means. Epidemiologists will also review syndromic surveillance data to look for trends or spikes of gastrointestinal illness.

In December 2023, CDC's National Wastewater Surveillance System program approved ADPH's proposal to implement wastewater surveillance in participating schools in Lowndes County. In addition to respiratory viruses (e.g., SARS-CoV-2, influenza, and respiratory syncytial virus), surveillance will include monitoring for norovirus and soil-transmitted helminths in the wastewater. If any soil-transmitted helminths are detected in the wastewater, ADPH will provide education to health care providers and the general public, as well as offer control measures, testing, and treatment recommendations to residents. There are 11 utilities participating in wastewater surveillance across counties in Alabama: Colbert, Escambia, Jefferson, Lee, Madison, Marshall, and Morgan. An additional three (3) utilities have shown interest in participating in ADPH's Wastewater Surveillance Program (Baldwin, Calhoun, and Dallas). ADPH is actively working with the Lowndes County Board of Education and school administration to begin wastewater sampling from at least one of the schools in the public school district.

Action Steps

ADPH will:

- 1) Continue to investigate reports of notifiable diseases and conditions in residents of Lowndes County, including cases of public health importance and outbreaks of any kind.
- 2) Monitor enteric diseases reported for patients residing in Lowndes County and review syndromic surveillance data for Lowndes County residents.
- 3) Continue to meet with Lowndes County Board of Education and school administrators to begin conducting wastewater surveillance at one of their member schools. If ADPH gets buy-in from the school administrators, ADPH will install an autosampler to facilitate weekly sampling.

j. Immediate Temporary Solutions and Additional Solutions to Expand Access to Onsite Sewage Systems

ADPH contacted state environmental directors from other states for ideas and input on immediate temporary solutions to expand access to OSS through the State Onsite Regulators Association online listserv, which consists of state onsite wastewater program directors. ADPH received three replies from members in the United States (Nebraska, Oregon, and Connecticut) and one from Canada (Manitoba). All replies referenced using holding tanks as an immediate temporary solution and offered no other possible solutions. After consideration, ADPH determined that holding tanks are not financially viable. Also, holding tanks and portable toilets are not a good temporary fix because the tanks and toilets have to be rented and require a pumping contract. ADPH considered and rejected this proposal because using available state funds in this manner reduces the funding available for permanent solutions (OSS installations in accordance with the Lowndes County Septic System Improvement Program).

ADPH will continue to investigate and search for viable immediate temporary solutions by consulting Alabama Department of Environmental Management (ADEM) to discuss options for temporary solutions; soliciting input from the selected Program Administrator on ideas for temporary solutions that would be appropriate for the community since they are local to Lowndes County; and soliciting input from Lowndes County residents through its Public Outreach and Participation Plan detailed below.

Action Steps

ADPH will:

- 1) Continue to investigate and discuss options for temporary solutions through community outreach, soliciting input from Lowndes County residents, and by consulting ADEM.
- 2) Solicit input from the selected Program Administrator on ideas for temporary solutions that would be appropriate for the community since they are local to Lowndes County.
- 3) Solicit input from Lowndes County residents, regarding whether there is support for holding tanks, portable toilets, or any other potential temporary solutions.

k. Continuation of the Moratorium

On June 6, 2023, ADPH issued a Moratorium on its enforcement of sanitation-related criminal statutes and related lien statutes against Lowndes County residents without the means to install or repair an ADPH-permitted OSS designed to function at the residence. Under the Moratorium, ADPH will no longer refer for prosecution, individual residents or property owners in Lowndes County with inadequate OSS who do not have the means to install or repair an ADPH-permitted OSS as long as they take one or both of the following steps to come into compliance with Alabama sanitation-related statutes:

- a. Provide information to ADPH about their method of wastewater disposal (i.e., complete the Assessment); and/or
- b. Apply under any program administered by ADPH to receive an OSS approved by ADPH and designed to function with the specific soil at the property (i.e., complete the Assessment and apply to participate in the Lowndes County Septic System Improvement Program) and keep sewage discharge to their property and not drain it onto other people's property.

ADPH notified the public about the Moratorium through a press release posted on its website and mailed out to all residences in Lowndes County on June 6, 2023. The press release can be found here: <https://www.alabamapublichealth.gov/blog/2023/06/nr-06.html>. To date, ADPH confirms that it has not made any referrals to law enforcement in accordance with the Moratorium and the Agreement.

Under the Agreement, the Moratorium remains in effect for three years from the date that the United States approves the PHIIP, December 2, 2024. The Moratorium will continue to apply to Lowndes County residents that do not have the means to install/repair an ADPH-permitted OSS

designed to function at their residence, and residents who do not have an installed ADPH-permitted OSS as of January 1, 2025. ADPH plans to reissue the Moratorium for Lowndes County residents with inadequate OSS when the current Moratorium expires **on December 2, 2027**. This will be done before or on the current expiration date. At the time of reissuing, ADPH will engage in public outreach and seek community input per the Public Outreach and Participation Plan detailed below. The timeline for the conclusion of the Moratorium will be included in the re-issuance of the Moratorium.

Action Step

ADPH will reissue the Moratorium prior to or on the day the current Moratorium expires (December 2, 2027). The reissued Moratorium will include a new expiration date (see Interim Resolution Agreement at II.F.k.).

l. Implementation of CDC Environmental Health Technical Assistance Recommendations

On May 19, 2023, ADPH requested environmental health technical assistance from CDC. The request sought “environmental health technical assistance to assess levels of risk of infectious diseases and public health threats that may be associated with exposure to raw sewage and related environmental conditions from inadequate wastewater systems in Lowndes County.” CDC agreed to provide the requested assistance and worked directly with ADPH to develop the Environmental Health Assessment. CDC also provided guidance as ADPH developed the methodology for prioritizing households based on the findings of the Assessment.

ADPH will use the data collected from the Assessment and the prioritization methodology for the Lowndes County Septic System Improvement Program.

Action Steps

ADPH will:

- 1) Continue to collect data from the Assessment and implement the prioritization methodology developed in collaboration with CDC.
- 2) Continue to request technical assistance from CDC as needed, provide any information and resources requested by CDC for that technical assistance, and implement CDC’s recommendations.

m. Community Outreach and Engagement Plan

Under the Agreement, ADPH is required to create a process to ask for and receive concerns and recommendations on solutions to address public health risks tied to raw sewage exposure from inadequate OSS. The Agreement requires ADPH to seek input from Lowndes County residents, wastewater experts, infrastructure experts, soil experts, engineering experts, and environmental justice advocates.

Since entering the Agreement, ADPH, DOJ, and HHS have met with religious leaders from Lowndes County and attended meetings of the Lowndes County Commission to discuss the Assessment and obtain feedback on data collection. This included obtaining feedback on the

methods and questions used for the Assessment and recommendations to increase completion rates for the Assessment. ADPH also received feedback from other stakeholders in Lowndes County facilitated through DOJ and HHS.

As detailed further above, ADPH posted the PHIIP it submitted on May 3, 2024 to the United States on the ADPH website, distributed it at outreach events to solicit community input, and shared a link to the document in a press release. Further details on how ADPH considered this community input in the final version of the PHIIP are provided above. ADPH recognizes that input from residents, subject matter experts, and environmental justice advocates is beneficial and that the public needs to know how ADPH incorporates this input into its decision-making process.

To ensure that ADPH continues to communicate effectively and is responsive to the needs of Lowndes County residents, ADPH developed a Public Outreach and Participation Plan (**Appendix A**). ADPH developed this plan in consultation with DOJ and HHS. As detailed further in Appendix A, this plan applies broadly to the development of programs, policies, and other efforts to improve wastewater challenges and reduce the related public health risks from exposure to raw sewage from inadequate OSS.

For example, to ensure that the Lowndes County Septic System Program is successful, ADPH will follow the steps outlined in the Public Outreach and Participation Plan throughout the duration of the Program. ADPH will conduct public outreach and seek community input in several ways, including through its Community Liaison for Lowndes County and Black Belt Communities, its Lowndes County Septic System Improvement Program webpage (<https://www.alabamapublichealth.gov/environmental/septic-system-program.html>) and general webpage (www.alabamapublichealth.gov), and through periodic community outreach and other events.

In addition to its activities under the Public Outreach and Participation Plan, ADPH will continue to update the Lowndes County Commission on its activities in Lowndes County through monthly communication or attendance at the monthly Commission meetings.

Action Steps

ADPH will:

- 1) Continue to seek public input on the Lowndes County Septic System Improvement Program.
- 2) Implement the Public Outreach and Participation Plan (Appendix A) when taking actions to address public health effects from exposure to raw sewage from inadequate OSS.
- 3) Continue to provide updates on the installation of septic systems through the Lowndes County Septic System Improvement Program webpage, the general ADPH webpage, communication with the Lowndes County Commission, and other community outreach events.

5. Contact Information

For more information about the PHIIP, please visit:

<https://www.alabamapublichealth.gov/environmental/septic-system-program.html>

For questions on the PHIIP you may contact:

ADPH Bureau of Environmental Services at 334-206-5375.

The United States Department of Justice at 833-739-2103 or via email at AL.Lowndes.EJ@usdoj.gov.

The United States Department of Health and Human Services at 800-368-1019, (TDD) 800-537-7697 or via email at OCRMail@hhs.gov.

The Alabama Department of Public Health submitted this Public Health and Infrastructure Improvement Plan (PHIIP) to the United States and, as required under the terms of the Interim Resolution Agreement entered by the parties on May 3, 2023 (see Interim Resolution Agreement at II.F.4.), received approval by the United States on December 2, 2024. ADPH will implement the PHIIP in good faith (see Interim Resolution Agreement at V-VI).



Date: 12/2/2024

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Appendix A

Public Outreach and Participation Plan

Objective: This plan describes the steps the Alabama Department of Public Health (ADPH) will take to ensure that stakeholders and other members of the public are informed and involved in actions taken to address the public health effects from inadequate onsite sewage systems (OSS) in Lowndes County. The plan provides instructions for when and how to conduct public outreach to ensure that Lowndes County residents receive vital information concerning their health and wellbeing. The plan also provides instructions for when and how ADPH will obtain the public's participation in the development of programs, policies, or other efforts designed to address onsite wastewater-related public health issues.

Purpose: Effective public outreach and participation is crucial to ADPH's work as the state agency responsible for promoting, protecting, and improving Alabama's health. Public engagement is already part of ADPH's work, from providing health programs and direct services, to receiving complaints about unsafe food establishments and other facilities. The purpose of this Public Outreach and Participation Plan is to ensure that public outreach and participation efforts on public health issues related to OSS in Lowndes County are effective and tailored to the unique characteristics of this community. The purpose is also to inform members of the public of what to expect, and to ensure that best practices are sustained moving forward.

Scope: This Plan applies to any ADPH informational materials, programs, policies, or other efforts designed to address public health effects from inadequate OSS in Lowndes County.

Steps:

1. Identify what kind of public outreach and/or participation is needed,
2. Determine who needs to be informed or involved,
3. Identify points of contact,
4. Decide the method of public outreach and/or participation,
5. Prepare materials and logistics, and
6. Receive feedback and take necessary follow-up actions.

1 – Identify what kind of public outreach and/or participation is needed

ADPH will engage with members of the public on efforts to address the public health effects of inadequate OSS. The type of engagement – outreach and/or participation – will depend on whether ADPH's goal is to inform members of the public or if the goal is to consult or involve members of the public in decision-making processes.

ADPH will conduct public outreach when it has information that needs to be shared with the public. Public outreach is required for the following:

- 1) Educational flyers about prevention of infectious diseases associated with raw sewage exposure,

- 2) Information relevant to health care providers on symptoms and illnesses related to raw sewage exposure,
- 3) Information about the Environmental Health Assessment,
- 4) Information about ADPH's Lowndes County Septic System Improvement Program,
- 5) Advertisements about ADPH community outreach events in Lowndes County, and
- 6) Press releases and other updates related to the Interim Resolution Agreement, such as the moratorium on enforcement of sanitation-related criminal statutes and the Public Health Infrastructure Improvement Plan.

In addition to the above, ADPH will assess new and revised informational materials related to the public health effects of exposure to raw sewage to determine whether public outreach is needed. In general, if the intended audience for any information materials are members of the public, ADPH will engage in public outreach.

ADPH will seek public participation when developing or changing any initiative aimed at addressing the public health effects of inadequate OSS. Public participation is necessary if ADPH creates or makes substantive changes⁴ to:

- 1) The Lowndes County Septic System Improvement Plan,
- 2) Any program to help residents clear title to their property and address other barriers to repairing or installing functioning OSS,
- 3) The Environmental Health Assessment,
- 4) The moratorium on enforcement of sanitation-related criminal statutes, and
- 5) The Public Health and Infrastructure Improvement Plan.

In addition to the above, ADPH will assess new and updated programs, policies, and other efforts to determine whether public participation is needed. In general, if the intended beneficiaries or targets of any new or updated program, policy, or other effort are members of the public, ADPH will seek public participation.

In some circumstances, ADPH may need to conduct both public outreach and participation activities.

2 – Determine who needs to be informed or involved

ADPH will identify participants for any public engagement activities based on the goals of the particular informational materials, programs, policies, or other efforts. The following communities should be involved:

- Community and neighborhood groups,

⁴ Substantive changes include, for example, new eligibility requirements to participate in an ADPH program, new program initiatives, and changes to questions in the Questionnaire. Re-formatting a flyer or posting an announcement about a program on a webpage would not be considered substantive.

- Community service organizations (health, welfare, and others),
- Religious leaders and congregations,
- Spiritual communities,
- Schools and other educational institutions and academia (including Historically Black Colleges and Universities),
- Environmental organizations,
- Industry and business,
- Medical community,
- Government agencies (state, county, and local), and
- Non-government organizations.

ADPH will consider other key stakeholders from:

- Affected communities,
- Educational institutions,
- Engineering experts,
- Soil scientists, and
- Policy and decision-makers (such as local government).

3 – Identify points of contact

ADPH will identify key individuals who represent various community and stakeholder interests. ADPH's Community Outreach Coordinator is responsible for maintaining contact information of community representatives. ADPH may compile this information from various sources such as online searches, canvassing staff across ADPH, or by asking existing contacts for information on how to reach others.

While ADPH may ask existing contacts to pass on information about particular public outreach or participation activities, it remains ADPH's responsibility to affirmatively identify and reach out to community representatives for whom it has contact information.

4 – Decide the method of public outreach and/or participation

Public outreach and participation can take many different forms. ADPH will determine the best method(s) of public outreach and participation based on the goals and needs of the particular informational materials, program, policy, or other effort, as well as the unique characteristics of the target participant group(s). For example, if the target audience includes individuals who lack access to reliable internet services, posting materials online and seeking input via email will not be sufficient. It is likely that multiple methods of public outreach and participation will be needed.

Types of public outreach may include:

- Posting on ADPH's website and social media,

- Posting in public spaces and businesses with permission,
- Radio, television, or newspaper announcements,
- Mass mailers,
- Announcements at community events, church or religious services,
- Distributing hardcopy materials to points of contact, and
- Health Action Network (HAN) alerts.

Types of public participation may include:

- Public meetings,
- Meetings with select groups or representatives,
- Telephone calls,
- Surveys, and
- Asking members of the public to submit feedback to a designated email address, through an online portal, or by ADPH pre-paid return envelopes.

ADPH will also determine the appropriate timing for conducting engagement activities. ADPH will solicit public participation early in decision-making processes to allow for sufficient time to engage in meaningful participation and act on information learned through that process.

5 – Prepare materials and logistics

Prior to launching any public engagement activities, ADPH will consider what logistical and administrative matters need to be addressed. These include:

- 1) Equipment or materials needed,
- 2) Costs associated with preparing for/conducting the engagement activities, and how and by whom will these be funded, and
- 3) Timing needed to secure locations, vendors, and obtain any necessary approvals.

Informational materials will be culturally sensitive, relevant, and written in plain language. ADPH will ensure that these materials are made readily accessible as appropriate (for example, accessible for individuals with disabilities and sight- and hearing-impaired, and translated for limited English-speaking populations). ADPH may engage with relevant community representatives and stakeholders as it develops informational materials to ensure those materials are effectively received by the target audience.

Meetings, outreach, and other engagement events will be accessible and user-friendly for all who wish to participate. This includes:

- Accessibility for persons with disabilities, including the provision of sign language interpreters, and language assistance services such as qualified interpreters and/or

translation of documents for limited English proficient populations, and other means of communicating where there are literacy issues under applicable laws,

- Time frames that do not conflict with work schedules, rush hours, dinner hours, and other community commitments that may decrease attendance,
- Locations with appropriate facilities (size and conditions of the space, parking, etc.), and that are local and convenient to the target population,
- Use of technology to allow for more effective communication where appropriate (teleconference capability, audio visual equipment, etc.),
- Meeting formats that maximize equal participation, such as allowing ample time for discussion, preparing questions to present to participants, and considering break-out groups or small group discussion, and
- Advertising the event and any proposed agenda in a timely manner so that participants have ample time to prepare and make accommodations to attend.

6 – Receive feedback and take necessary follow-up actions

In all public engagement activities, ADPH will provide contact information for members of the public to provide feedback, ask follow-up questions, and otherwise connect with ADPH.

After conducting public engagement activities, ADPH will take any necessary follow-up actions. ADPH will also identify any lessons learned that might help other public engagement activities in the future.