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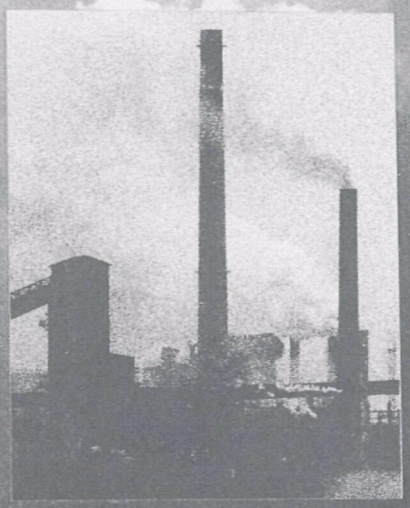
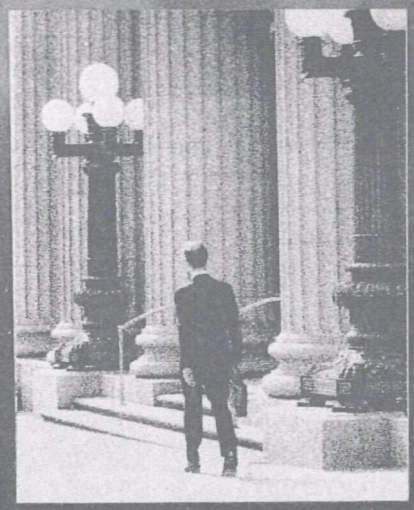
U.S. Environmental Protection Agency Advisory Committees

Charters, Rosters, And Accomplishments April 1991





Office of Administration

Management and Organization Division

U.S. Environmental Protection Agency

Advisory Committees
Charters, Rosters and Accomplishments
April 1991

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Office of Administration and Resources Management

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

1990 proved a banner year for EPA's advisory committees. One highlight came last September 26th, at the National Press Club. I was pleased to release that day a report produced by our Science Advisory Board, called ***REDUCING RISK: SETTING PRIORITIES AND STRATEGIES FOR ENVIRONMENTAL PROTECTION.***

In this report, the Science Advisory Board offers a new assessment of environmental problems, based on the comparative risks posed by these problems. The Board further calls for innovative, integrated policies to effectively and efficiently reduce the most serious risks. With its emphasis on preventing pollution before it becomes a problem, on market incentives, on educating, on cooperation among EPA, other agencies, and other sectors of society, ***REDUCING RISK*** *is already guiding much of what we do here at EPA.*

We are looking to all of our advisory committees for similar guidance in 1991. The year ahead promises a busy agenda, with implementation of the new Clean Air Act, debate on reauthorization of the Clean Water Act and the Resource Conservation and Recovery Act, new lead and toxics reductions initiatives, maintaining momentum on enforcement and Superfund cleanups, as well as revitalized efforts to protect the Great Lakes, the Chesapeake, the Gulf of Mexico, and other natural systems.

In these and other areas, we look to our advisory committees for their sound advice. They provide fresh, independent perspectives on how we do our business at EPA -- an invaluable public service for which this Agency is enormously grateful.

So it is with enthusiasm that we welcome five new advisory committee this year. They are:

- *The Acid Rain Advisory Committee;*
- *The Clean Air Act Advisory Committee;*
- *The Environmental Financial Advisory Board;*
- *The Lead Acid Battery Recycling Negotiated Rulemaking Advisory Committee;*
- *The Reformulated Gasoline Rule and Oxygenated Gasoline -- Marketable Oxygen Credit Program Guidelines and Labeling Regulations Negotiated Rulemaking Advisory Committee.*

Many thanks to the people involved with the five new committees, and to all those who make EPA's thirteen other advisory committees so effective. We look forward to working with all of you in the months ahead.

William K. Reilly

William K. Reilly
Administrator

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATIONS AND FUNCTIONS - COMMITTEES, BOARDS, PANELS AND COUNCILS

ACID RAIN ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This Charter establishes the Acid Rain Advisory Committee in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. (App. I) 9(c).

The purpose of the Advisory Committee is to provide independent advice and counsel to the Agency on policy and technical issues associated with development and implementation of the acid deposition regulatory program.

2. SCOPE OF ACTIVITY. The Advisory Committee shall provide independent advice on the development of the acid rain control program related to implementation and enforcement of the regulations. The Advisory Committee shall be consulted on economic, environmental, technical, scientific and enforcement policy issues and technical matters.

The Advisory Committee shall hold meetings, analyze issues, conduct reviews, perform studies, produce reports, make necessary recommendations and undertake other activities necessary to meet its responsibilities. Comments, evaluations and recommendations of the Advisory Committee and the response of the Agency shall be made available for public review.

Establishment of subcommittees is authorized for any purpose consistent with this charter. Such subcommittees will report back to the Committee.

3. OBJECTIVES. The Advisory Committee is assigned the role to advise on the development and implementation of the acid rain control program as required by the Clean Air Act. Responsibilities consistent with this role include the following:

o Provide advice on the implementation of the acid rain provisions of the Clean Air Act and its potential impact on industry, consumers, public health, and the environment;

o Provide advice on the structure and operation of the allowance trading and tracking systems, the emission monitoring and tracking system, and the permit program to effectively incorporate their application to the regulated community;

o Provide advice on integrating the acid rain control program with the ambient air program, including attainment and maintenance of the National Ambient Air Quality Standards, Prevention of Significant Deterioration, New Source Performance Standards, and visibility protection.

o Review various pollution prevention techniques developed to enhance acid rain control program implementation.

4. COMPOSITION. The Advisory Committee shall be composed of about 25 members, including the Chairperson, and shall be selected and appointed by the Deputy Administrator for two-year terms. Members of the Committee shall be selected on the basis of their professional qualifications and diversity of perspectives that will enable them to provide advice and guidance to the Agency regarding implementation of the acid rain control program.

Advisory Committee members shall be appointed in a balanced representation from the following sectors: industry and business; academic and educational institutions; Federal, State and local government agencies; and non-government and environmental groups. Most members will be appointed as representatives of non-Federal interests.

The Advisory Committee is authorized to form subcommittees to consider specific matters and report back to the committee.

5. MEETINGS. Meetings will be held at least four times a year, or as necessary, as called by the Chairperson. A full-time employee of the Agency, who will serve as the Designated Federal Official, will be present at all meetings and is authorized to adjourn any meeting whenever it is determined to be in the public interest. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Official.

The estimated annual operating cost of the Advisory Committee is $40,000, which includes 0.3 work years of staff support. The Office of Air and Radiation will provide the necessary support for the Committee.

6. DURATION. The Advisory Committee shall be needed on a continuing basis and may be renewed beyond its initial two-year period, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

ADVISORY COMMITTEE CHARTER

JUN 25 1990
Agency Approval Date

Deputy Administrator

JUL 18 1990
GSA Consultation Date

NOV 19 1990
Date Filed with Congress

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*** Each Committee Member's Term-end Date is 11/30/92**

ACID RAIN ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Acid Rain Advisory Committee (ARAC) was established on November 19, 1990. The Committee provides the Agency with advice and counsel on issues associated with the development and implementation of the acid rain program required by the Clean Air Act Amendments of 1990.

To facilitate discussion, the 44 member Committee was divided into four subcommittee's: Allowance Trading and Tracking, Emissions Monitoring, Permits and Technology, and Energy Conservation and Renewables. The subcommittees will frame various issues for deliberation by the full Committee.

At the initial ARAC meeting on December 13-14, 1990, the Committee set out its agenda for the upcoming year. Each Subcommittee met to identify and prioritize issues for future investigation and discussion at subsequent meetings during 1991. It is expected that the Committee will meet at least four times before the Agency issues it's first proposed acid rain regulations by Summer, 1991.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

BIOTECHNOLOGY SCIENCE ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This Charter is reissued to renew the Biotechnology Science Advisory Committee for an additional two year period in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App.§ 9(c). Also, this Charter is revised to remove the requirement that the Committee have one scientist member who also serves as a member of the FIFRA Scientific Advisory Panel.

The Biotechnology Science Advisory Committee was established by the Agency on December 1, 1986 to meet the needs for specialized support for Agency consideration of biotechnology issues and to respond to the mandate for "agency based scientific advisory committees" appearing in the Office of Science and Technology Policy announcement of December 31, 1984 (49 F.R. 50905) and November 14, 1985 (50 F.R. 47174).

2. SCOPE OF ACTIVITY. The activities of the Committee will include analyzing problems, conducting reviews, holding meetings, providing reports, making recommendations, forming study groups, and other activities needed to meet the Committee's objectives, including the use of consultants as necessary.

3. OBJECTIVES AND RESPONSIBILITIES. The Committee will provide expert scientific advice to the Administrator and Assistant Administrators concerning issues relating to risks and other effects of applications of modern biotechnology. The Committee shall provide reports and recommendations directly to the Administrator and to the Assistant Administrator(s) and will do so in a timely manner. The Committee responsibilities will include:

- Consideration of scientific issues referred by Program Office Directors;

- Comparison of case reviews to evaluate internal scientific consistency among programs;

- Assessment, in participation with the Science Advisory Board, of issues requiring research and referral to appropriate Agency research committees;

- Recommendation of issues to be referred to interagency coordinating committees through appropriate delegates;

- As appropriate, participation in review and evaluation of specific regulatory applications and submissions;

- As appropriate, consultation and coordination with the FIFRA Scientific Advisory Panel established by the Administrator pursuant to section 25(d) of the Federal Insecticide, Fungicide, and Rodenticide Act as amended;

- As appropriate, consultation and coordination with the Science Advisory Board established by the Administrator pursuant to the Environmental Research, Development and Demonstration Authorization Act of 1978;

- Consultation and coordination with other Agency advisory groups, as requested by the Administrator.

4. MEMBERSHIP. The Committee will consist of 11 voting members, including nine scientists and two persons representing the general public, appointed by the Deputy Administrator. Most members will be appointed as Special Government Employees. Members will be appointed for three years. If a vacancy occurs on the committee due to expiration of a term, the Deputy Administrator may extend the term of a committee member (not to exceed six months) until a new member is appointed to fill the vacancy. Subcommittees must include at least one member of the full committee. The Deputy Administrator will appoint from the membership a Chairperson of the full committee. The Deputy Administrator or the Deputy Administrator's designee will appoint Chairpersons of subcommittees or panels as needed, after consultation with the Chairperson. The committee will be supplemented by consultants when they are needed to extend the range of expertise and experience of the standing committee.

Scientist members of the Committee will be selected on the basis of their professional qualifications to examine the questions of hazard, exposure and risk to humans, other non-target organisms and ecosystems or their components due to production and release of organisms for purposes regulable under statutes for which the Environmental Protection Agency has responsibility.

As a minimum, the Committee shall have one scientist member who also serves as a member of the Administrator's Science Advisory Board Executive Committee. Other members can also have joint membership on this Committee and the Science Advisory Board or its various committees or study groups.

In addition, there will be non-voting representatives from each Federal agency represented on the Biotechnology Science Coordinating Committee of the Federal Coordinating Council for Science, Engineering and Technology

The Committee is authorized to form subcommittees or panels for any purpose consistent with this charter. The Administrator or the Administrator's designee shall review the need for such subcommittees and panels at least yearly to decide which should be continued. The subcommittees and panels will operate under the direction of the Committee.

5. MEETINGS. The Committee will meet at the request of the Administrator or the Administrator's designee. Meetings will be called, announced, and held in accordance with the EPA Manual on Committee Management. The Manual provides for open meetings of advisory committees; requires that interested persons be permitted to file written statements before or after meetings; and for oral statements by interested persons to the extent time permits. Meetings or portions thereof may be closed to comply with statutory restrictions concerning dissemination of proprietary and confidential information; however, the Agency is committed to having open meetings to the greatest extent possible. A full-time salaried officer or employee of the Agency, who will serve as the Designated Federal Official will be present at all meetings and is authorized to adjourn any such meeting whenever it is determined to be in the public interest.

It is anticipated that the full Committee will meet approximately three times per year, supplemented by subcommittee meetings as needed. The estimated annual operating costs for the Committee will be approximately $160,000 which includes 1.5 work-years of staff support. Support for the Committee's activities will be provided by the Office of the Administrator, EPA or other appropriate offices as necessary.

6. DURATION. The Biotechnology Science Advisory Committee has been renewed for two years and may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

7. SUPERSESSION. The former Biotechnology Science Advisory Committee charter signed by the Deputy Administrator on February 1, 1990 is hereby superseded.

OCT 29 1990
Agency Approval Date

NOV - 2 1990
GSA Review Date

NOV 16 1990
Congressional Filing Date

F. Henry Habicht II
Deputy Administrator

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NOTE: Terms expire on November 30

BIOTECHNOLOGY SCIENCE ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Biotechnology Science Advisory Committee (BSAC) held a full committee meeting on December 21, 1989. The meeting was devoted primarily to a discussion of the Scope Definition developed by the Office of Science and Technology Policy. Presentations were made by the USDA and EPA and numerous public comments were heard. Major concerns were expressed on the scope, scale, and the process versus product approach and risk issues. Reports were also presented on the ORD research program, BSAC procedures, the Alaska oil spill/bioremediation project, and Agency product reviews under TSCA and FIFRA. Members also discussed the report from the following subcommittees:

- The second Subcommittee on Health Effects met on December 20, 1989, to discuss the potential needs of the health effects research program. It was recommended that EPA focus on toxicity, infectivity and pathogenicity, and immunotoxicity research. EPA should also monitor effects on humans parallel to animal tests and develop initiatives in these areas.

- A Subcommittee on Ecoregions was convened on July 25, 1990, to discuss the use of an ecoregion geographic framework to predict the fate of microorganisms in the environment. Topics discussed included the degree of influence that large-scale regional ecological indicators have on the fate of microorganisms in the environment and whether regional ecological indicators can be used to predict the behavior in the environment of specific microorganisms. The Subcommittee suggested that EPA explore the use of ecoregions for risk assessment with microorganisms by convening a workshop on this topic.

- A Subcommittee met on August 3, 1990, to discuss the Organisation for Economic Cooperation and Development draft document "Good Developmental Practices for Small Scale Research with Genetically Modified Plant and Micro-Organisms" (March 1990). In addition to specific editorial changes to language, the Subcommittee developed general comments that were used by the US delegation to the OECD.

- A Subcommittee meeting held on September 7, 1990 discussed EPA implementation, under TSCA and FIFRA, of the "Principles for Federal Oversight of Biotechnology" published in the Federal Register by the Office of Science and Technology Policy. An in-depth discussion was held on appropriate scope definitions for microorganisms under TSCA and FIFRA. The Subcommittee recommended that the scope definition under FIFRA be built around the requirements of the statute for microbial pesticides and made suggestions on how to accomplish this goal. The Subcommittee recommended that under TSCA, separate scope definitions would be appropriate for small and large scale uses of microorganisms.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS
CHESAPEAKE EXECUTIVE COUNCIL

1. PURPOSE. This charter is reissued to renew the Chesapeake Executive Council for an additional two-year period in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. section 9(c).

2. AUTHORITY. It is determined that establishment of this Council is in the public interest in connection with the performance of the Environmental Protection Agency's (EPA's) duties and responsibilities under the Clean Water Act of 1981, as amended, (CWA) (P.L. 97-117), 33 U.S.C. 466 et seq. The establishment of the Council was agreed to by the Chesapeake Bay Agreement of 1983. The initial charter was filed with Congress on August 6, 1985, and renewed on January 30, 1987 and 1989.

3. ROLES AND RESPONSIBILITIES. The Executive Council, as defined within the Chesapeake Bay Agreement of December 9, 1983, is assigned the role of "assessing and overseeing the implementation of coordinated plans to improve and protect the water quality and living resources of the Chesapeake estuarine system."

The roles and responsibilities of the Council were significantly expanded in the December 14, 1987, Chesapeake Bay Agreement with specific commitments, goals, and objectives in the following areas:

- Living Resources
- Water Quality
- Population Growth and Development
- Public Information, Education and Participation
- Public Access
- Governance

The Chesapeake Bay Program Liaison Office will provide the necessary staff and technical support to assist the Council and sub-groups formed under the Chesapeake Bay Agreement. Responsibilities consistent with this charter include the following:

- Provide the chief executive forum for discussing the coordination Bay management plans and other related topics.

- Evaluate whether EPA's and the States' plans are coordinated to the extent that their respective implementation will have the combined effect of cleaning up the Bay.

- Assess the progress EPA and the States are making in the implementation of combined plans to restore the Bay and its resources.

- Reach consensus on recommendations to EPA for the most appropriate use of Federal Chesapeake Bay funds within the general guidelines established by Congress.

- Report to the Administrator on issues pertaining to implementation of Chesapeake Bay initiatives.

4. MEMBERSHIP AND MEETINGS. The Council consists of six (6) members, including a Chair. The members are Governors from the States of Pennsylvania, Virginia, Maryland, the Mayor of the District of Columbia, the EPA Administrator (for the United States of America), and the Chairman of the Chesapeake Bay Commission.

The Council seeks consensus on issues; however, if a vote is requested by the membership, each member shall have one vote.

Beginning in 1987, the chairmanship shall rotate between EPA and the Governors of the member States or the Mayor of the District of Columbia. EPA will Chair the Council in alternate years. During each term as Chairperson, the Governor or Mayor may designate one of his Executive Council representatives to serve as Chair for all or part of the term.

The Council will schedule at least two meetings annually. The Executive Council is authorized to form subgroups to consider specific matters and report back to the Council.

5. PROGRAM SUPPORT. The Chesapeake Bay Program has received a fiscal year 1990 allocation of $11 million. The estimated operating cost of the Executive Council totals approximately $25,000 in Federal funds which directly supports the Council's activities. The cost includes .5 work-years of the Chesapeake Bay Program Liaison Office staff, and technical support for the Council.

6. DURATION. The Council will be needed on a continuing basis. This Charter is hereby renewed for a 2-year period and may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

7. SUPERSESSION. The former Chesapeake Executive Council Charter signed by the Deputy Administrator on January 4, 1989 is hereby superseded.

DEC 3 1990
Agency Approval Date

Deputy Administrator

DEC 10 1990
GSA Review Date

DEC 21 1990
Date filed with Congress

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RECENT ACCOMPLISHMENTS

During 1990, the Chesapeake Executive Council aggressively implemented the 1987 Chesapeake Bay Agreement and began to see positive environmental results. The Chairman of the Council, William Reilly announced that while significant progress had been made toward restoring the Bay, "1991 is a critical year -- a time to reevaluate -- and perhaps, most importantly, to move aggressively from study to action.

Under the leadership of the Executive Council the Chesapeake Bay Program has become a model for the nation by showing environmental success, going beyond pollution control to resource management and multi-media concerns, through a model state-federal partnership, through the nation's most active Nonpoint Source Control program and by being a model of compliance.

Environmental successes of the Chesapeake Bay Program include:

- Submerged grasses have made significant gains in the Potomac and Patuxent Rivers.
- Phosphorous levels are down by 20% due to the Phosphate detergent ban, improved municipal treatment, and soil erosion controls.
- Significant non-compliance with permitted discharge levels has dropped. The Bay Program is a model for compliance and a long-term compliance initiative will ensure further progress.
- Federal compliance has improved and installations have had a 90% reduction in non-compliance.
- Nitrogen fertilizer use is down 30% since 1980. Factors include over 600 nutrient management plans, 1300 animal waste storage systems, over 11,900 BMPs, and Nitrogen removal in 7 cities.
- Increases are seen in some living resources, especially Striped Bass and Blue Crabs.

The listing of accomplishments and successes should not imply that all of the Bay's environmental problems have been solved; they have not and much remains to be accomplished under the Executive Council. Future concerns include dissolved Oxygen, Nitrogen levels, stocks of certain finfish and shell fish. Executive Council tasks for the coming year that address these concerns include Pollution Prevention, management of growth and development, increased focus on toxics, closer Nitrogen controls, and more consistent management of living resources.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATIONS AND FUNCTIONS - COMMITTEES, BOARDS, PANELS AND COUNCILS

CLEAN AIR ACT ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This charter establishes the Clean Air Act Advisory Committee in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. (App. I) 9(c).

The purpose of the Advisory Committee is to provide independent advice and counsel to the Environmental Protection Agency on policy and technical issues associated with implementation of the Clean Air Act Amendments of 1990.

2. SCOPE OF ACTIVITY. The Advisory Committee shall provide independent advice and counsel on the development of policy and programs necessary to implement and enforce the requirements of Clean Air Act amendments enacted in 1990. The Advisory Committee shall be consulted on economic, environmental, technical, scientific, and enforcement policy issues.

The Advisory Committee shall hold meetings, analyze issues, conduct reviews, perform studies, produce reports, make necessary recommendations, and undertake other activities necessary to meet its responsibilities. Comments, evaluations, and recommendations of the Advisory Committee and responses from the Agency shall be made available for public review.

Establishment of subcommittees is authorized for purposes consistent with this charter. Such subcommittees will report to the Committee.

3. OBJECTIVES. The Advisory Committee shall advise on the development, implementation, and enforcement of the new and expanded regulatory and market-based programs required by the Clean Air Act amendments of 1990, with the exception of the provisions of the Act that address acid rain. A separate committee has been established to advise the Agency on the acid rain provisions of the Act. The programs falling under the purview of the committee include those for meeting National Ambient Air Quality Standards, reducing emissions from vehicles and vehicle fuels, reducing air

toxic emissions, issuing operating permits and collecting fees, and carrying out new and expanded compliance authorities. The Clean Air Act Advisory Committee may advise on issues that cut across several program areas, including acid rain.

The responsibilities of the Advisory Committee include providing the Agency with advice on the following:

o Approaches for new and expanded programs, including those using innovative or market-based means to achieve environmental improvements.

o Potential health, environmental, and economic effects of programs required by the new amendments and the potential impacts on the public, the regulated community, state and local governments, and other federal agencies.

o Policy and technical contents of proposed major EPA rulemaking and guidance required by the new amendments in order to help effectively incorporate appropriate outside advice and information.

o Integration of existing policies, regulations, standards, guidelines, and procedures in programs for implementing requirements of the new amendments.

4. COMPOSITION. The Advisory Committee shall be composed of approximately 25 members, including the chairperson, and shall be selected and appointed by the Deputy Administrator for two-year terms. Members of the Committee shall be selected on the basis of their professional qualifications and diversity of perspectives that will enable them to provide advice and guidance to the Agency in implementing the new Clean Air Act amendments.

Advisory Committee members shall be appointed in a balanced representation from the following sectors: business and industry; academic and educational institutions; federal, state, and local governments; and nongovernmental and environmental groups. Most members will be appointed as representatives of non-federal interests.

The Advisory Committee is authorized to form subcommittees to consider specific issues or actions and report back to the Committee.

5. MEETINGS. Meetings will be held at least four times a year or as necessary, as determined by the Chairperson. A full-time employee of the Agency, who will serve as the Designated Federal Official, will be present at all meetings and is authorized to adjourn any meeting whenever it is determined to be in the public interest. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Official.

The estimated annual operating cost of the Advisory Committee

is $40,000, which includes 0.3 workyears of staff support. The Office of Air and Radiation will provide the necessary support for the Committee.

6. **DURATION.** The Advisory Committee shall be needed on a continuing basis and may be renewed beyond its initial two-year period, as authorized in accordance with section 14 of the Federal Advisory Committee Act.

SEP 10 1990

Agency Approval Date

SEP 26 1990

GSA Consultation Date

NOV 19 1990

Date Filed with Congress

Deputy Administrator

THE CLEAN AIR ACT ADVISORY COMMITTEE

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CLEAN AIR ACT ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Clean Air Act Advisory Committee (CAAAC) was established in November 1990. Members were appointed in March 1991, and its first meeting was held on April 11, 1991. The Committee's purpose is to provide high-level, independent advice to the U.S. Environmental Protection Agency (EPA) on policy issues of the implementation of the 1990 Clean Air Act Amendments. The objectives of the Committee are to:

- Facilitate effective two-way communication between EPA and the segments of our society directly affected by the new Clean Air Act,
- Discuss societal, economic and energy implications of the Act's implementation which are broader than the Act itself,
- Address voluntary pollution reduction, market-based approaches and other major cross-cutting implementation issues, and
- Discuss broad implementation issues in all Titles of the Act, except acid rain and stratospheric ozone depletion which have separate Advisory Committees.

The CAAAC is comprised of 46 senior representatives from state and local government, academic institutions, environmental and public interest groups, industries and service groups.

It is expected that the Committee will be organized into ad hoc subcommittees to plan the CAAAC's next agendas, recommend outside experts to speak before the Committee and help prepare briefing materials to be used at the Committee's meetings. It is expected that the Committee will meet quarterly. The Designated Federal Official is the Director of the National Evaluation Staff, Office of Program Management Operations, Office of Air and Radiation.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS AND COUNCILS

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE

OF THE SCIENCE ADVISORY BOARD

1. PURPOSE. This charter is reissued for the Clean Air Scientific Advisory Committee (of the Science Advisory Board) in accordance with the requirements of section 9(c) of the Federal Advisory Committee Act, 5 U.S.C. (App. I) 9(c).

2. AUTHORITY. The Committee is authorized under section 109 of the Clean Air Act, as amended on August 7, 1977, (42 U.S.C. 7401 et seq.), and the charter was renewed on August 6, 1979; July 22, 1981; August 1, 1983; July 23, 1985; and August 5, 1987.

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Committee shall provide independent advice on the scientific and technical aspects of issues related to the criteria for air quality standards, research related to air quality, sources of air pollution, and the strategies to attain and maintain air quality standards and to prevent significant deterioration of air quality. The Committee shall hold meetings, perform studies, make necessary site visits and undertake other activities necessary to meet its responsibilities. The Committee will coordinate its activities with other committees of the Science Advisory Board and may, as it deems appropriate, utilize the expertise of other committees and members of the Science Advisory Board. Establishment of subcommittees is authorized for any purpose consistent with this charter. The Committee will report to the Administrator of the U.S. Environmental Protection Agency.

4. FUNCTIONS. The Committee will review criteria documents for air quality standards and will provide independent scientific advice in response to the Agency's request and, as required by the Clean Air Act Amendments of 1977, it shall:

- Not later than January 1, 1980, and at five-year intervals thereafter, complete a review of the criteria published under section 108 of the Clean Air Act and the national primary and secondary ambient air quality standards and recommend to the Administrator any new national ambient air quality standards or revision of existing criteria and standards as may be appropriate,

- Advise the Administrator of areas where additional knowledge is required concerning the adequacy and basis of existing, new, or revised national ambient air quality standards,

- Describe the research efforts necessary to provide the required information,

- Advise the Administrator on the relative contribution to air pollution concentrations of natural as well as anthropogenic activity, and

- Advise the Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standards.

5. COMPOSITION AND MEETINGS. The Administrator will appoint a Chairperson and six members including at least one member of the National Academy of Sciences, one physician, and one person representing State air pollution control agencies for terms up to four years. Members shall be persons who have demonstrated high levels of competence, knowledge, and expertise in scientific/technical fields relevant to air pollution and air quality issues. Members of the Committee become members of the Science Advisory Board, and the Chairperson of the Committee, or his designee, shall serve as a member of the Executive Committee of the Science Advisory Board. The Committee will meet three to six times per year. A full-time salaried officer or employee of the Agency will be present at all meetings and is authorized to adjourn any such meeting whenever this official determines it to be in the public interest. Support shall be provided by EPA through the offices of the Science Advisory Board. The estimated annual operating cost totals approximately $185,000 and two work-years of staff support.

6. DURATION. The Committee will be needed on a continuing basis. This charter will be effective until August 7, 1991, at which time the Committee charter may be renewed for another two-year period.

8/1/89
Approval Date

Deputy Administrator

AUG - 7 1989
Date Filed with Congress

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE

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NOTE: Terms expire on September 30

RECENT ACCOMPLISHMENTS

- CASAC transmitted a report to the Administrator concerning its review of the Agency's draft documents "Supplement to the 1986 Air Quality Criteria for Lead - Volume I Addendum (Pages A1 - A67)", and "Review of the National Ambient Air Quality Standards for Lead: Assessment of Scientific and Technical Information". The Committee concluded that both documents provide an adequate scientific and technical basis for EPA to retain or revise primary and secondary national ambient air quality standards for lead.

- CASAC transmitted a report to the Administrator recommending that the Agency update the 1976 guidance document which contains cautionary statements for public reporting of air quality Pollutant Standards Index (PSI). These statements are issued by local air pollution control agencies in preparing air quality summaries which are provided to the media for dissemination to the public.

- CASAC transmitted a report to the Administrator recommending that, in light of recent increased interest in visibility issues in Congress, the Agency initiate planning for the development of an interagency visibility research plan. The Committee noted that the Federal visibility research program lacked adequate coordination, overall direction, and focus.

- CASAC formed a committee to initiate the review of the Carbon Monoxide National Ambient Air Quality Standards.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS-COMMITTEES, BOARDS, PANELS AND COUNCILS

ENVIRONMENTAL FINANCIAL ADVISORY BOARD

1. PURPOSE AND AUTHORITY. This Charter establishes the Environmental Financial Advisory Board in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. §9(c).

The purpose of the Advisory Board is to provide authoritative analysis and advice to the EPA Administrator regarding environmental finance issues to assist EPA in carrying out its environmental mandates.

Environmental legislation reauthorized or proposed by Congress in recent years has placed significant additional resource requirements on all levels of government, increasing their infrastructure and administrative costs. At the same time, limited budgets and changes in Federal tax laws have constrained traditional sources of capital. Growing needs and expectation for environmental protection, as well as increasing demands in all municipal service areas, make it increasingly difficult for states and local governments to find the resources to meet their needs. The resulting strain on the public sector jeopardizes the quality and delivery of environmental services.

2. SCOPE OF ACTIVITIES. The Advisory Board will focus upon environmental finance issues at the Federal, state, and local levels, particularly with regard to their impact upon local governments and small communities. The Board will address the capacity issue of state and local governments to carry out their respective environmental programs under current federal tax laws. The Board will endeavor to increase the total investment in environmental protection by facilitating greater leverage of public and private environmental resources to help ease the environmental financing challenge facing our nation.

Local governments must pay for the construction and operation of environmental facilities, such as wastewater treatment plants, solid waste facilities, and drinking water facilities. They must also provide an array of other environmental services, such as garbage collection, to their communities. Their need for resources, both financial and technical, particularly in the face of the growing demand for increasingly expensive environmental services, calls for support from all levels of government and from the private and non-profit sectors. At the same time, Federal

and state resources for environmental programs are expected to remain fairly constant relative to the growth in costs associated with new legislative and program requirements.

3. OBJECTIVES. The Advisory Board is assigned the role of providing advice on the critical environmental financing issues facing our nation, consistent with current federal tax laws. Objectives consistent with this role include:

- Reducing the cost of financing environmental facilities and discouraging polluting behavior;
- Creating incentives to increase private investment in the provision of environmental services and removing or reducing constraints on private involvement imposed by current regulations;
- Developing new and innovative environmental financing approaches and supporting and encouraging the use of effective existing approaches;
- Identifying approaches specifically targeted to small community financing;
- Assessing government strategies for implementing public-private partnerships, including privatization and operations and maintenance issues, and other alternative financing mechanisms; and
- Reviewing governmental principles of accounting and disclosure standards and how they affect environmental programs.

4. OPERATION OF THE EFAB. The activities of the Advisory Board will include analyzing problems, conducting meetings, presenting findings, and other activities necessary for the attainment of the Board's objectives. The Board will issue advisory statements to the EPA Administrator reflecting the opinions of the Board. The Board may also develop issue papers, as necessary, and solicit comments from persons who are not members of the Board.

5. COMPOSITION. Members of the Advisory Board are selected on the basis of their professional qualifications and diversity of perspectives and backgrounds that will enable them to provide advice and guidance to the Administrator on environmental financing issues. The Advisory Board consists of a group of independent experts drawn from all levels of government, including elected officials; the finance and banking community; business and industry; national organizations; and academia. The group shall

be of sufficient size and diversity to provide the range of perspectives required to assess the various issues pertaining to environmental financing. Most members will be appointed as representatives of non-federal interests. The Board will consist of approximately thirty-three members and is authorized to form subgroups to report back to the Board.

6. MEMBERSHIP AND MEETINGS. The Deputy Administrator or his/her designee appoints individuals to serve on the Board for an initial term of one year. At the conclusion of the one-year period, members may be reappointed or new members appointed to serve on the Board. These appointments will be established on staggered terms. The Deputy Administrator or a designee will appoint members of the Board to serve as the Chair and Vice Chair.

The Board will have at least two scheduled meetings each year, and each subgroup will meet at least twice each year and such meetings may be either during or subsequent to Board meetings. An EPA employee will serve as the Designated Federal Official of the Board, who will be present at all meetings and is authorized to adjourn meetings whenever it is in the public interest. Budgetary support for the Advisory Board is provided through the Public-Private Partnerships staff in EPA's Resource Management Division. This staff serves as the executive secretariat to the Board and performs staff support and related assignments. The estimated annual operating costs total approximately $140,000, which includes 1.4 workyears of staff support.

7. DURATION. The Advisory Board may be needed on a continuing basis and may be renewed beyond its initial two-year period from the effective date as filed with the Congress, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

FEB 12 1991

Agency Approval Date

Deputy Administrator

FEB 20 1991

GSA Consultation Date

FEB 25 1991

Date Filed With the Congress

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NOTE: All members' terms expire September 30, 1991 unless otherwise indicated.

ENVIRONMENTAL FINANCIAL ADVISORY BOARD

RECENT ACCOMPLISHMENTS

The Environmental Financial Advisory Board (EFAB) was established for the purpose of providing authoritative analysis and advice to the EPA Administrator regarding environmental finance issues to assist EPA in carrying out its environmental mandates. Initially organized as a committee of EPA's National Advisory Council for Environmental Technology Policy, EFAB became an independent advisory board in February 1991 according to and consistent with the requirements of the Federal Advisory Committee Act. EFAB will continue to function as an independent board as specified in its charter.

EFAB, which is organized into four workgroups -- Public Sector Financing Options, Economic Incentives, Small Community Strategies, and Private Sector Incentives -- has met several times since 1990 to formulate and develop financing options and alternatives in the preparation of advisory statements.

- January 1990 -- Workgroups established directions and positions on critical issues within their purview.
- March 1990 -- EFAB met to discuss preliminary options developed by the workgroups and further refine issues to be considered by the Board.
- July 1990 -- The Public Sector Financing Options workgroup met to discuss issues and alternatives.
- January 1991 -- EFAB met to reach consensus on options and alternatives contained in draft advisories and set directions for the Board in the upcoming year.

The Board anticipates finalizing selected advisory statements during 1991. Issues that the Board is examining include:

- Reducing the cost of financing environmental facilities and discouraging polluting behavior.
- Creating incentives to increase private investment in providing environmental services and alleviating constraints on private involvement imposed by current regulations.
- Developing new and innovative environmental financing approaches and encouraging the use of effective existing approaches.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS AND COUNCILS

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

SCIENTIFIC ADVISORY PANEL

1. PURPOSE. This charter is reissued to renew the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel in accordance with the requirements of the Federal Advisory Committee Act 5 U.S.C., App., Section 9(c).

2, AUTHORITY. The former Panel was created on November 28, 1975, pursuant to Section 25(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended by Public Law 94-140, Public Law 95-396, and Public Law 96-539. In accordance with this statute, the Panel terminated on September 30, 1981. It was reestablished by the Administrator pursuant to the Federal Advisory Committee Act (FACA) and Section 21(b) of FIFRA on April 25, 1983, and then reauthorized as a statutory committee by amendment to the FIFRA dated December 2, 1983 (Public Law 98-201). Under FIFRA (Public Law 98-201), the statutory Panel terminated on September 30, 1987. It was administratively reestablished on October 1, 1987 by the Administrator pursuant to FACA until reauthorized as a statutory Panel by amendment to the FIFRA, dated October 25, 1988 (Public Law 100-532).

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Panel will provide independent scientific advice on pesticides and pesticide-related issues as to the impact on health and the environment of the following regulatory actions:

a. Notice of intent to cancel a pesticide registration or change its classification under Section 6(b)(1) of FIFRA;

b. Notice of intent to hold a hearing to determine whether or not a pesticide registration should be canceled or its classification changed under Section 6(b)(2) of FIFRA;

c. Emergency orders immediately suspending registration of a pesticide before notification of the registrants pursuant to Section 6(c)(3) of FIFRA; and

d. Regulations to be issued under Section 25(a) of FIFRA.

The Administrator shall also solicit from the Panel comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of scientific analyses made by personnel of the Environmental Protection Agency that lead to decisions by the Administrator.

The comments, evaluations, and recommendations of the Panel and the response of the Administrator shall be published in the Federal Register. The Administrator also may use the Panel to provide peer review of major scientific studies.

4. FUNCTION. The fundamental purpose of FIFRA is to ensure that pesticides do not cause "unreasonable adverse effects on the environment," as defined in Section 2(bb) of FIFRA. The Panel will be expected to comment as to the impact on health and the environment of matters arising under Sections 6(b), 6(c) and 25(a) of FIFRA. Analyses prepared by staff of the Environmental Protection Agency will be provided for the Panel's consideration.

The Assistant Administrator for Pesticides and Toxic Substances, or his/her designee, will initiate all requests for comment by the Panel in accordance with the following timetable: Notices of intent to cancel or change classification under Section 6(b) of FIFRA and proposed regulations under Section 25(a) of FIFRA will be forwarded to the Panel at least 60 days prior to their issuance to a registrant or publication in the Federal Register. Final regulations will be forwarded to the Panel at least 30 days in advance of publication. Whenever the Administrator exercises authority under Section 6(c) of the Act to immediately suspend the registration of any pesticide to prevent an imminent hazard, the Administrator shall promptly submit to the Panel action taken to suspend the registration of such pesticide. In providing for peer review, the Administrator also may use the Panel or appropriate experts appointed from a current list of nominees maintained by the Panel.

The Panel's comments will be submitted in writing to the Assistant Administrator for Pesticides and Toxic Substances. Such comments will be published in the Federal Register, together with the Environmental Protection Agency's response at the time that such notices of intent or proposed or final rulemaking are published in the Federal Register. In any particular case, the Panel may waive comment.

The Panel shall consult and coordinate its activities with the Science Advisory Board established under the Environmental Research, Development, and Demonstration Authorization Act of 1978.

5. COMPOSITION. The Panel is composed of seven members, including the Chairperson, selected and appointed by the Deputy Administrator from twelve nominees -- six nominated by the National Institutes of Health (NIH) and six by the National Science Foundation (NSF), utilizing a system of staggered terms of two to four years. Members of the Panel are selected on the basis of their professional qualifications to assess the effects of the impact of pesticides on health and the environment. To the extent feasible to insure multidisciplinary representation,

the Panel membership shall include representation from the disciplines of toxicology, pathology, environmental biology, and related sciences (e.g., pharmacology, biotechnology, biochemistry, biostatistics, to name a few). If a vacancy occurs on the Panel due to expiration of a term, resignation, or any other reason, each replacement shall be selected by the Deputy Administrator from a group of 4 nominees, 2 each submitted by NIH and NSF. The Deputy Administrator may extend the term of a Panel member until the new member is appointed to fill the vacancy. Should the list of nominees provided be unsatisfactory, the Deputy Administrator may request an additional set of nominees from the nominating entities. No person shall be ineligible to serve on the Panel by reason of his/her membership on any other advisory committees to a Federal department or agency or his/her employment by a Federal department or agency (except the Environmental Protection Agency).

Panel members are subject to the provisions of 40 CFR Part 3, Subpart F -- Standards of Conduct for Special Government Employees, which includes rules regarding conflicts of interest. Each nominee selected by the Deputy Administrator, before being formally appointed, is required to submit a Confidential Statement of Employment and Financial Interests (EPA Form 3120-1), which shall fully disclose any outside source(s) of financial support. The Deputy Administrator shall require all nominees to the Panel to furnish information concerning their professional qualifications, their educational background, employment history, and scientific publications. The Agency shall publish in the Federal Register the name, address, and professional affiliations of each nominee.

The estimated annual operating cost of the Panel will be approximately $103,000 which includes an allowance for 1.25 work year of staff support. The Office of Pesticide Programs provides the necessary staff and support for the Panel.

6. MEETINGS. The Panel will meet either at the request of the Assistant Administrator for Pesticides and Toxic Substances, or his/her designee, or at the request of the Chairperson with the concurrence of the Assistant Administrator for Pesticides and Toxic Substances, or his/her designee. Panel meetings will be called, announced, and held in accordance with the Environmental Protection Agency's Manual on Committee Management. In compliance with FACA, Panel meetings shall be open to the public (an exception to this is provided for in 41 CFR Part 101-6, which gives guidance for closing all or part of a meeting); interested persons shall be permitted to file written statements before or after meetings and provide oral statements to the extent that time permits. Any such written or oral statements will be taken into consideration by the Panel in formulating its comments or in deciding whether to waive comment. All documents pertaining to each Panel meeting are available to the public (unless exempted by the Freedom of Information Act, such as Confidential Business Information).

The Assistant Administrator for Pesticides and Toxic Substances or his/her designee, will serve as the Designated Federal Official and will attend all meetings. Each meeting of the Scientific Advisory Panel will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Official. The Designated Federal Official is authorized under the Federal Advisory Committee Act to adjourn any meeting of the Scientific Advisory Panel whenever such adjournment is determined to be in the public interest. The Panel may not conduct any meeting in the absence of the Designated Federal Official or his/her designee.

Temporary subpanels may be created at the request of the Assistant Administrator for Pesticides and Toxic Substances or the Chairperson of the Panel to review and discuss specific projects. Such subpanels will consist of ad hoc consultants with particular expertise in matters presented to the subpanel, but will always be chaired by a member of the Scientific Advisory Panel.

It is anticipated that the Panel will conduct approximately five formal meetings and three subpanel meetings each year. Meetings normally last one day, but can be extended dependent upon the agenda topics and the time needed for review and discussion. A report of each meeting is prepared within 10-15 working days after the meeting is closed, and summaries of the Panel's recommendations and conclusions regarding the issues presented to it by the Agency. Transcripts of the full meeting are also maintained and available upon request.

7. DURATION. The FIFRA Scientific Advisory Panel shall be needed on a continuing basis. The Charter is subject to the renewal process upon the expiration of each successive two-year period following the date of enactment of the Act establishing the Panel.

8. SUPERSESSION. The former charter of the FIFRA Scientific Advisory Panel signed on January 3, 1989, is hereby superseded.

OCT 24 1990

Agency Approval Date

Deputy Administrator

OCT 25 1990

Date Filed with Congress

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

SCIENTIFIC ADVISORY PANEL

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Dr. Edward Bresnick (91)
Professor and Chairman
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Dartmouth Medical School
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Designated Federal Official

Mr. Robert B. Jaeger
FIFRA Scientific Advisory Panel
Office of Pesticide Programs
Environmental Protection Agency
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NOTE: Terms expire September 30

FIFRA SCEINTIFIC ADVISORY PANEL

RECENT ACCOMPLISHMENTS

The primary Congressional mandate to the Panel is to comment as to the impact on health and the environment of actions proposed in notices of intent issued under Section 6(b) (cancellations and changes in classification) and Section 25(a) (proposed and final regulations) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) within the same time periods as provided for the comments of the Secretary of Agriculture under such sections.

The Panel held a total of three meetings during the calendar year of 1990 to review a variety of regulatory initiatives on pesticides. The Panel addressed the following topics:

A. Cancellation and Change in Classification under Section 6(b) of FIFRA:

1. Scientific Issues Being Considered by the Agency in Connection with the Classification of the Pesticide Beacon.

2. Scientific Issues Being Considered by the Agency in Connection with the Special Review for Ethylene Bisdithiocarbamate (EBDC) Pesticides, Including Ethylene Thiourea (ETU).

B. The Panel assisted the Agency with a scientific review of issues of concern to public health. An advisory opinion was given on the following topics:

1. Scientific Issues Being Considered by the Agency in Connection with the Peer Review of Procymidone.

2. The Panel participated with the Science Advisory Board at the Meeting on Review of Biomarkers Research Strategy and Review of Issues Relating to the Health Effects of Pentachlorophenol.

C. There was a Subpanel meeting of the FIFRA SAP which reviewed scientific issues being considered by the Agency in connection with a proposed amendment to the Experimental Use Permit Regulations under 40 CFR Part 172. The Agency was proposing circumstances for when an EUP is required and when to notify for small-scale testing of certain biotechnical pesticide products.

D. The Panel waived scientific review of the following proposed regulations and an Experimental Use Permit (date and reason):

1. Worker Protection Standards (40 CFR Part 170) and the Final Rule on Worker Protection Standards (40 CFR Parts 156 and 170) (9/20/90) -- no new scientific issues.

2. Certification of Pesticide Applicators (3/9/90) -- involves administrative and procedural criteria.

3. Setting Criteria for Classifying Pesticides which may Contaminate Ground Water (2/23/90) -- similar previous flagging criteria reviews and decisions.

4. Crop Genetics International Field Test Application for their Genetically Engineered Microbial Pesticide (2/12/90) -- adverse environmental impact improbable.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

1. PURPOSE. This Charter is issued to establish the Gulf of Mexico Program Policy Review Board in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. §9(c).

2. AUTHORITY. It is determined that establishment of this Board is in the public interest in connection with the performance of the Environmental Protection Agency's (EPA's) duties and responsibilities under the Clean Water Act of 1981, as amended, (CWA) (P.L. 97-117), 33 U.S.C. 466 *et seq*.

3. OBJECTIVES AND SCOPE OF ACTIVITY. The objective of the Policy Review Board is to assess and oversee the implementation of coordinated plans to improve and protect the water quality and living resources of the Gulf of Mexico.

4. DUTIES. Responsibilities consistent with this charter include the following:

- Provide an executive forum for discussing the coordination of Gulf of Mexico management plans and other related topics.
- Evaluate whether Federal and Gulf States' plans are coordinated to the extent that their respective implementation will have the combined effect of managing and protecting the Gulf of Mexico.
- Assess the progress the Gulf of Mexico Program is making in the implementation of combined plans to manage the Gulf and its resources.
- Reach consensus on recommendations for the most appropriate use of Federal funds within the general guidelines established by Congress.
- Report to the EPA Administrator on issues pertaining to implementation of Gulf of Mexico strategies.

5. MEMBERSHIP AND MEETINGS. The Board consists of twenty (20) members, including a Chair and Vice-Chair. These members are the Executive Directors or Administrators of Federal or State agencies with regulatory or management mandates in the Gulf of Mexico. It includes two private citizen representatives who are the Chair and Vice-Chair of the Citizens Advisory Committee of the Gulf of Mexico Program. The Program's Executive Director (serving as Chair of the Technical Steering Committee) will also be a member of the Policy Review Board. The Chairperson of the Policy Review Board is the Region IV Regional Administrator and the Vice-Chair is the Region VI Regional Administrator.

The Board seeks consensus on issues; however, if a vote is requested by the membership, each member shall have one vote.

The Policy Review Board will schedule at least two meetings annually. The Board is authorized to form subcommittees or subgroups to consider specific matters and report back to the Board.

6. PROGRAM SUPPORT. The Gulf of Mexico Program Office will provide the necessary staff and technical support to assist the Board and subgroups formed as part of the Gulf of Mexico Program. The Program has received a fiscal year 1990 allocation of $1 million. The estimated annual operating cost totals approximately $37,000, which includes 0.25 workyears of staff support. All travel and per diem expenses will be covered by the participant's organization, indicative of their support for the Gulf of Mexico Program.

7. DURATION. The Policy Review Board will be needed on a continuing basis. This charter is hereby issued for a 2-year period and may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

AUG 14 1989

Agency Approval Date

SEP - 5 1989

GSA Review Date

SEP 21 1989

Date Filed with Congress

Deputy Administrator

GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

Chairperson

Mr. Greer C. Tidwell
Regional Administrator
U.S. Environmental Protection
Agency, Region IV
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Vice-Chairperson

Mr. Robert E. Layton, Jr., P.E.
Regional Administrator
U.S. Environmental Protection
Agency, Region VI
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Designated Federal Official

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Lower Mississippi Valley
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(To be announced)
Department of Environmental Regulation
2600 Blair Stone Road
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RECENT ACCOMPLISHMENTS

- The Gulf of Mexico Program worked successfully for the vote to proceed with the designation of the Gulf of Mexico as a special area under MARPOL V. The designation is expected for July 1992.

- Hosted the 1990 Gulf of Mexico Symposium, a biennial event to report on the economic and environmental status of the Gulf of Mexico. Over 925 persons attended the event.

- The Gulf Program has served to coordinate and provide technical assistance on a wide range of pollution issues for nations in the wider Caribbean. The Program serves as a first point of contact for technical assistance to UNEP.

- Formalized a process and structure in which action plans can be developed to attack the key problems affecting environmental quality in the Gulf.

- The Gulf Program has implemented several demonstration projects which focus on resolving environmental problems in the Gulf such as nutrient enrichment and habitat loss.

- The Gulf Program, with supplemental funding from NOAA, has established an electronic bulletin board system that allows dissemination of information from the Program Office to the general public and all Program participants.

- The successful citizen volunteer program, "Take Pride Gulfwide," has continued to expand and strengthen due to the interagency support of the Program. In September 1990, over 37,000 citizens participated in the five-state beach cleanup and collected over 1 million pounds of marine trash.

- The Alabama Coastal Waters Initiative was patterned and established after the Gulf of Mexico Program. The agencies and resources brought to bear on the problems of the Alabama Gulf will accelerate interagency communication, cooperation and support for taking action to protect Gulf waters.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS COMMITTEES, BOARDS, PANELS AND COUNCILS

LEAD ACID BATTERY RECYCLING RULE

NEGOTIATED RULEMAKING ADVISORY COMMITTEE

1. PURPOSE. This charter establishes the Lead Acid Battery Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. (App.I) 9(c).

2. AUTHORITY. It is determined that establishment of this Committee is in the public interest and supports EPA in performing its duties and responsibilities under Section 6 of the Toxic Substances Control (TSCA).

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Committee will serve as an integral part of EPA's development of a new approach for recycling lead acid batteries. It will attempt, via face-to-face negotiations, to reach consensus on concepts and language to use as the basis of a new rule under Section 6 of the TSCA. The negotiation will address approaches to recycle lead acid batteries.

4. FUNCTIONS. As indicated above, the Committee's function is to assist directly in the development of a new regulatory approach to recycling lead acid batteries. With the participation of knowledgeable, affected parties, EPA expects to develop a practical, protective approach to recycling at less cost than traditional rulemaking. In addition, the Committee's success or lack thereof will help EPA assess the procedures and circumstances which best foster successful negotiations.

5. COMPOSITION. The Committee will consist of not more than twenty-five members, appointed by the EPA Deputy Administrator, plus a facilitator who will serve as Chair. Members will represent the following segments of the population in appropriate mix and balance:

Categories of Members:

- Battery manufacturing industry
- Lead smelting industry
- Battery Retailers

- Battery Recycling Organizations
- Environmental and/or consumer groups
- State Government agencies
- Lead Mining Companies
- Importers
- Other interested and affected parties

Appropriate members shall be selected and appointed for the duration of the negotiation itself. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal Official and will be present at all meetings. The Designated Federal Official is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so. The Committee is authorized to form workgroups for any purpose consistent with this Charter. Such workgroups shall report back to the full Committee. Workgroups have no authority to make decisions on behalf of the full Committee nor can they report directly to the Agency.

EPA may pay travel and per diem expenses when necessary and appropriate and may compensate members as provided for under the Negotiated Rulemaking Act of 1990. The Committee's estimated annual operating cost is approximately $75,000, which includes .4 work years of staff support. EPA's Office of Policy, Planning and Evaluation will provide administrative and process support to the Committee.

6. MEETINGS. Meetings shall be held as necessary, at the call of the Chair, with an agenda for each meeting approved in advance by the Designated Federal Official. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. This manual contains the Agency's policies and procedures for implementing FACA. Among other things, FACA requires open meetings and an opportunity for interested persons to file comments before or after meetings, or to make statements to the extent that time permits.

7. DURATION. The Committee will terminate by June 1, 1991, unless the Deputy Administrator determines that the Committee will finish its work within 30 days of the original termination date. If the Deputy Administrator makes such a determination, he can extend the termination date by 30 days without further consultation with GSA. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

DEC 21 1990

Approval date

DEC 21 1990

GSA Review Date

JAN 29 1991

Date filed with Congress

Deputy Administrator

LEAD-ACID BATTERY RECYCLING NEGOTIATED RULEMAKING ADVISORY COMMITTEE

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Designated Federal Official

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LEAD ACID BATTERY RECYCLING RULE NEGOTIATED RULEMAKING ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Lead Acid Battery Recycling Negotiated Rulemaking Advisory Committee met from January 1991 to May 1991. It reviewed data on the past and current recycling of lead acid batteries including automotive, large industrial stand-by power and small rechargeable consumer batteries. It also considered options for increasing the recycling of these categories of batteries. A regulatory program description was drafted and is under review by all parties to the negotiation. Final decisions will be made after June 1991.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTION-COMMITTEES, BOARDS, PANELS AND COUNCILS

MANAGEMENT ADVISORY GROUP
TO THE ASSISTANT ADMINISTRATOR FOR WATER

1. PURPOSE. This charter is to renew the Management Advisory Group to the Assistant Administrator for Water for an additional two year period in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. Section 9(c).

2. AUTHORITY. The Management Advisory Group was established by the Administrator, U.S. Environmental Protection Agency, on January 31, 1972, under Section 5 of the Federal Water Pollution Control Act, as amended, (Section 104 of the Federal Water Pollution Control Amendments of 1972 -- the Clean Water Act) and pursuant to the authority vested in the Administrator by Section 2(a) (1) of Reorganization Plan No. 3 of 1970 and Executive Order 11007: rechartered January 5, 1973, to include requirements of Section 9(c) of the Federal Advisory Committee Act; reconstituted April 24, 1973 to implement provisions (grant and contract review) of the FY 1973 Appropriation Act (PL 92-399); it was renewed January 7, 1975, January 4, 1977, December 1, 1977, November 17, 1978, November 13, 1980, November 29, 1982, November 28, 1984, September 26, 1986, and November 18, 1988. It is determined that this Advisory Group is in the public interest in connection with the performance of duties imposed upon the Agency by law.

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Management Advisory Group is essential to the EPA mission under the Clean Water Act (CWA) in the management of water quality programs and activities. The Management Advisory Group provides an independent perspective on issues critical to EPA based on the extensive and diverse experience of its members.

4. FUNCTIONS. The Management Advisory Group provides expert and independent advice to the Assistant Administrator for Water in the management of water pollution control programs under the above referenced Clean Water Act, as amended. It advises on technical and policy matters pertaining to proposed legislation, new procedures, techniques, and systems developed to enhance the ability of State and local Governments to deal more effectively with water pollution control problems; advises and comments on various regulations, policies, guidelines, and other program material prior to issuance; and provides communication with public agencies, academia, environmental and industry groups and other constituent groups. The Group advises on objectives of the various CWA programs, the feasibility and practicability of achieving those objectives, and the resolution of program issues as they arise or are anticipated.

5. COMPOSITION AND MEETINGS. The Management Advisory Group consists of approximately 20 members appointed by the Deputy Administrator, EPA, for two-year terms. Membership shall consist of a cross-section of interested persons and groups with demonstrated professional or personal qualifications or experience that will enable them to provide advice and guidance to EPA regarding CWA water pollution control programs and related areas of interest. Members may not be represented by Alternates. Most members will be appointed as representatives of non-federal interests. Meetings of the Group are held two to four times a year to be scheduled by the Designated Federal Official in consultation with the Group. The Management Advisory Group is authorized to form subgroups from time to time to assist them in the study and development of recommendations on specific issues, and will report back to the parent Committee. A full-time salaried officer or employee of the Agency, who will serve as the Designated Federal Official, will be present at all meetings and is authorized to adjourn any such meeting whenever it is determined to be in the public interest. The estimated annual operating cost of the Advisory Group totals approximately $50,000 which includes .25 work-year of administrative staff support. The Water Policy Office provides the necessary administrative staff support for the Group.

6. DURATION. The Charter of the Management Advisory Group is hereby renewed for two years and may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

7. SUPERSESSION. The former Management Advisory Group Charter signed by the Deputy Administrator on October 11, 1988 is hereby superseded.

Deputy Administrator

OCT 9 1990

Agency approval Date

OCT 11 1990

GSA Review Date

NOV - 6 1990

Date Filed with Congress

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MANAGEMENT ADVISORY GROUP TO THE ASSISTANT ADMINISTRATOR FOR WATER

RECENT ACCOMPLISHMENTS

During the past year, the Office of Water Management Advisory Group (MAG) was rechartered with an expanded mission and a new roster of members. The MAG now directly advises the Assistant Administrator for Water on all issues pertaining to management of water pollution control under the Clean Water Act.

The first meeting of the reconstituted MAG was held in Washington, D.C. on January 17 and 18, 1991. Members discussed the role and functioning of MAG, and three major water pollution issues on which the Assistant Administrator particularly wished to receive MAG advice and involvement: combined sewer overflows, nonpoint source pollution, and ecosystem protection.

After presentations on and discussions of the three issues, MAG members outlined the steps they would take at the next meeting.

- For ecosystems protection, members will explore major relevant issues in greater depth, including valuation and monitoring, indicator species, impacts of human and natural activity, targeting, education, economic incentives, and integration and *implementation of existing plans*.

- For nonpoint source pollution, members will make recommendations for public outreach/involvement, and discuss further how to use market forces and economic incentives, other regulatory and nonregulatory solutions, watershed planning, and monitoring.

- For combined sewer overflows (CSOs), members will make recommendations for EPA to use in developing action plans to deal with the problem, focusing on the effects of CSOs, education of the public on the issues, possible standards and solutions, schedules and financing.

The second meeting of the MAG will be May 16 and 17, 1991, and the third on September 12 and 13, 1991.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS-COMMITTEES, BOARDS, PANELS, AND COUNCILS

NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

1. PURPOSE AND AUTHORITY. This Charter is to renew the National Advisory Council for Environmental Policy and Technology (NACEPT) which was previously established as the National Advisory Council for Environmental Technology Transfer (NACETT) on July 7, 1988, for an additional two-year period in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. (App.I) 9(c). The purpose of the Advisory Council is to provide advice and counsel to the Administrator of EPA on issues associated with the management of environmental problems. The Advisory Council provides independent advice and counsel to the Administrator on such specific activities, issues and needs as: identifying the barriers impeding environmental technology transfer and training efforts and possible approaches for reducing these barriers; creating a positive institutional climate within EPA with respect to technology transfer and training activities; promoting cooperative, mutually-supportive EPA-State relationships aimed at establishing more effective environmental management at Federal, State and local levels; increasing and institutionalizing communication among all levels of government, the business community, the academic, educational and training community and the international community, with the aim of increasing non-Federal resources and improving the effectiveness of Federal and non-Federal resources directed at solving environmental problems, and establishing direct links between these resources and those who need assistance to solve environmental problems; developing and applying an appropriate array of existing and new delivery mechanisms for meeting technology transfer and training needs; implementing the Federal Technology Transfer Act of 1986, Executive Order 12591, which facilitates access to science and technology, and other related legislation, executive orders and regulations previously enacted or which may be enacted in the future; reviewing any periodic EPA reports describing the Agency's progress in implementing statutes, executive orders and regulations; and assessing alternative approaches for measuring the environmental benefits of technology transfer and related activities.

2. SCOPE OF THE ACTIVITY. The Advisory Council advises, consults with and makes recommendations on a continuing basis to the Administrator on issues associated with the management of environmental problems generally and on matters relating to activities, functions and policies under the Federal Technology Transfer Act of 1986 and other statutes, executive orders and regulations affecting the conduct of technology transfer activities within EPA. The Advisory Council will analyze problems, present findings, make recommendations, conduct meetings and perform other activities necessary for the attainment of its objectives. Environmental technology transfer consists of the purposeful transfer of technical and environmental management information and knowhow from one individual or organization to one or more others where it is needed to achieve environmental protection objectives. Such activity may take the form of training, technical assistance or targeted information dissemination. It includes such transfers between and among interstate, State, regional and local agencies with environmental responsibilities, EPA regional offices, EPA headquarters and EPA laboratories. It also includes such transfers between and among businesses; academic, educational and training institutions; Federal, State and local governmental organizations; international organizations and governmental organizations in other countries, especially such transfers undertaken to facilitate or accelerate the development, commercialization or use of needed new environmental technology or skills.

3. COMPOSITION. The Advisory Council consists of a group of independent experts drawn from industry and business; academic, educational and training institutions; Federal, State and local government agencies; international organizations; environmental groups and non-profit entities. The group shall be of sufficient size and diversity to provide the range of perspective required to assess each element of the implementation of the Federal Technology Transfer Act and related statutes, executive orders and regulations and, generally, the technology transfer issues associated with the management of environmental problems. Approximately 50 experts shall comprise the Advisory Council at any one time. Most members will be appointed as representatives of non-federal interests. The Advisory Council may constitute itself into such specialized committees on an ad hoc or standing basis as it finds necessary to carry out its responsibilities. Such subgroups will report back to the Council.

4. MEMBERSHIP AND MEETINGS. The Deputy Administrator of the EPA appoints individuals to serve on the Advisory Council for staggered terms of 3 years or until the Advisory Council expires. Initial appointments are for 1, 2 or 3 years to establish the staggered terms. Members initially appointed for one-year terms may be reappointed to a consecutive, three-year term. The Deputy Administrator will appoint one member of the Advisory Council as Chair, and one member as a Vice-Chair.

The Advisory Council meets at least twice each year and subgroups meet as necessary. A full-time salaried officer or employee of the Agency will serve as the Designated Federal Official who will be present at all meetings. Each meeting will be conducted in accordance with an agenda approved in advance by the Designated Federal Official. Budgetary support for the Advisory Council is provided through the Office of Cooperative Environmental Management. This Office serves as the executive secretariat to the Advisory Council and performs staff support and related assignments to the Advisory Council. The estimated annual operating cost totals approximately $280,000, which includes 2.5 workyears of staff support. .

5. DURATION. The Advisory Council shall be needed on a continuing basis and may be renewed beyond its initial two-year period, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

JUN 7 1990
Agency Approval Date

Deputy Administrator

JUN 12 1990
GSA Consultation Date

JUN 28 1990
Date Filed with the Congress

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RECENT ACCOMPLISHMENTS

The National Advisory Council for Environmental Policy and Technology (NACEPT) was initially chartered as the National Advisory Council for Environmental Technology Transfer (NACETT) on July 7, 1988. In July, 1990, it was renamed to more accurately reflect the scope of its mission and activities, and increased in size. Reflecting the complexity and diversity of environmental management policy and technology issues and the desire to develop cooperative, consensus-based approaches to their solution, the Council has balanced representation from business and industry; educational institutions; professional, trade, environmental and labor organizations; and all levels of government. All members are volunteers, receiving reimbursement only for travel-related expenses. The Council also draws on a large reservoir of other volunteer contributors and experts from the above sectors.

The Council currently operates primarily through five standing Committees: Environmental Education and Training, International Environment, State and Local Programs, Technology Innovation and Economics, and Chemical Accident Prevention. The Council also has an Executive Committee, comprised of the chairs of the Council and standing committees, to coordinate annual priorities and cross-committee management issues.

On November 29, 1990, the Administrator and Deputy Administrator met with the NACEPT Executive Committee and asked the Council to shift its primary focus to address broad, cross-cutting major issues related to Trade and the Environment, and Pollution Prevention. The Executive Committee has identified key issues and major themes in each area and has proposed to address selected priority questions. Prior to initiating large scale planning for this reorientation of effort, existing Standing Committees had accomplished the following:

The International Environment Committee has been exploring global environmental and economic indicators, innovative financing mechanisms, international markets for U.S. environmental technologies and processes, and the ramifications of legal and intellectual property issues. The Committee has also focused on establishment of international environmental policies, principles, guidelines, and standards. It has begun to identify opportunities and mechanisms for international technical assistance and training, (e.g., the Committee was asked to explore an industry peer-match exchange program with Poland), and to explore international environmental information networks. The Committee is involved with development of a Wild Ocean Reserve Project to help establish deep ocean wilderness areas to protect the ocean environment and wildlife.

The Environmental Education and Training Committee seeks to promote an environmentally conscious and responsible public. They are focusing on development of a balanced informational and educational program directed toward the general public and development of an ecologically literate and competent workforce. Emphasizing participation from teachers, administrators, text book publishers, parents, non-governmental organizations and private firms, and individuals at the community level, the Committee encourages the formation of education and training networks. The Committee has seen significant implementation of key recommendations in formation of EPA's Office of Environmental Education, creation of the National Environmental Education and Training Foundation, and creation of nonprofit organizations addressing environmental education and training needs of industry; and improved environmental information delivery to college students and young adults. The Committee has also sponsored a university presidents roundtable and an urban/minority education project; assisted expansion of the existing environmental education network; helped create a nonprofit business/environmental management institute and a nonprofit corporation focusing on environmental education for college-level students; and assisted development of pollution prevention education curriculum.

RECENT ACCOMPLISHMENTS

The State and Local Programs Committee maintains responsibility for helping develop and foster improvements in the capacity of State and local governments to carry out their environmental management responsibilities. Each level has a legitimate and unique role to play, ideally in a mutually supporting system where each level performs the functions it does best. The Committee believes EPA needs to clarify its vision with regard to delegation and oversight of environmental programs; establish a genuine partnership with the States to enhance each partner's ability to respond to the growing environmental challenge, and to help local governments develop greater environmental management capacity. With respect to local issues, the Committee is focusing on the special needs of very small communities. The Committee has made a number of recommendations to the Agency in these areas and has been working with various EPA offices on their implementation.

The Technology Innovation and Economics Committee is working to identify and recommend steps that energize the innovation cycle for the environment by increasing the development and commercialization of innovative technologies and ensuring the diffusion of existing and new innovative technologies. It has been examining the relationship between the introduction of new technologies for environmental purposes and governmental permitting and compliance systems; the effects of liability on the innovation and diffusion of environmentally relevant technologies; and why much of the best environmentally-helpful technology is not being transferred. The Committee believes that the current framework of environmental authorities is not adequately encouraging such technology innovation and has found that several major impediments obstruct technology development and use, creating risk averseness in public and private technology sponsors. The Committee has called for the establishment of a more mutually supportive relationship among governments and the private sector in the pursuit of technology innovation for environmental purposes. In its first set of recommendations, the Committee advised EPA to become a leader in fostering technology innovation and to evaluate its programs to determine their effectiveness in stimulating technology innovation; it proposed several specific steps the Agency should take. The Committee's second set of recommendations is addressing expanded pollution prevention efforts in permitting process, expanded use of research, development and demonstration permitting; and increased efforts to deliver new technologies more effectively. These recommendations for enhancing technology innovation are receiving considerable EPA attention and raising awareness of the need to foster technology innovation.

The Chemical Accident Prevention Committee was created in late FY1990, at the request of EPA's Chemical Emergency Preparedness and Prevention Office. It has met once to discuss the program's overall strategy and policy issues, mechanisms for delivery of information and assistance, and development of approaches to measure prevention of chemical accidents.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

NATIONAL AIR POLLUTION CONTROL TECHNIQUES ADVISORY COMMITTEE

1. PURPOSE. This Charter is reissued to renew the National Air Pollution Control Techniques Advisory Committee for an additional 2-year period in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. §9(c).

2. AUTHORITY. The Committee was established by the Surgeon General, U. S. Public Health Service, Department of Health, Education, and Welfare, on March 4, 1968, under Section 110(d) of the Clean Air Act, as amended; reestablished by the Administrator, Consumer Protection and Environmental Health Service, pursuant to the Secretary's Reorganization Order of July 1, 1968; transferred to the U. S. Environmental Protection Agency pursuant to Reorganization Plan No. 3, December 2, 1970; reconstituted by the Administrator, EPA, on June 8, 1971, pursuant to Sections 108(b)(1) and (2), and 117(f) of the Clean Air Act, as amended; rechartered January 5, 1973, to include requirements of Section 9(c) of the Federal Advisory Committee Act, P.L. 92-463; reconstituted April 24, 1973, to assign an additional function to the Committee (Section 103(a) of the Clean Air Act, as amended) and to implement provisions (grant and contract review) of the FY 1973 Appropriation Act (P.L. 92-399); and renewed January 7, 1975, December 8, 1976, November 30, 1978, November 13, 1980, December 29, 1982, November 28, 1984, November 26, 1986, and November 18, 1988. It is determined that this Committee is in the public interest in connection with the performance of duties imposed upon the Agency by law.

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Committee, as an ongoing advisory group, provides independent views based upon specialized knowledge and skills unavailable in the Environmental Protection Agency. This advice will be necessary as long as control techniques documents for air pollutants and information documents are published in regard to standard-setting procedures subject to the Clean Air Act, as amended.

4. FUNCTIONS. The Committee will advise the Director, Office of Air Quality Planning and Standards, on the latest available technology and economic feasibility of alternative methods to prevent and control air contamination to be published in air quality control techniques documents. It also advises on information documents regarding air pollution control techniques and testing and monitoring methodology for categories of new sources and air pollutants subject to the provisions of Sections 111 and 112 of the Clean Air Act, as amended. In addition, the Committee, through a subcommittee, will periodically review Air Quality Planning and Standards program accomplishment plans and the associated contracts and grants awarded to carry out these plans.

5. COMPOSITION AND MEETINGS. The Committee consists of the Director, Office of Air Quality Planning and Standards, or his designee, as Chairperson and 11 members appointed by the Deputy Administrator, EPA, for overlapping terms of from 1 to 4 years. Members are selected from the chemical, engineering, biomedical, and socioeconomic disciplines resident in universities, State and local governments, research institutions, and industry. Members are also selected for their technical expertise and/or interest in the development of air pollution control techniques. Most members will be appointed as Special Government Employees. The Committee is authorized to form subcommittees from time to time to consider specific matters and report back to the Committee. Meetings are generally held two times a year, or as necessary, as called by the Chairperson. A full-time salaried officer or employee of the Agency will serve as the Designated Federal Official who will be present at all meetings and is authorized to adjourn any meeting whenever it is determined to be in the public interest. The estimated annual operating cost of the Committee totals $32,000, which includes 0.4 work-years of staff support. The Office of Air and Radiation provides the necessary support for the Committee.

6. DURATION. The National Air Pollution Control Techniques Advisory Committee is hereby renewed for 2 years and may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

7. SUPERSESSION. The former National Air Pollution Control Techniques Advisory Committee charter signed by the Deputy Administrator on September 19, 1988, is hereby superseded.

OCT 9 1990
Agency Approval Date

Deputy Administrator

OCT 11 1990
OMB/GSA Review Date

NOV - 1 1990
Congressional Filing Date

U.S. ENVIRONMENTAL PROTECTION AGENCY

NATIONAL AIR POLLUTION CONTROL TECHNIQUES ADVISORY COMMITTEE

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RECENT ACCOMPLISHMENTS

The National Air Pollution Control Techniques Advisory Committee (NAPCTAC) meets periodically to assess progress in the development of new source performance standards (NSPS) for stationary sources and national emission standards for hazardous air pollutants (NESHAP). The Committee also reviews the development and publication of control techniques documents for specific pollutants and control techniques guidelines for selected industries.

The January 29-31, 1991 meeting of the NAPCTAC was a comprehensive one since no meetings were held in 1990 due to the pending Clean Air Act Amendments (CAAA).

At its January 1991 meeting, the Committee was given an overview of the requirements for hazardous air pollutants under Title III of the CAAA. In addition presentations/status reports were provided on alternative definitions of source and the implementation process, the development of guidance for the petition process, the development of a list of source categories that emit the 189 hazardous air pollutants listed in the CAAA, and the implementation of the Title III provisions for early reductions to defer application of maximum achievable control technology (MACT). Status reports on the regulatory development of five NESHAP based on MACT were also provided: dry cleaning, ethylene oxide commercial sterilizers, chromium electroplating, hazardous organic NESHAP on source categories in the chemical industry, and asbestos-comprehensive revisions. The regulatory development for municipal waste combustion and the technical background information on marine tank vessel loading were also discussed.

The NAPCTAC consists of 11 members with diverse backgrounds. It services both EPA and the public by providing a forum for the expression of different viewpoints and the exchange of ideas through in-depth discussion of the regulatory issues brought before the Committee for evaluation and comment. During the period covered by this report, the NAPCTAC received comments from representatives of EPA, industry, environmental interests, other governmental organizations, trade associations, and control equipment manufacturers.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS AND COUNCILS

NATIONAL DRINKING WATER ADVISORY COUNCIL

1. PURPOSE. This Charter is reissued for the National Drinking Water Advisory Council in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. S 9(c).

2. AUTHORITY. The Council was created on December 16, 1974, under the Safe Drinking Water Act of 1974, P.L. 93-523, 42 U.S.C. 300j-5 and the charter was renewed on December 23, 1976; December 1, 1978; November 7, 1980; November 29, 1982; December 7, 1984; December 15, 1986; and November 22, 1988.

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Council advises, consults with, and makes recommendations on a continuing basis to the Administrator, through the Assistant Administrator for Water, on matters relating to activities, functions, and policies of the Agency under the Safe Drinking Water Act.

4. FUNCTIONS. The Council provides practical and independent advice to the Agency on matters and policies relating to drinking water quality and hygiene, and maintains an awareness of developing issues and problems in the drinking water area. It reviews and advises the Administrator on regulations and guidelines that are required by the Safe Drinking Water Act; makes recommendations concerning necessary special studies and research; recommends policies with respect to the promulgation of drinking water standards; assists in identifying emerging environmental or health problems related to potentially hazardous constituents in drinking water; and proposes actions to encourage cooperation and communication between the Agency and other governmental agencies, interested groups, the general public, and technical associations and organizations on drinking water quality.

5. COMPOSITION AND MEETINGS. The Council consists of fifteen members including a Chairperson, appointed by the Deputy Administrator after consultation with the Secretary, Department of Health and Human Services. Five members shall be appointed from the general public, five members shall be appointed from appropriate State and local agencies concerned with water hygiene and public water supply; and five members shall be appointed from representatives of private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply. Except as provided in Section 1446 of the Safe Drinking Water Act, each member of the Council will hold office for a term of three years and will be eligible for reappointment. The Council is authorized to form subcommittees to consider specific matters and report back to the full Council.

Meetings will be held as necessary and convened by the Assistant Administrator for Water. A full-time salaried officer or employee of EPA will be assigned as the Designated Federal Official. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the designated Agency official. The Designated Federal Official will be present at all meetings and is authorized to adjourn any meeting whenever it is determined to be in the public interest. The estimated annual operating cost of the Council is approximately $69,000, which includes .50 work-year of staff support. The Office of Water will provide the necessary staff and support for the Council.

6. DURATION. As provided in the Safe Drinking Water Act, "Section 14(a) of the Federal Advisory Committee Act (relating to termination) shall not apply to the Council." However, the Charter is subject to the renewal process upon the expiration of each successive two-year period following the date of enactment of the Act establishing this Council.

7. SUPERSESSION. The former National Drinking Water Advisory Council charter filed on November 22, 1988 is hereby superseded.

NOV 29 1990
Agency Approval Date

Deputy Administrator

DEC 13 1990
Date Filed with Congress

NATIONAL DRINKING WATER ADVISORY COUNCIL

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NATIONAL DRINKING WATER ADVISORY COUNCIL

RECENT ACCOMPLISHMENTS

The National Drinking Water Advisory Council held two meetings during 1990. The Council reviewed, in various stages, the following regulatory packages: (1) Proposed Lead and Copper Primary Drinking Water Regulations; (2) Phase II - Final Primary Drinking Water Regulations for 33 Synthetic Organic Chemicals and Inorganic Chemicals; (3) Proposed Phase V Primary Drinking Water Regulations for 24 Contaminants; (4) Preliminary drafts of the Disinfection/Disinfection By-Product Rule; and (5) Draft language for the upcoming proposal on Radionuclides.

The Council began preliminary discussions on the Reauthorization of the Safe Drinking Water Act (SDWA). The Council sent a letter soliciting SDWA issues to 64 interested groups and organizations. It was the opinion of the Council that input from those directly impacted by the Act would provide the best overall look at the major issues. The Assistant Administrator for Water, the Council Chairman and Legislative/Public Outreach Subcommittee Chairperson, held a two-day meeting in September to stimulate open discussion of the issues. A follow-up report was issued and sent to all participants. At the December meeting of the Council, recommendations were provided to the Agency. The Council has decided to continue this discussion at the April 1991 meeting.

During 1990 the Council discussed the problems facing small water supply systems relative to the implementation of the Safe Drinking Water Act. At the April 1990 meeting, the Council invited representatives from the State of Massachusetts, and several private industry groups offering small package treatment technologies available. An in-depth discussion provided the Council with an insight into gaining state approval for these new package technologies, the plans to develop a major information clearinghouse and innovative financing options to better serve the small communities faced with the challenge of meeting the SDWA requirements. The Council will continue to gather information and make recommendations to EPA on this subject.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS--COMMITTEE, BOARDS, PANELS, AND COUNCILS

REFORMULATED GASOLINE RULE AND OXYGENATED GASOLINE--MARKETABLE OXYGEN CREDIT PROGRAM GUIDELINES AND LABELING REGULATIONS

NEGOTIATED RULEMAKING ADVISORY COMMITTEE

1. PURPOSE. This charter establishes the Reformulated Gasoline and Oxygenated Fuels Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. § 9(c) and the Negotiated Rulemaking Act of 1990 (NRA), 5 U.S.C. § 581 *et seq.*

2. AUTHORITY. It is determined that establishment of this Committee is in the public interest and supports EPA in performing its duties and responsibilities under Section 211 of the Clean Air Act, as amended by the Clean Air Act Amendments of 1990 (CAA).

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Committee will serve as an integral part of EPA's development of guidelines for marketable oxygen credit programs for oxygenated gasoline and proposed regulations and standards for reformulated gasoline and oxygenated gasoline. It will attempt, via face-to-face negotiations, to reach consensus on concepts and language to use as the basis of the guidelines and proposed rules under Title II, section 211 of the CAA. To the extent consensus is not reached on the proposed rules, the Committee may continue to meet to formulate recommendations for the Agency's consideration in making its decision on the final rules. The negotiation will address marketable oxygen credit guidelines and labeling regulations, approaches to emissions testing and modeling of fuels, standards applicable to reformulated fuels, specifications of baseline fuels, and the credits program.

4. FUNCTIONS. As indicated above, the Committee's function is to assist directly in the development of a new regulatory approach to establish standards for reformulated gasoline and oxygenated gasoline. With the participation of knowledgeable, affected parties, EPA expects to develop a practical, protective complex of proposed rules and guidelines at less cost than the traditional rulemaking approach. In addition, the Committee's success or lack thereof will help EPA assess the procedures and circumstances which best foster successful negotiations.

5. COMPOSITION. The Committee will consist of not more than twenty-five members, appointed by the EPA Deputy Administrator,

plus a facilitator or facilitators who will serve as Chair(s), unless EPA determines that a greater number is necessary for the functioning of the committee or to achieve balanced membership. Members will represent the following segments of the population in appropriate mix and balance:

Categories of Members:

- Petroleum refiners and marketers
- Fuel ethanol producers and blenders
- Petrochemical industry, in particular, ether (i.e., MTBE, TAME or ETBE) manufacturers
- Motor Vehicle manufacturers
- Environmental and/or consumer interest groups
- State and local air pollution control agencies and local government representatives
- Importers
- Other federal agencies
- Other interested and affected parties

Appropriate members shall be selected and appointed for the duration of the negotiation itself. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal Official and will be present at all meetings. The Designated Federal Official is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so. The Committee is authorized to form workgroups for any purpose consistent with this Charter and FACA. Such workgroups shall report back to the full Committee. Workgroups have no authority to make decisions on behalf of the full Committee nor can they report directly to the Agency.

EPA may pay travel and per diem expenses when necessary and appropriate and may compensate members as provided for under the Negotiated Rulemaking Act of 1990 and section 7(d) of FACA. The Committee's estimated annual operating cost is approximately $100,000 which includes .2 work years of staff support. EPA's Office of Policy, Planning and Evaluation will provide administrative and procedural support to the committee.

6. MEETINGS. Meetings shall be held as necessary, at the call of the Chair, with an agenda for each meeting approved in advance by the Designated Federal Official. Committee meetings will be

called, announced, and held in accordance with the EPA Committee Management Manual. This manual contains the Agency's policies and procedures for implementing FACA. Among other things, FACA requires open meetings and an opportunity for interested persons to file comments before or after meetings, or to make statements to the extent that time permits.

7. DURATION. The Committee will terminate by November 1, 1991, unless the Deputy Administrator determines that the Committee will finish its work within 30 days of the original termination date. If the Deputy Administrator makes such a determination, he can extend the termination date by 30 days without further consultation with GSA. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

FEB 28 1991

Approval date

Deputy Administrator

MAR - 5 1991

GSA Review Date

MAR 13 1991

Date filed with Congress

REFORMULATED GASOLINE RULE AND OXYGENATED GASOLINE--MARKETABLE OXYGEN CREDIT PROGRAM GUIDELINES AND LABELING REGULATIONS NEGOTIATED RULEMAKING ADVISORY COMMITTEE

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REFORMULATED GASOLINE RULE NEGOTIATED RULEMAKING ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Oxygenated and Reformulated Fuels Advisory Committee held its first meeting on March 13th. It has divided into four smaller working groups -- Fuel Certification, Supply and Distribution, Anti-Dumping, Credits, Averaging and Enforcement.

Membership includes the American Petroleum Institute, major oil and automobile companies.

The major committee action so far has been via these active workgroups. They have met on March 27th and 28th, April 11th and 12th, April 24th and 25th.

Though the issues are both highly technical and controversial, the workgroups are working hard and making much progress. Though we will only know at the end, EPA and the participants are optimistic that the group will achieve full or near consensus on the major issues.

The full plenary meets again on April 30th and on May 13th and 14th with a possible back-up meeting scheduled for April 23rd and 24th.

EPA is committed to publishing a proposed rule -- based on as much consensus as is then achieved by April 31st.

If the members consider it advisable, they will continue their work during and after public comment and will do their best to assist the Agency in coming out with a consensus final rule and guidelines which appropriately incorporate public comment.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

SCIENCE ADVISORY BOARD

1. PURPOSE AND AUTHORITY. This Charter is reissued for the Science Advisory Board in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. (App.I) 9(c). The former Science Advisory Board, administratively established by the Administrator of EPA on January 11, 1974, was terminated in 1978 when the Congress created the statutorily mandated Science Advisory Board by the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA) of 1978, 42 U.S.C. 4365. The Science Advisory Board charter was renewed October 31, 1979; November 19, 1981; November 3, 1983; October 25, 1985; and November 6, 1987.

2. SCOPE OF ACTIVITY. The activities of the Board will include analyzing problems, conducting meetings, presenting findings, making recommendations, and other activities necessary for the attainment of the Board's objectives. Ad hoc panels may be established to carry out these special activities in which consultants of special expertise may be used who are not members of the Board.

3. OBJECTIVES AND RESPONSIBILITIES. The objective of the Board is to provide advice to EPA's Administrator on the scientific and technical aspects of environmental problems and issues. While the Board reports to the Administrator, it may also be requested to provide advice to the U.S. Senate Committee on Environment and Public Works or the U.S. House Committees on Science and Technology, Energy and Commerce, or Public Works and Transportation. The Board will review scientific issues, provide independent scientific and technical advice on EPA's major programs, and perform special assignments as requested by Agency officials and as required by the Environmental Research, Development, and Demonstration Authorization Act of 1978 and the Clean Air Act Amendments of 1977. Responsibilities include the following:

- Reviewing and advising on the adequacy and scientific basis of any proposed criteria document, standard, limitation, or regulation under the Clean Air Act, the Federal Water Pollution Control Act, the Resource Conservation and Recovery Act, the Noise Control Act, the Toxic Substances Control Act, the Safe Drinking Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act, or any other authority of the Administrator;

- Reviewing and advising on the scientific and technical adequacy of Agency programs, guidelines, methodologies, protocols, and tests;

- Recommending, as appropriate, new or revised scientific criteria or standards for protection of human health and the environment;

- Through the Clean Air Scientific Advisory Committee, providing the scientific review and advice required under the Clean Air Act, as amended;

- Reviewing and advising on new information needs and the quality of Agency plans and programs for research, development and demonstration.

- Advising on the relative importance of various natural and anthropogenic pollution sources;

- As appropriate, consulting and coordinating with the Scientific Advisory Panel established by the Administrator pursuant to section 21(b) of the Federal Insecticide, Fungicide and Rodenticide Act, as amended; and

- Consulting and coordinating with other Agency advisory groups, as requested by the Administrator.

4. COMPOSITION. The Board will consist of a body of independent scientists and engineers of sufficient size and diversity to provide the range of expertise required to assess the scientific and technical aspects of environmental issues. The Board will be organized into an executive committee and several specialized committees, all members of which shall be drawn from the Board.

The Board is authorized to constitute such specialized standing member committees and ad hoc investigative panels and subcommittees as the Administrator and the Board find necessary to carry out its responsibilities. The Administrator will review the need for such specialized committees and investigative panels at least once a year to decide which should be continued. These committees and panels will report through the Executive Committee.

The Deputy Administrator also shall appoint a Clean Air Scientific Advisory Committee of the Board to provide the scientific review and advice required by the Clean Air Act Amendments of 1977. This Committee, established by a separate charter, will be an integral part of the Board, and its members will also be members of the Science Advisory Board.

5. MEMBERSHIP AND MEETINGS. The Deputy Administrator appoints individuals to serve on the Science Advisory Board for staggered terms of one to four years and appoints from the membership a Chair of the Board. The Chair of the Board serves as Chair of the Executive Committee. Chairs of standing committees or ad hoc specialized subcommittees serve as members of the Executive Committee during the life of the specialized subcommittee. Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board. No member of the Board shall be a full-time employee of the Federal Government.

There will be approximately 60-75 meetings of the specialized committees per year. A full-time salaried officer or employee of the Agency will be present at all meetings and is authorized to adjourn any such meeting whenever this official determines it to be in the public interest.

Support for the Board's activities will be provided by the Office of the Administrator, EPA. The estimated total annual operating cost will be approximately $1,409,000 and the estimated Federal permanent staff support will be 14.6 workyears.

6. DURATION. The Board shall be needed on a continuing basis. This charter will be effective until November 8, 1991, at which time the Board charter may be renewed for another two-year period.

7. SUPERSESSION. The former charter for the Science Advisory Board, signed by the Administrator on November 2, 1987 is hereby superseded.

November 8, 1989
Approval Date

Deputy Administrator

NOV - 8 1989
Date Filed with Congress

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SCIENCE ADVISORY BOARD

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Terms expire September 30

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Terms expire September 30

SCIENCE ADVISORY BOARD

Indoor Air Quality and Total Human Exposure Committee

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Terms expire September 30

SCIENCE ADVISORY BOARD

Research Strategy Advisory Committee

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Terms expire September 30

SCIENCE ADVISORY BOARD

Radiation Advisory Committee

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Terms expire September 30

RECENT ACCOMPLISHMENTS

FY90 was a busy and varied year for the Science Advisory Board. The number of meetings held and the number of reports issued during the year continued at a high level. The Board examined several new topics whose ramifications for Agency planning, policy and practice are far-reaching. The SAB Staff maintained its commitment to quality service to the Board, while undertaking various actions to assess and enhance its own institutional health.

In FY90 the Committees and Subcommittees of the SAB conducted 61 meetings and issued 26 separate reports (including the three appendices to the Reducing Risk Report), and 7 letter reports. Nearly every program office of the Agency was affected by one or another of the reviews. The SAB both responded to requests for reviews from the Agency and took the initiative in delving into new areas and new approaches to providing the kind of scientific and engineering advice that makes a difference in the Agency's operations. FY90 also saw the first Annual Meeting of the Science Advisory Board.

The Executive Committee (EC) met four times during FY90 to conduct its business of overseeing activities of the Board and reviewing Committee reports for transmittal to the Administrator. In addition there were 24 subcommittee meetings, including 22 meetings of the EC Relative Risk Reduction Strategies Committee (RRRSC) and its subcommittees, many of whose logistical operations were aided by contractor support, funded through contributions from Agency offices. The Mission and Functioning Subcommittee of the EC established a "self-study" of the SAB. The meetings covered a wide variety of issues, some of which resulted in reports of EC Subcommittees: Lead Carcinogenicity; Products of Incomplete Combustion, Reducing Risk Report and 3 Appendices; and 2,3,7,8-TCDD.

Drinking Water Committee (DWC) held three full Committee meetings and one Subcommittee meeting during the year. They addressed a number of issues: consultation on disinfection; disinfectants and disinfection byproducts research; health effects of nitrates and nitrites; health effects of styrene microbiological research program; and reaction kinetics and byproducts of chlorination.

Ecological Processes and Effects Committee (EPEC) was reconstituted from the prior Environmental Effects, Transport and Fate Committee (EET&FC), with input from the Environmental Engineering Committee. EPEC is now guided by a formal mission statement approved by the EC. During the year EPEC held two full Committee meetings and four Subcommittee meetings. A number of issues were examined during this time: consultation on ecological risk assessment guidelines; compendium of methods for classification of sediments; core ecological research program;

ecoregions; equilibrium partitioning approach for sediment quality; and ecological indicators for the Environmental Monitoring and Assessment Program (EMAP).

Environmental Engineering Committee (EEC) conducted three meetings of the full Committee and five meetings of various Subcommittees. Of particular note was the successful SAB workshop in May, 1990 on the scientific and technical principles pertaining to leachability phenomena. Distinguished scientists, engineers, and practitioners experienced in leachability issues focused on the basic principles underlying the leaching process. The workshop drew over 50 participants. In addition, a videotape of the proceedings was made available to an even wider audience in EPA Headquarters and the Regions.

The following topics were addressed during the year: asbestos abatement technology; CANSAZ (saturated zone) flow and transport model; leachability phenomena; municipal solid waste research; municipal waste combustion ash; solidification/ stabilization research program; ORD's Risk Reduction core research strategy; toxics treatability and toxicity reduction research for wastewater.

Environmental Health Committee (EHC) conducted two full Committee meetings and one Metals Subcommittee meeting during FY90. In addition, several members were active in the EC Subcommittee review of the carcinogenicity of lead.

The following topics were addressed during the year: biomarkers research strategy; cholinesterase inhibition integrated Risk Information System; risk assessment guidelines for developmental toxicity; and uncertainty and modifying factors in setting reference doses.

Indoor Air Quality/Total Human Exposure Committee (IAQC) did not meet in FY90, although they did send a commentary to the Administrator on a number of issues.

Radiation Advisory Committee (RAC) conducted two full Committee meetings and eight Subcommittee meetings, seven of which concerned radionuclides in drinking water and were conducted via publicly announced conference calls. Because this Subcommittee never met face to face, SAB staff videotaped the Agency's ODW presentation for further study and later presentation before the parent Committee.

The following topics were addressed at these meetings: commentary on non-ionizing radiation; correlation of short-term and long-term tests for radon for use by homeowners in making mitigation decisions; design of the national survey for radon in schools; radon risk estimates for smokers, non-smokers and children; residual radioactivity and contaminated sites; and

review of the Office of Drinking Water Criteria.

Research Strategies Advisory Committee (RSAC) conducted five events in FY90: three Subcommittee meetings, a conference call, and participation in a meeting of the Research Strategy Council. The following topics were addressed at these meetings: SAB views on ORD budget; Scientific and Technical Awards; and Review of core research on Health Risk Assessment.

In addition, the RSAC received reports from EPEC and EEC on core research on ecology and risk reduction, respectively. These reports were reviewed by the RSAC and provided input to the RSAC Chair when he participated in the summer meeting of the Agency's Research Strategy Council.

The SAB is entering a new era of activity and involvement in the Agency. The current Administrator and Deputy Administrator are supporting this effort to find new ways to bring outside expertise to bear on a wider variety of scientific and engineering issues facing the Agency.

During FY91 the SAB Staff will be working with the Agency and the Board to involve both institutions in the setting of priorities for the SAB. Current resources do not permit the Board's examining all of the issues which could be profitably addressed. The Agency is simply involved in too many substantive issues. Therefore, there is a need to set priorities, a process which should involve a wide range of people and ideas. Through an invigorated Executive Committee, a more active SAB Consultative Group, and more dynamic relationships with program office staff, the SAB Staff will more clearly identify and describe the possible projects that could be brought to the Board. They will work with various SAB Committees (especially the Executive Committee) to select those issues that are the most pertinent and promising, based on the specific criteria established by the Mission and Functioning Committee. Some topics are likely to be quite controversial; e.g., risk assessment for environmental tobacco smoke and electromagnetic fields. In addition, the Agency's implementation of the recommendations in Reducing Risk is likely to involve the SAB in a variety of priority setting exercises.

The coming year will also see a strong effort to implement the remaining recommendations contained in the management study. It is clear that the Staff cannot make additional progress by simply "working harder"; in the future, we must be "working smarter", which means rebuilding and modernizing the infrastructure which supports the work of the Board.

In sum, FY91 holds fine prospects for the Board's working smarter to protect human health and the environment.

U.S. ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, COUNCILS

STRATOSPHERIC OZONE PROTECTION ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY This Charter establishes the Stratospheric Ozone Protection Advisory Committee in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. §9(c).

The purpose of the Advisory Committee is to provide advice and counsel to the Agency on policy and technical issues related to protection of the stratospheric ozone layer. The Advisory Committee provides independent advise and counsel to the Agency on specific issues affecting international negotiations and domestic implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer and related matters. The Advisory Committee provides a mechanism for discussion and consultation of a wide range of views and expertise concerning efforts to address this global environmental problem.

2. SCOPE OF ACTIVITY The Advisory Committee shall provide independent advice to the Assistant Administrator, Office of Air and Radiation, or his designate, on potential ramifications of issues related to the protection of the stratospheric ozone layer. The Advisory Committee shall be consulted on policy and technical matters related to economic, environmental and scientific issues associated with international efforts to protect the ozone layer. It shall also be consulted concerning domestic regulatory issues related to the protection of the ozone layer.

The Advisory Committee shall hold meetings, analyze issues, conduct reviews, perform studies, produce reports, make necessary recommendations and undertake other activities necessary to meet its responsibilities. The global nature of the stratospheric ozone problem and the specific technical, policy, trade and science issues involved require the expertise of an independent advisory committee which represents a wide range of views from industry, government and the environmental community. The committee provides a forum for obtaining technical information and guidance in a timely manner as international discussions concerning actions to protect the ozone layer progress.

ADVISORY COMMITTEE CHARTER

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3. OBJECTIVES The Advisory Committee is assigned the role of assessing and advising EPA concerning implementation of plans to protect the stratospheric ozone as required by the Montreal Protocol and EPA regulations. The committee will also advise the Agency on other matters related to protection of the ozone layer. Responsibilities consistent with this role include advising the Agency on the following:

- Assessment of domestic implementation of the Montreal Protocol and its impact on industry, consumers, public health and the environment;

- Assessment of international actions in response to the Montreal Protocol and its effect on industrialized and developing nations;

- Consideration of U.S. trade and competitiveness in the international market in response to changing environmental and economic conditions;

- Assessment of technological developments and evaluation of commercial alternatives to ozone-depleting substances; and

- Consideration of health and ecological factors that result from limitation of substances that deplete the ozone layer.

4. COMPOSITION The Advisory Committee shall be composed of approximately 27 members, including the Chairperson, and shall be selected and appointed by the Deputy Administrator for two-year terms. Members of the committee shall be selected on the basis of their professional qualifications and diversity of perspectives that will enable them to provide advice and guidance to the Agency regarding implementation of the Montreal Protocol and protection of the stratospheric ozone layer.

Advisory Committee members shall be appointed in a balanced representation from the following sectors: industry and business; academic and educational institutions; Federal, State and local government agencies; non-government and environmental groups; and international organizations. Members will be appointed as representatives of non-Federal interest.

The Advisory Committee is authorized to form subcommittees to consider specific matters and report back to the committee.

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5. MEETINGS Meetings are held two times a year, or as necessary, as called by the Chairperson. A full-time salaried officer or employee of the Agency will serve as the Designated Federal Official who will be present at all meetings. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Official.

The estimated annual operating cost of the Advisory Committee is $20,000, which includes 0.5 work years of staff support. The Office of Air and Radiation provides the necessary support for the Committee.

6. DURATION The Advisory Committee shall be needed on a continuing basis and may be renewed beyond its initial two-year period, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

FEB 15 1990
Revision Agency Approval Date

Deputy Administrator

MAR 28 1990
Revised GSA Charter Filing Date

October 2, 1989
Date Filed with Congress

STRATOSPHERIC OZONE PROCTECTION ADVISORY COMMITTEE

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STRATOSPHERIC OZONE PROTECTION ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Stratospheric Ozone Protection Advisory Committee, (STOPAC), established October 1, 1989, provides advice and counsel to the Agency on policy and technical issues associated with activities related to the protection of the stratospheric ozone layer (both domestic and international issues).

During the last year, the committee provided advice on the various possible U.S. negotiation positions for the renegotiation of the Montreal Protocol in London, England. The Protocol was renegotiated in June, 1990.

In addition, the Committee, acting through various subcommittees, has provided guidance and options in the development of regulations implementing the Clean Air Act Amendments of 1990. Specifically, Subcommittees of the STOPAC have provided advice, counsel, and continue to provide such assistance, on the development of regulations pertaining to the labeling of products containing or made with ozone depleting compounds, the recycling of such chemicals, bans on non-essential products, and safe alternative.

ADDENDUM

ESTABLISHMENTS

1. Committee on National Accreditation of Environmental Laboratories

   Contact Person: Jean Hankins
   (202) 382-4797

2. Expert Panel on the Role of Science at EPA

   Contact Person: Jay Benforado
   (202) 382-7669

3. Policy Dialogue Committee for EPA's Mining Program

   Contact Person: Debbie Dalton
   (202) 382-5495

Attachments
Charters (Established Committees)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

COMMITTEE ON NATIONAL ACCREDITATION OF ENVIRONMENTAL LABORATORIES

1. PURPOSE AND AUTHORITY. The purpose of the Committee on National Accreditation of Environmental Laboratories is to provide advice and counsel to the Administrator, Deputy Administrator, and the Environmental Monitoring Management Council (EMMC) concerning establishing a national accreditation program for environmental testing laboratories that provide services to governmental and private sector organizations in support of activities related to compliance with federal and state environmental statutes and regulations. The committee is established in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. Section 9(c).

2. DUTIES AND SCOPE OF ACTIVITIES. The committee shall make recommendations regarding the need for and the advisability of establishing a national program to accredit environmental testing laboratories. The committee shall consider whether a national program is needed, whether EPA should endorse and/or establish such a program, and alternatives to a national program. In developing its recommendations, the committee shall consider all of the public and private sector perspectives on laboratory accreditation, including but not limited to the concerns of the federal government, state and local governments, the environmental testing laboratory industry, the regulated community, and the general public. The committee or its members may consult with other groups in the public and/or private sector concerned with the issue of national laboratory accreditation in order to understand the wide range of opinions and concerns on this issue. The committee will provide analysis, conduct reviews, produce reports, and perform all other activities necessary to develop, support, document, and present its recommendations.

3. OBJECTIVES. The Committee on National Accreditation of Environmental Laboratories is to complete a one-year study of the issue of national laboratory accreditation with the objective of whether EPA should endorse and/or establish such a program, and alternatives to a national program. This would include (1) characterizing the laboratory evaluation needs of users of environmental testing services, (2) evaluating program designs, (3) examining program implementation options, and (4) determining the benefit of accreditation to EPA and others.

4. COMPOSITION. The committee will be led by two co-chairs, appointed by the Deputy Administrator. Committee membership will consist of approximately 25 representatives. The members will be selected from EPA, state governments, other federal agencies that utilize environmental testing services in conduct of environmental

compliance activities, trade associations for the environmental laboratory industry , trade associations from EPA's regulated community, special interest groups, and the academic community. Most members will be appointed as representatives of non-federal interests. Members may not be represented by Alternates. All representatives will participate in the consensus process of the committee. Any other interested parties may contribute but will not participate in the consensus process. The committee may constitute itself into such specialized committees as it finds necessary to carry out its responsibilities. Such subgroups will report back to the committee.

5. **MEETINGS.** The committee will meet at least four times during the duration of the study on a schedule to be determined by the Designated Federal Official. The executive director will serve as the Designated Federal Official, will be present at all meetings, and will be authorized to adjourn meetings whenever it is determined to be in the public interest to do so. All meetings will be conducted in accordance with an agenda that will be approved in advance by the Designated Federal Official. Support for the committee will be provided by the Environmental Monitoring Management Council. EPA will not compensate members for their service, though it may pay travel and per diem expenses when necessary and appropriate. Estimated operating costs for the one-year study are approximately $91,000 and include one workyear.

6. **DURATION.** The committee shall use its best effort to conduct the study and achieve its objectives by September 30, 1992. However, in the event more time is needed, EPA may seek an extension in accordance with Section 14 of the Federal Advisory Committee Act.

MAY 13 1991

Agency Approval Date

Deputy Administrator

GSA Consultation Date

Date Filed with Congress

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS - COMMITTEES, BOARDS, PANELS, AND COUNCILS

EXPERT PANEL ON THE ROLE OF SCIENCE AT EPA

1. PURPOSE AND AUTHORITY. This Charter establishes the Expert Panel on the Role of Science at EPA in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. §9(c).

The purpose of the Expert Panel is to provide independent advice and counsel to the Administrator on how best to integrate current, objective scientific information into the process of EPA policy development and program decision-making.

2. SCOPE OF ACTIVITY. The activities of the panel will include analyzing problems, conducting reviews, holding meetings, providing reports, making recommendations, forming study groups, and other activities needed to meet the Panel's objectives.

3. OBJECTIVES. The Panel will provide expert advice to the Administrator on the role of science at EPA. The Panel will work with EPA offices to accomplish this task. The Panel will make recommendations to the Administrator on how to achieve the following objectives:

- To identify how best to provide the Administrator with up-to-date, objective scientific information in keeping with the Agency's new Strategic Direction;
- To assure proper planning and management;
- To ensure that the research and scientific information needs of the programs and regions are adequately met, and their views incorporated in the scientific advice provided to the Administrator; and
- To enhance the stature of science within the Agency and among the many constituencies with which EPA deals.

4. COMPOSITION. The Panel shall be composed of four members, including the chairperson. Members of the Panel will be selected on the basis of their professional qualifications to examine the role of science at EPA. To the extent feasible, the panel membership will represent a range of scientific disciplines relevant to environmental issues. Most members will be appointed as Special Government Employees, subject to the conflict-of-interest restrictions.

5. MEETINGS. The Panel will meet at the request of the Administrator or the Administrator's designee. A full-time employee of the Agency, who will serve as the Designated Federal Official, will be present at all meetings and is authorized to adjourn any meeting whenever it is determined to be in the public interest. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Official. The estimated annual operating cost of the Panel is $50,000, including 0.5 workyears of staff support. Support for the Panel's activities will be provided by the Office of the Administrator and the Office of Research and Development.

6. DURATION. The Panel will terminate by February 29, 1992, unless the Deputy Administrator determines that the Panel will not finish its work within 30 days of the original termination date. If the Deputy Administrator makes such a determination, he can extend the termination date by 30 days without further consultation with GSA. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

MAY - 6 1991

Agency Approval Date

F. Henry Habicht II
Deputy Administrator

MAY 22 1991

GSA Consultation Date

MAY 28 1991

Congressional Filing Date

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE CHARTER

ORGANIZATION AND FUNCTIONS COMMITTEES, BOARDS, PANELS AND COUNCILS

POLICY DIALOGUE COMMITTEE FOR EPA's MINING PROGRAM

1. PURPOSE. This charter establishes the Policy Dialogue Committee for EPA's mining program in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. § 9(c).

2. AUTHORITY. It is determined that establishment of this Committee is in the public interest and supports EPA in performing its duties and responsibilities under Sections 8002 of the Resource Conservation and Recovery Act (RCRA).

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Policy Dialogue Committee will provide a forum to refine and further develop issues related to managing mining waste and to facilitate the exchange of ideas and information among the interested parties. It is hoped that consensus may be possible on some issues but, at a minimum, EPA would like to ensure that issues are thoroughly defined and that differing positions, as well as the reasons for those differences, are identified. The output of the Policy Dialogue Committee would be made available to various decision-makers in the mining program development process.

4. FUNCTIONS. As indicated above, the Committee's function is to assist directly in the development of EPA's mining program. With the participation of knowledgeable, affected parties, EPA expects to develop a more practical, protective approach at less cost.

5. COMPOSITION. The Committee will consist of not more than thirty members, appointed by the EPA Deputy Administrator, plus a facilitator who will serve as Chair. Members will represent the following segments of the population in appropriate mix and balance:

Categories of Members:

- public interest groups
- mineral industries
- States
- Federal agencies

Appropriate members shall be selected and appointed for the duration of the Policy Dialogue Committee. Most members will be appointed as representatives of non-federal interests. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal Official and will be present at all meetings. The Designated Federal Official is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so. The Committee is authorized to form workgroups for any purpose consistent with this Charter. Such workgroups shall report back to the full Committee. Workgroups have no authority to make decisions on behalf of the full Committee nor can they report directly to the Agency.

Under the Federal Advisory Committee Act, EPA may pay travel and per diem expenses when necessary and appropriate. The Committee's estimated annual operating cost is approximately $100,000, which includes one work-year of staff support. EPA's Office of Policy, Planning and Evaluation will provide administrative and process support to the Committee.

6. MEETINGS. Meetings shall be held as necessary, at the call of the Chair, with an agenda for each meeting approved in advance by the Designated Federal Official. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. This manual contains the Agency's policies and procedures for implementing FACA. Among other things, FACA requires open meetings, and an opportunity for interested persons to file comments before or after meetings, or to make statements to the extent that time permits.

7. DURATION. The Committee will terminate by March 30, 1992, unless the Deputy Administrator determines that the Committee will finish its work within 30 days of the original termination date. If the Deputy Administrator makes such a determination, he can extend the termination date by 30 days without further consultation with GSA. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

APR 4 1991

Approval date

APR 16 1991

GSA Review Date

APR 26 1991

Date filed with Congress

Deputy Administrator

Appendixes

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE OCTOBER 1, 1989

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
BSAC	FUTURE DIRECTION OF EPA'S HEALTH RESEARCH PROGRAM IN BIOTECHNOLOGY-NOVEMBER 7-8, 1988		01/29/90
BSAC	BSAC SUBCOMMITTEE CONSIDERING THE TSCA PROPOSED RULE DECEMBER 21, 1988		01/29/90
BSAC	SUMMARY OF BSAC SUBCOMMITTEE MEETING ON ANTIBIOTIC RESISTANCE MARKERS-JANUARY 19, 1989		01/29/90
BSAC	ISSUE PAPER ON BACTERIAL MOBILE GENETIC ELEMENTS-JULY 20, 1989		01/29/90
CEC	THE STATE OF THE CHESAPEAKE BAY THIRD BIENNIAL MONITORING REPORT-1989		05/04/90
CEC	THE SECOND PROGRESS REPORT UNDER THE 1987 CHESAPEAKE BAY AGREEMENT-DECEMBER 1989		05/04/90
FIFRASAP	SCIENTIFIC ISSUES CONSIDERED BY THE AGENCY IN CONNECTION WITH PEER REVIEW CLASSIFICATION OF BEACON AS CATEGORY D CARCINOGEN-MAY 15, 1990		06/15/90
FIFRASAP	SCIENTIFIC ISSUES CONSIDERED BY THE AGENCY IN CONNECTION WITH SPECIAL REVIEW OF ETHYLENE BISDITHIOCARBAMATE (EBDC) PESTICIDES INCLUDING ETHYLENE THIO.		06/15/90
FIFRASAP	PROPOSED GUIDELINES FOR NEUROTOXICITY TESTING UNDER FIFRA: SEPTEMBER 28-29, 1989 MEETING		11/06/89
FIFRASAP	PEER REVIEW CLASSIFICATION OF ACETOCHLOR AS A CLASS B2 ONCOGEN: SEPTEMBER 28-29, 1989		11/06/89
FIFRASAP	PEER REVIEW CLASSIFICATION OF DDVP AS A CLASS C ONCOGEN: SEPTEMBER 28-29 MEETING		11/06/89
FIFRASAP	PEER REVIEW CLASSIFICATION OF SIMAZINE AS A CLASS C ONCOGEN: SEPTEMBER 28-29, 1989		11/06/89
FIFRASAP	PROPOSED GUIDELINES FOR MUTAGENICITY TESTING UNDER FIFRA: SEPTEMBER 28-29, 1989		11/06/89

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE OCTOBER 1, 1989

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
FIFRASAP	ISSUED BEING CONSIDERED BY EPA IN CONNECTION WITH PEER REVIEW OF PROCYMIDONE		11/30/90
IETTAB	INTERIM REPORT OF THE INTERNATIONAL ENVIRONMENTAL TECHNOLOGY TRANSFER ADVISORY BOARD-MAY 1990		06/20/90
IETTAB	SUMMARY REPORT TO INTERNATIONAL ENVIRONMENTAL TECHNOLOGY TRANSFER ADVISORY BOARD ON MEETING OF SUBCOMMITTEE A - FEBRUARY 15, 1990		03/08/90
IETTAB	SUMMARY REPORT TO INTERNATIONAL ENVIRONMENTAL TECHNOLOGY TRANSFER ADVISORY BOARD ON MEETING OF SUBCOMMITTEE B - FEBRUARY 22, 1990		03/08/90
SAB-EHC	OTS REVISION OF '87 DOCUMENT "ASSESSMENT OF HEALTH RISKS TO GARMENT WORKERS..."	CON 91-001	10/25/90
SAB-CASAC	POSSIBLE LISTING OF ACID AEROSOLS AS A NATIONAL AIR QUALITY STANDARD (NAAQS)	89-001	11/13/89
SAB-CASAC	REVIEW OF LEAD NAAQS EXPOSURE ANALYSIS METHODOLOGY AND VALIDATION	89-018	11/13/89
SAB-CASAC	REVIEW OF NAAQS FOR OZONE: CLOSURE ON OAQPS STAFF PAPER (1988) AND CRITERIA DOCUMENT SUPPLEMENT (1988)	89-019	11/13/89
SAB-CASAC	REVIEW OF CLINICAL RESEARCH BRANCH (CRB) OF HEALTH EFFECTS RESEARCH LABORATORY (HERL)	89-021	11/13/89
IETTAB	FINAL REPORT TO ADMIN. OF EPA FROM IETTAB, DECEMBER 1990		01/15/91
SAB-CASAC	REVIEW OF OAQPS LEAD STAFF PAPER AND ECAO AIR QUALITY CRITERIA DOCUMENT SUPPLEMENT-JANUARY 1990	90-002	01/22/90
SAB-CASAC	RECOMMENDATIONS ON THE POLLUTANT STANDARDS INDEX	LTR 90-006	09/27/90
SAB-CASAC	EVALUATION OF ONGOING VISIBILITY RESEARCH ACTIVITIES BEING CONDUCTED BY EPA AND OTHER FEDERAL AGENCIES	LTR 90-007	09/27/90
SAB-DWC	SCIENCE ADVISORY BOARD'S REVIEW OF ISSUES RELATING TO THE HEALTH EFFECTS OF INGESTED NITRATE AND NITRITE	LTR 90-004	09/27/90

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE OCTOBER 1, 1989

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-DWC	RECOMMENDATIONS FOR RESEARCH IN AREA OF DISINFECTANTS AND BY-PRODUCTS	90-007	03/15/90
SAB-DWC	REACTION KINETICS AND REACTION PRODUCTS OF CHLORINE AND CHLORAMINES IN THE DIGESTIVE TRACT	90-015	07/18/90
SAB-DWC	REEVALUATION OF ISSUES CONCERNING THE HEALTH EFFECTS OF STYRENE	90-016	07/18/90
SAB-EPEC	EVALUATION OF THE ECOREGION CONCEPT	91-003	04/29/91
SAB-DWC	DELIBERATIONS ON ALTERNATIVE DISINFECTION PROCESSES	LTR 90-001	05/01/91
SAB-EC	ANNUAL REPORT OF DIRECTOR OF SCIENCE ADVISORY BOARD, FY 89 TAKING STOCK/REACH OUT		04/11/90
SAB-EC	SCIENCE ADVISORY BOARD/SAP JOINT STUDY GROUP ON CHOLINESTERASE REVIEW OF CHOLINESTERASE INHIBITION AND ITS EFFECTS-MAY 1990		07/18/90
SAB-EC	POTENTIAL EFFECTS OF GLOBAL CLIMATE CHANGE ON U.S.	89-016	11/13/89
SAB-EC	FUTURE RISK: RESEARCH STRATEGIES FOR 1990'S	89-022	02/12/90
SAB-EC	POLICY OPTIONS FOR STABILIZING GLOBAL CLIMATE	89-034	11/13/89
SAB-EC	SCIENCE ADVISORY BOARD/ORD PARTICIPATION IN APPROACH IN PROVIDING SCIENTIFIC AND ENGINEERING ADVICE TO EPA	90-001	09/27/90
SAB-EC	SCIENCE ADVISORY BOARD REVIEW AND PROVIDE COMMENTS TO CONGRESS ON EPA'S INDOOR AIR QUALITY IMPLEMENTATION PLAN	LTR 90-002	09/27/90
SAB-EC	REVIEW OF ORD DOCUMENTS RE RISK & EXPOSURE ASSESSMENT OF 2,3,7,8-TCDD	90-003	05/01/91
SAB-EC	REVIEW OF THE OSW PROPOSED CONTROLS FOR HAZARDOUS WASTE INCINERATORS: PRODUCTS OF INCOMPLETE COMBUSTION	90-004	05/01/91
SAB-EC	RECOMMENDATIONS ON 1989 EPA STAA NOMINATIONS	90-011	04/24/90

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE OCTOBER 1, 1989

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-EC	REVIEW OF FY 1991 PRESIDENT'S BUDGET FOR RESEARCH AND DEVELOPMENT	90-012	04/02/90
SAB-EC	JOINT SAB/SAP REVIEW OF CHOLINESTERASE INHIBITION AND ITS EFFECTS	90-014	05/01/91
SAB-EC	REDUCING RISK: SETTING PRIORITIES AND STRATEGIES FOR ENVIRONMENTAL PROTECTION	90-021	05/01/91
SAB-EC	ECOLOGICAL AND WELFARE SUBCOMMITTEE REPORT	90-021A	05/01/91
SAB-EC	HUMAN HEALTH SUBCOMMITTEE REPORT	90-021B	05/01/91
SAB-EC	STRATEGIC OPTIONS SUBCOMMITTEE REPORT	90-021C	05/01/91
SAB-IAQTHE	HEALTH EFFECTS OF PASSIVE SMOKING: ASSMNT OF LUNG CANCER IN ADULTS AND RESPIRATORY DISORDERS IN CHILDREN	91-007	04/29/91
SAB-EEC	REGULATION ON THE USE OF MATHEMATICAL MODELS BY EPA FOR REGULATORY ASSESSMENT AND DECISION-MAKING	89-012	02/12/90
SAB-EEC	REVIEW OF PROPOSED SEWAGE SLUDGE INCINERATION RULES (40 CFR PARTS 257 AND 503)	89-035	02/12/90
SAB-EEC	REVIEW OF ORD DRAFT POLLUTION PREVENTION RESEARCH PLAN: REPORT TO CONGRESS	89-037	10/05/89
SAB-EEC	REVIEW OF CANSAZ FLOW & TRANSPORT MODEL	90-009	04/02/90
SAB-EEC	REVIEW OF ORD PRINCIPAL WASTE COMBUSTION ASH	90-010	04/02/90
SAB-EEC	REVIEW OF ORD'S TOXICS TREATABILITY AND TOXICITY REDUCTION RESEARCH PROGRAM-MAY 1990	90-017	05/08/90
SAB-EEC	REVIEW OF THE ORD RISK REDUCTION CORE RESEARCH STRATEGY	90-022	09/27/90
SAB-DWC	REVIEW OF ORD'S DRINKING WATER MICROBIOLOGY RESEARCH PLAN	91-004	04/29/91
SAB-EEC	SELECTION CRITERIA FOR PARTICIPATION OF EPA STAFF ON PROPOSED AGENCY TASK FORCE ON MODELING	CON 91-002	04/29/91

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
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COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-EETFC	EVALUATION OF THE PROPOSED GUIDELINES FOR EXPOSURE-RELATED MEASUREMENTS	89-020	02/12/90
SAB-EETFC	REVIEW OF THE ALASKAN OIL SPILL BIOREMEDIATION PROJECT	89-023	02/12/90
SAB-EETFC	EVALUATION OF THE APPARENT EFFECTS THRESHOLD (AET) APPROACH FOR ASSESSMENT SEDIMENT QUALITY	89-027	02/12/90
SAB-EHC	REVIEW OF SCIENTIFIC DOCUMENTS INVOLVED IN REGULATIONS BY ODW OF HEXACHLOROCYCLOPENTADIENE AND 1,1,2-TRICHLOROETHANE	89-032	02/12/90
SAB-EHC	PRELIMINARY REVIEW OF MIXTURE ISSUES RELATING TO SOME PHASE II DRINKING WATER REGULATIONS OF ODW	89-036	02/12/90
SAB-EHC	REVIEW OF THE ARSENIC ISSUES RELATING TO THE PHASE II PROPOSED REGULATIONS FROM THE OFFICE OF DRINKING WATER	89-038	02/12/90
SAB-EHC	USE OF UNCERTAINTY AND MODIFYING FACTORS IN ESTABLISHING REFERENCE DOSE LEVELS	90-005	05/01/91
SAB-EHC	INTEGRATED RISK INFORMATION SYSTEM-OCTOBER 26, 1989	90-008	03/22/90
SAB-EHC	PROPOSED AMENDMENTS TO THE GUIDELINES FOR THE HEALTH ASSESSMENT OF SUSPECT DEVELOPMENTAL TOXICANTS	90-013	07/18/90
SAB-EHC	REVIEW OF THE OFFICE OF RESEARCH AND DEVELOPMENT'S BIOMARKER RESEARCH STRATEGY	90-025	09/27/90
SAB-RAC	RADON RISK ESTIMATES FOR GENERAL POPULATION AND SMOKERS, NON-SMOKERS AND CHILDREN	LTR 91-001	04/09/91
SAB-EPEC	EVALUATION OF THE ECOLOGICAL INDICATORS REPORT FOR EMAP-NOVEMBER 1990	91-001	04/09/91
SAB-EEC	POTENTIAL HAZARDS OF MUNICIPAL WASTE RECYCLING	LTR 91-005	04/29/91
SAB-EHC	OCCUPATIONAL EXPOSURE LIMIT DATA IN RELATION TO INHALATION REFERENCE CONCENTRATIONS	LTR 91-004	04/29/91
SAB-EHC	REVIEW OF A PROPOSED REVISION TO THE REFERENCE DOSE FOR NICKEL	LTR 91-002	05/01/91

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COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-EHC	REVIEW OF THE CALCULATION OF RFDS FOR MINERALS WHICH ARE NUTRITIONALLY ESSENTIAL	LTR 91-003	05/01/91
SAB-EPEC	COMPLETED CONSULTATION ON ECOLOGICAL RISK ASSESSMENT GUIDELINES WITH RISK ASSESSMENT FORUM ON ORD	LTR 90-005	09/27/90
SAB-EPEC	EVALUATION OF EQUILIBRIUM PARTITIONING APPROACH FOR ASSESSING SEDIMENT QUALITY	90-006	03/08/90
SAB-EPEC	SEDIMENT METHODS CLASSIFICATION COMPENDIUM	90-018	07/18/90
SAB-EPEC	OFFICE OF RESEARCH AND DEVELOPMENT ECOLOGICAL CORE RESEARCH STRATEGY	90-019	07/18/90
SAB-EC	REVIEW OF FISCAL YEAR 1991 PRESIDENT'S BUDGET FOR RESEARCH AND DEVELOPMENT-MARCH 1991	91-005	04/09/91
SAB-EC	REVIEW OF ORD DOCUMENTS RE RISK & EXPOSURE ASSESSMENT OF 2,3,7,8-TCDD	90-003	05/01/91
SAB-EHC	INTERIM METHODS FOR DEVELOPMENT OF INHALATION REFERENCE CONCENTRATIONS	91-008	04/29/91
SAB-IAQTHE	HEALTH EFFECTS OF PASSIVE SMOKING: ASSESSMENT OF LUNG CANCER IN ADULTS & RESPIRATORY DISORDERS IN CHILDREN	91-007	05/01/91
SAB-RAC	REVIEW OF THE OFFICE OF RADIATION PROGRAMS NESHAPS BACKGROUND INFORMATION DOCUMENT	89-024	02/12/90
SAB-RAC	ISSUANCE OF GUIDELINES FOR EXPOSURE TO NONIONIZING ELECTROMAGNETIC FIELDS	LTR 90-003	05/08/90
SAB-EHC	REVIEW OF ISSUES CONCERNING THE HEALTH EFFECTS OF INGESTED PENTACHLOROPHENOL	91-002	04/09/91
SAB-RSAC	EVALUATING ORD'S PRELIMINARY SKILLS MIX ASSESSMENT	89-025	02/12/90
SAB-RSAC	EVALUATING ORD'S CRITERIA FOR CAREER ADVANCEMENT-JUNE 1989	89-026	11/21/89
SAB-RSAC	REVIEW OF THE ORD ASSISTANT ADMINISTRATOR'S INTERIM GUIDANCE FOR FY 1991	89-033	02/12/90

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE OCTOBER 1, 1989

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-RSAC	REVIEW OF THE OFFICE OF RESEARCH AND DEVELOPMENT'S DRAFT CORE RESEARCH PLAN FOR HEALTH RISK ASSESSMENT	90-020	09/27/90
SAB-RSAC	SCIENTIFIC AND TECHNICAL ACHIEVEMENT AWARDS	91-006	05/01/91

ABSTRACTS FOR SAB REPORTS

001 Review of Lead Carcinogenicity and EPA Scientific Policy on Lead.

This report presents the conclusions and recommendations of the U. S. Environmental Protection Agency's Science Advisory Board summarizing a review of the Office of Research and Development's Draft Assessment Document "Review of the Carcinogenetic Potential of Lead Associated with Oral Exposure." The Board's major conclusion is that the proposed B2 classification is appropriate, but that there is not sufficient basis for a quantitative risk assessment. The Board recommends that EPA establish a national blood lead policy, create internal mechanisms to assure that all organizations within the Agency deal with lead-related scientific issues in a sound and consistent manner, and that regulatory strategy be based upon preventing lead-induced neurological in children--a sensitive population.

Key Words: Lead; carcinogenicity; B2, blood lead policy.

002 Review of the OAQPS Lead Staff Paper and the ECAO Air Quality Criteria Document Supplement.

This is the report of the EPA's Clean Air Scientific Advisory Committee on its review of the Agency's draft documents: "Supplement to the 1986 Air Quality Criteria for Lead - Volume I Addendum (Pages A1 - A67)":, and "Review of the National Ambient Air Quality Standards for Lead: Assessment of Scientific and Technical Information", both dated March 1989. These documents were reviewed in public session on April 27, 1989, with the Committee reaching the conclusion that the documents provide an adequate scientific and technical basis for EPA to retain or revise primary and secondary national ambient air quality standards for lead.

Key Words: Lead; National Ambient Air Quality Standards; NAAQS; Air Pollution.

003 Reivew of the Office of Research and Development's Documents relating to the Risk and Exposure Assessment of 2,3,7,8-TCDD.

In 1988 the Agency asked the Science Advisory Board to review two documents: "A Cancer Risk-specific Dose Estimate for 2,3,7,8-TCDD" and "Estimating Exposure to 2,3,7,8,-TCDD". In response, the SAB Executive Committee (EC) appointed a "Dioxin" Panel, co-chaired by Dr. Bernard Goldstein of the Robert Wood Johnson Medical School and Dr. Nancy Kim of the New York State Department of Health. The Panel conducted a public meeting in

November, 1988 to review the documents. On October 24, 1989, Dr. Kim presented the report which was approved by the Executive Committee.

The Panel concluded that both documents were carefully constructed, well-written, and represented a significant effort to document and explain how the hazard and exposure scientific data have been analyzed.

With respect to the first document, the Panel

a. Agreed with criticism of the Linearized Multistage (LMS) model and pointed to newer models that should be further developed and validated.
b. Agreed that no new information had appeared that would alter the result of the application of LMS to the data.
c. Agreed that new mechanistic and cancer biology information has appeared and could be of major significance on regulatory decisions.
d. Did not agree that the new information mandates a change in the Agency 1985 risk specific dose (RsD).
e. Found no reason to necessarily believe that application of a new model to the data would lead to a relaxation in the RsD.
f. Found no scientific basis at this time for the proposed change in the RsD, but acknowledged that the Agency might make such a change on policy grounds.

With respect to the second document, the Panel found it to be an excellent, credible document, citing as the most important implication the finding that for the general population indirect exposure--dietary inputs--predominate over direct inputs. Additional comments were made that would lead to improvements in "dioxin" exposure assessments.

Key Words: Dioxin, 2,3,7,8-TCDD

004 Review of OSW Proposed Controls for Hazardous Waste Incineration: Products of Incomplete Combustion.

The Products of Incomplete Combustion (PICs) Subcommittee of the EPA's SAB reviewed the Office of Solid Waste's (OSW) proposal to control emissions of PICs from hazardous waste incinerators by instituting process controls based on Carbon Monoxide (CO) and Total Hydrocarbon (THC) emission concentrations. Because compounds known to cause adverse human health effects have been detected at very low concentrations in PICs, it is prudent to take precautionary measures to control PICs. However, the linkages between emission concentration, exposure, and effects (health and environmental) were not documented.

The proposal for controls was made even though OSW has not established that emission of PICs from hazardous waste incinerators currently pose a substantial risk. EPA's risk assessments indicate that emission of PICs at currently measured

levels are not likely to produce significant human health effects. However, since the current destruction-removal efficiency (DRE) standard applies only to designated POHCs, a 4-nines (99.99%) DRE does not preclude the possibility that emission of PICS could present significant human health risk.

The concept of using CO and/or THC as guidance for incinerator operational control is reasonable. The concentration limits for CO and THC, the averaging methods, and the averaging periods EPA chose were selected on the basis of informed judgments using the best available data.

Continuous emissions monitoring for THC with a cold system appears to be practical for routine operations. Because incinerators may emit more PICs when upset due to changes in waste quantity or composition that can result from abrupt waste feed shutoff, a poorly implemented automatic shutdown strategy has the potential to create more pollution than it stops.

The Subcommittee found that the data base characterizing PICs in emissions would not allow a correlation to be established with CO or THC levels for various combustion devices and/or conditions. The sparseness of data introduces large uncertainties into EPA's risk assessment. This uncertainty limits the usefulness of one approach proposed by OSW to control THC emissions--using site-specific quantitative risk assessment to establish acceptable THC emission rates. Despite the limitations of the risk assessment methodology, however, the Subcommittee considers the methodology sufficient to provide a risk-based check on an alternative proposal by OSW--limiting THC concentrations to levels representative of good operating practice.

<u>Key Words</u>: Hazardous Waste Incineration, Products of Incomplete Combustion

005 Use of Uncertainty and Modifying Factors in Establishing Reference Dose Levels.

The Science Advisory Board's Environmental Health Committee reviewed the use of uncertainty and modifying factors in the assessment of the risks of systemic toxicants (non-carcinogens). These factors are important because they are applied to toxicity data to yield the Reference Dose (RfD) which serves as the basis for many subsequent regulatory decisions. The Committee has reservations about the current use of the No Observed Adverse Effect Level (NOAEL) or Lowest Observed Adverse Effect Level (LOAEL) to calculate the RfD and recommends that the Agency consider incorporating alternative methods (such as the benchmark dose level) in addition to the current NOAEL/LOAEL procedure.

With respect to uncertainty factors, the Committee notes that analyses of empirical evidence shows that the magnitude of the factors required to extrapolate from animal data to humans

varies greatly among chemicals. The Agency currently has no established comprehensive research program to investigate the appropriate magnitude of such factors. Given the importance of this area, such research is warranted. The inclusion of a statistician on the RfD Working Group would improve current practice.

Key Words: Reference Dose Levels

006 Evaluation of the Equilibrium Partitioning (EqP) Approach for Assessing Sediment Quality

This report presents the conclusions and recommendations of the U. S. Environmental Protection Agency's Science Advisory Board summarizing a review of the Equilibrium Partitioning (EqP) approach for estimating sediment quality. The EqP approach relates the level of a chemical that has been found to be acceptable from a biological standpoint to the corresponding concentration of the chemical sorbet to sediments. The value that results, the sediment quality value, is based on the assumption that only the portion of the chemical dissolved in the water surrounding sediment particles is available to exert toxicity on resident biota. The approach, as developed and reviewed to date, pertains only to non-ionic organic compounds. The EP approach is considered by the Subcommittee to have major strengths in its foundation in chemical theory, its ease of calculation, and its ability to make use of existing data. In addition, the researchers responsible for its development have begun to explore the uncertainty surrounding the approach, which is to be commended. While the conceptual basis of the approach is supported by the Subcommittee, its application at this time is limited. This is because a better understanding of the uncertainty around the assumptions inherent in the approach, is needed. This includes assumptions of equilibrium, bioavailability, effect levels, and kinetics, all of which are critical to the application of the EP approach. Additional concerns expressed by the Subcommittee relate to the limited number of existing water quality criteria which the EP approach can use, the compound-specific nature of the approach, and the questionable ability of the method to protect sediment-ingesting organisms. The exposure to organisms by food chain transfer is also not considered and the amount of field data to validate the EqP approach is limited. Some suggestions for research to explore the sources of uncertainty and the Subcommittee's other concerns are provided in the report.

Key Words: Sediment, EqP, Equilibrium Partitioning approach: Nonionic organic compounds

007 Recommendations for Research in the Area of Disinfectants and Disinfection By-Products.

The Drinking Water Committee (DWC) of the Science Advisory Board has examined a range of possible changes in existing

regulations that currently control drinking water disinfection practices in the United States. The DWC report addresses areas of scientific and engineering research that will provide important insights on the alternatives under consideration. Research recommendations are made in four areas: health effects, chemical characterization and monitoring, microbiology, and treatment technologies. The Committee highlights those recommendations that are of the highest priority.

Key Words: Drinking Water, Disinfection

008 Integrated Risk Information System (IRIS)

On October 26, 1989 the Environmental Health Committee received a briefing on the Agency's Integrated Risk Information System (IRIS), an Agency consensus compendium of information related to the risks of individual chemicals. The Committee observed that these data would be of great utility beyond EPA and encouraged increased accessibility of the information. The delivery system should be more "user friendly" than is currently the case, and appropriate training should be made available to the increased number of users. The data in IRIS should be carefully reviewed for its accuracy, timeliness, and completeness and caveated appropriately. Any SAB reviews of the chemicals should be included as a part of the IRIS data base, together with a summary of the Agency's response to those SAB reviews. The Committee noted that IRIS currently lacks citations to some key EPA reports on specific chemicals; this should be corrected in the future. Finally, the Committee urged that the Agency generate an overall strategy for coordinating, cross-referencing and standardizing access to various computerized lists of chemicals that are being developed for different, but related, purposes.

Key Words: IRIS, Risk Information

009 Review of the OSW's CANSAZ Flow & Transport Model for Use in EPACMS

The Saturated Zone Model Subcommittee of the Environmental Engineering Committee of the EPA Science Advisory Board has prepared a report on the Agency's CANSAZ (Combined Analytical-Numerical Saturated Zone) flow and transport model for use in EPACMS (the EPA Composite Model for Surface Impoundments). The Subcommittee examined the appropriateness of the assumptions underlying CANSAZ for use in a nationwide Monte Carlo assessment, as well as the adequacy of the code for simulating conditions beneath surface impoundments. Specifically, the Subcommittee evaluated five topics: 1)proper mathematical formulation, 2)adequacy of physical assumptions, 3)adequacy of the Monte Carlo approach, 4)adequacy of field testing of the model, and 5)the overall modeling approach.

While the mathematical equations and the numerical solution

methods are properly formulated and solved, the Subcommittee suggested improvements to the physical assumptions, improvements to the current input data-set documentation and validation, and improvements needed to validate the EPACMS model for use in either a site-specific evaluation or a nationwide assessment. The Subcommittee highly preferred site-specific evaluation, but made recommendations to improve the assessment should the Agency choose to utilize the nationwide Monte Carlo approach. These suggestions incorporate regional variations in the assessment, explicitly ban the disposal of desisted wastes in extreme hydrogeologic settings, and provide a mechanism for all constituents in a waste to be evaluated in a listing or delisting decision.

Key Words: Modeling, saturated zone, surface impoundment.

10 Review of ORD's Municipal Waste Combustion Ash Solidification/Stabilization Research Program

The Municipal Waste Combustion Ash Subcommittee reviewed the Agency's municipal waste combustion ash solidification-stabilization (S/S) research program. The issues reviewed were: 1)appropriate testing procedures to be applied to S/S ash products and reuse products made from S/S ash to determine long-term environmental effects, and 2)methods of testing to determine the bioavailability and toxicity of S/S ash products.

The Subcommittee's findings and recommendations for long-term effects research dealt with test routines and leach testing research, focusing upon the properties of the leachate and the physical and chemical characteristics of the solid matrix in order to define the breakdown and exposure of surfaces of stabilized products, through evaluation of weathering, and for some reuse alternatives, of dynamic abrasion and erosion. Other findings and recommendations dealt with the effect of salts, microbial activity and swelling of ash upon the long-term usefulness of concrete products, and the usefulness of deterministic models of transport mechanisms to assess relative effectiveness of the various S/S treatment processes.

Highlights of the findings and recommendations for bioavailability and toxicity dealt with examining bioavailability and biotoxicity as two distinct and separate phenomena, the effectiveness of bioassays for making relative comparisons of the toxicities of leachates derived from various ashes and products, the need for extensive bioassay testing, and the finding that no single bioassay procedure can adequately assess biological effects of residue reuse or disposal alternatives.

Key Words: Ash, Ash Research, Municipal Waste Combustion Ash, Ash Solidification/Stabilization.

11 1989 EPA Scientific and Technological Achievement Award Nominations

The report represents the conclusions and recommendations of the US EPA's Science Advisory Board regarding the 1989 EPA Scientific and Technological Achievement Awards (STAA) program. The Scientific and Technological Achievement Awards Subcommittee of the SAB reviewed and evaluated the 1989 nominations for the STAA program. The Subcommittee evaluated 106 papers that were nominated by EPA managers. The Subcommittee recommended twenty-five papers for awards and also recommended to the Office of Research and Development that three additional papers be recognized as honorable mention. The Subcommittee made no attempt to ensure equality of numbers or proportion of awards across the categories or Agency research components. However, the Subcommittee recommended awards for papers from eleven EPA research laboratories, two EPA regional offices, and one EPA headquarters program office. The Subcommittee recommended that the Agency clarify its instructions to nominators and that the nomination process close in October so that more time could be given for technical review of the nominations by the Subcommittee. The Subcommittee also encouraged the Agency to support the program at the highest levels of management.

Key Words: Awards

12 Review of the FY 91 President's Budget for Research and Development

The SAB is pleased to note the substantial improvement in the concept and rationale underlying the Office of Research and Development (ORD) budget plan evident in the 1991 presentation. Although the ORD budget remains grossly inadequate in relation to the needs, the allocations to the various programs are, within the overall limits imposed, and with the exceptions noted, reasonable and appropriate. They will permit progress in the most critical areas of concern and make effective use of available personnel and resources.

Key Words: Research and Development, Funding, Budget.

013 Review of the Office of Research and Development's document, Proposed Amendments to the Guidelines for the Health Assessment of Suspect Developmental Toxicants.

On March 6, 1989 EPA proposed amendments to the Guidelines for the Health Assessment of Suspect Developmental Toxicants. The Amendments expanded and clarified points made in the original guidelines and added new information based on advances in this field.

The Environmental Health Committee of the Science Advisory Board supports many of the proposed revisions to the Guidelines; there are, however, areas in which improvements could be made and detailed comments were furnished to the Agency. These items notwithstanding, there was a consensus that the proposed

revisions were adequately founded in developmental toxicology and represented a step forward for EPA. The Agency is advised to revisit the weight-of-evidence scheme proposed, in order to avoid confusion with more commonly applied uses of such classifications, and to develop a more powerful approach. Further, the Agency should begin to move away from the current use of the No Observed Adverse Effects/Lowest Observed Adverse Effects Level (NOAEL/LOEAEL) basis for calculating the Reference Dose, to a benchmark dose/confidence limit approach, tied to empirical models for dose-response relationships.

Key Words: Developmental Toxicants; Guideline Amendments for Health Assessment.

014 Joint SAB/SAP Review of Cholinesterase Inhibition and Its Effects

Inhibition of cholinesterase enzyme activity is a mechanism by which an important class of insecticides exerts its effects. Compounds of this class exert toxic effects in mammals, including humans. Because of their widespread application in agriculture they arouse health concerns, not only about exposure of agricultural workers, but also about exposure of consumers who may be exposed to minute residues in or on agricultural products.

The reviewers expressed doubt about the validity of plasma and red blood cell (RBC) ChEI as indicators of toxicity. In addressing the issue of vulnerability of the developing organism, the reviewers noted that, although maternal exposure to ChEI agents may also expose the fetus, and alter brain ChEI levels, the consequences for nervous system development and postnatal function have received no more than minimal study. The reviewers agreed with the EPA Technical Panel conclusion that the evidence for enhanced developmental susceptibility is ambiguous. The Joint Study Group expressed unanimity that ChEI is a biomarker for exposure, and, whether in blood or nervous tissue, indicates absorption. The relationship between degree of ChEI and toxicity remains unclear, and correlations between exposure indices and neurotoxic manifestations tend to be weak.

Key Words: Cholinesterase Inhibition, Biomarker, ChEI

015 Review of Reaction Kinetics and Reaction Products of Chlorine and Chloramines in the Digestive Tract.

The Toxicology Subcommittee of the Science Advisory Board's Drinking Water Committee met in Washington, DC, on December 8, 1989 to review the document produced for the Office of Drinking Water entitled "Reaction Kinetics and Reaction Products of chlorine and Chloramines in the Digestive Tract", written by Dr. Frank E. Scully, Jr. (Old Dominion University) and Dr. William White (University of Vermont).

The document focuses on the extrapolation of information

about reactions of saliva and gastric juices with disinfectants commonly found in disinfected drinking water at high dose levels to predict the reactions that may occur of much lower dose levels. The Subcommittee agrees that the mechanisms involved at low dose levels differ from those as high dose levels, and that a simple linear relationship therefore, should not be used for extrapolation. Further, the toxicity of the disinfectants may not be distinguishable from the toxicity of the by-products at low dose levels both for chlorine and for chloramines used as disinfectants. Although chlorine reacts quickly, chloramine tends to be more stable in saliva and gastric juices. Due to the stability of chloramine in saliva, there is some potential for absorption in the mouth, esophagus, and stomach. Therefore, some toxicological effects of chloramine may be attributable to the parent compound.

The Subcommittee recommends that this problem area receive more research support. The particular research recommended here should include both in vivo and in vitro studies. Specific research efforts recommended include verifying the differences between rat and human saliva, performing studies on the by-products formed and determining the reaction chemical by-products that may be formed.

Key Words: Disinfection, Chlorine, Chloramine, Kinetics.

016 Re-Evaluation of Issues Concerning the Health Effects of Styrene

The Drinking Water Committee reaffirms its previous position (see Science Advisory Board report SAB-EHC-99-039 dated July 19, 1988) that styrene can be classified in EPA's weight-of-evidence category C, rather than B2. It also finds that the study entitled, "Chronic Toxicity and Three-Generation Reproduction Study of Styrene Monomer in Drinking Water of Rats" by Beliles et al. (1985) could be used appropriately in establishing a Reference Dose (RfD) for non-carcinogenic effects.

Key Words: Styrene, RfD, Carcinogenicity

017 Research-In-Progress Review/ORD's Toxics Treatability and Toxicity Reduction Research Program

The Toxics Treatability Subcommittee (TTS) of the Environmental Engineering Committee (EEC) of the EPA SAB has prepared a Research-In-Progress report on the Agency's Toxics Treatability and Toxicity Reduction research program. The goals of the TT&TR research program are to develop protocols to assess 1)the fate of toxicants through wastewater treatment plants and 2)the integrated toxicity of wastewater treatment effluents by use of selected bioassays. The program is organized into three work areas: toxicants treatability, toxicant modeling, and toxicity reduction evaluations. The TT&TR research program is considered by the SAB to be critically important in meeting

National water quality goals and to have many excellent elements.

The SAB's findings and recommendations relate to the program research plan, toxicants treatability, toxicant modeling, toxicity reduction evaluations and bioassay and genotoxicity testing. Highlights of the SAB recommendations are that:

1. A carefully constructed and integrated research plan should be developed.

2. A common and prioritized biotic and abiotic fate data base and list of toxicants should be greatly expanded, primarily from the published literature.

3. The modeling area needs a directed, critical review.

4. A peer review is needed on all bioassay and genotoxicity tests before they are broadly applied to wastewater and treatment plant effluents.

5. A substantial technology transfer program will be required.

Key Words: Toxics Treatability, Toxicity Reduction.

018 Evaluation of the Sediment Classification Methods Compendium

This report presents the findings and recommendations of the U. S. Environmental Protection Agency's Science Advisory Board summarizing a review of the Sediment Classification Methods Compendium. The review was documented by the Sediment Criteria Subcommittee. The Compendium is intended as a reference for methods that can be used to assess the quality of chemically contaminated sediments. It describes ten methods, their associated strengths and limitations and existing applications. Overall, the Subcommittee believes that the Compendium will be useful if it is periodically updated and if the Agency conducts research to address some of the limitations associated with particular approaches. In addition, the introduction should be expanded to include a discussion of references and advice for sample collection and handling, quality assurance/quality control, tiered approaches for recommended that EPA conduct research to address some of the limitations of the existing methods. For all approaches, protocols should be developed for handling and collection samples, for sample storage, and basic quality assurance procedures. This should be added as introductory material to the compendium. Additional methods are needed to assess other endpoints, such as chronic toxicity and teratogenicity. Additional suggestions for method specific research are discussed in the report. The Subcommittee did not identify any additional methods for inclusion in the report.

Key Words: Sediment, Classification Methods, Toxicity, EqP, AET,

Benthis Macroinvertebrates

019 Evaluation of the Core Program for Ecological Research

The Ecological Processes and Effects Committee of the Science Advisory Board met on April 2-3, 1990, to review the concept of the Core Ecological Research Plan. This Plan uses risk assessment as its organizational framework. Currently, the assessment focuses on protecting ecosystems. The Committee unanimously supports the use of risk assessment for organizing this plan; however, EPA should not limit itself to protecting ecosystems because most of the data on effects necessary to assess and quantify risks are derived from community, population, and sub-organismal studies.

The Core Ecological Research Program, as presented to our Committee, appeared to place almost all its initial emphasis on the Environmental Monitoring and Assessment Program (EMAP) component of the program. The Committee recommended that ORD place higher priority than it now does on risk characterization in the early stages of this Core Research Program. Research to improve understandings of causal relationships underlying ecological impacts and to analyze ecological data should parallel the EMAP report to monitor ecological status trends.

The plan should identify those responsible for conducting research on the statistical foundations of risk assessment, quantifying uncertainty, and selecting and validating model used for risk assessment.

All of the components of the Core Ecological Research Program are interrelated. EPA visualizes risk assessment as a series of steps that can be addressed one at a time. The Committee encourages EPA to recognize that these components interact appreciably and that risk communication is part of each component of the process.

The Committee recommends that the SAB review and monitor progress of the major components of EMAP.

Key Words: Core Program Concept, Ecological Research, EMAP, Risk Assessment

020 Review of ORD's Draft Core Health Risk Research Plan for Health Risk Assessment

This report presents the conclusions and recommendations of the U.S. Environmental Protection Agency's Science Advisory Board review of the Office of Research and Development's draft research plan for Core Health Risk Assessment. The Board's consensus was that the proposal was well written, and identified many worthwhile subjects for longer-term environmental health research. At the same time, it failed to provide priority-setting mechanisms, did not relate its agenda to on-going

national research programs, and seemed overly bound to a risk assessment paradigm.

Key Words: Environmental Health Research, Risk Assessment, Long-Term Research, Core Research.

021 Reducing Risk: Setting Priorities and Strategies for Environmental Protection

The EPA Administrator charged the SAB to:

1. Critically review and update Unfinished Business, the Agency's 1987 report that ranked environmental problems according to the relative risks they posed in four areas--cancer, non-cancer health effects, ecology and welfare.

2. To the extent possible, merge the evaluations of: a) cancer and non-cancer risks and b) ecological and welfare and risks.

3. Provide optional strategies for reducing the major environmental risks.

4. Develop a long-term strategy for improving the comparative risk and strategy options exercise.

The Reduction Risk report, an overview report supported by three appendixes, strongly endorses the concept of comparative risk embodied in Unfinished Business, updating the material and methods found there. The report provides suggestions on how to merge qualitatively different risk concerns. Six different approaches for mitigating major environmental risks are presented. The report discusses the strengths and limitations of process with specific suggestions for improving and continuing this important type of analyses.

In toto, the report provides a broader vision of environmental protection as something much more than simply implementing environmental law. Recognizing the changing nature of the remaining and emerging environmental problems, it contains ten specific recommendations that would lead to an integrated effort for reducing the major environmental risks in the most cost-effective manner.

EPA-SAB-EC-021 Appendix A: Report of the Ecology and Welfare Subcommittee

The Ecology and Welfare Subcommittee of the RRRSC of the U. S. EPA's Science Advisory Board reviewed the ecological and welfare components of the Agency's 1987 report entitled "Unfinished Business: A Comparative Analysis of Environmental Problems". The Subcommittee was critical of the original EPA ranking of environmental problem areas that mixed sources, receptors, media, and specific regulatory obligations, since this

categorization reflected EPA programmatic interests more than it provided a rational basis for evaluating environmental problems in the U.S. In addition, some ecologically significant problems that were outside of EPA's regulatory purview were omitted. The Subcommittee was also critical of the welfare effects analysis, finding it to be defined too narrowly.

The Subcommittee developed alternative methodologies for evaluating ecological and welfare risk assessments: a) aggregation of related EPA environmental problem areas into a more limited number of categories and then ranking those categories; and b) disaggregation of the initial EPA and environmental problem areas into environmentally-relevant categories of stresses and then ranking those categories. The ecological problem areas that were consistently ranked the highest by the Subcommittee were habitat alteration, global climate change, and stratospheric ozone depletion.

The Subcommittee developed six major recommendations from its review of the Unfinished Business report: a) formalize an extramural and continuous process for ecological risk prioritization; this process should not be categorized by Agency programmatic structure but rather by anthropogenic stresses on the environment; b) invest in development of formal methodologies for ecological risk assessment; c) develop the data bases needed for improving future ecological risk assessments; d) develop an appropriate methodology for integrating ecological and economic time dimensions; e) EPA should give more consideration to non-economic aspects of ecological values and welfare risks; f) consider the results from this risk ranking process, including the 1990 risk reduction study, in development of future Agency policy and in allocation of financial resources.

The Subcommittee reached a strong consensus that the relative risk assessment process is a good mechanisms to formulate public policy from a scientific base of data and mechanistic processes and recommended that the Agency institutionalize this approach on a regular basis, providing the trained personnel and scientific data-bases needed to establish a scientific credibility for the process.

EPA-SAB-RRRSC-90-021 Appendix B: Report of the Human Health Subcommittee

The Human Health Subcommittee of the Relative Risk Reduction Strategies Committee (RRRSC) of the U.S. EPA's Science Advisory Board reviewed the Agency's 1987 report entitled Unfinished Business: A Comparative Analysis of Environmental Problems. The Subcommittee's goal was to evaluate the report's methodology for ranking environmental health problems, determine the extent to which the risk rankings for different environmental problems should be revised or updated, combine if possible, rankings for carcinogenic and non-carcinogenic effects into single aggregate ranking, and recommend approaches for the improved methodologies

for assessing and ranking environmental risks to human health. The Subcommittee was critical of the original EPA ranking of problem areas which included a mixture of specific environmental pollutants, sources of pollutants, exposure media, and exposure situations--and which appeared not to have been selected on the basis of their relevance to environmental and health hazard assessment, or on the basis of overall public health significance. Most of the 31 categories are so broad, and include so many toxic and non-toxic agents, that ranking of these categories could not be performed with any rigor or confidence.

Problem areas in the Unfinished Business report representing proximal human exposure situations were assigned the highest relative risk rankings for cancer and/or other adverse health effects. Of the "high" relative risk rankings assigned in the UB report, those for criteria air pollutants, hazardous air pollutants, indoor radon, other indoor air pollution, drinking water pollutants, the application of pesticides, and occupational exposure to chemical were considered to be supported more firmly by the available data than were the rankings for the others.

Future efforts should focus on broad environmental problems, without regard to internal organizational structures or to ultimate regulatory responsibility. The Subcommittee recommends a new approach to the risk ranking process, using a matrix based on sources, exposure situations, agents, and health outcomes. This approach will identify specific agents and mixtures (and the principal sources and exposure situations in which they are found) that should receive priorities for applying risk reduction efforts. The Subcommittee further recommends that the Agency assign a specific management focal point for this effort to assure accountability, establish a risk assessment framework for other toxicants consistent with that used for carcinogens, establish a formal mechanism for risk anticipation, expand long-range research on the assessment of human exposure, and improve the relevant toxicological science base.

EPA-SAB-EC-90-021C Report of the Strategic Options Subcommittee

The Strategic Options Subcommittee of the RRRSC identified strategy options for reducing risks from a sample of 13 environmental problems. In addition, the Subcommittee developed either broad recommendations for environmental risk reduction:

1. EPA should establish priorities based on the potential for risk reduction.

2. Pollution prevention should be the most important approach for reducing environmental risks over the long term.

3. In order to reduce risk and prevent pollution in a significant way, EPA must substantially broaden its kit of environmental protection tools, especially to emphasize economic incentives and information transfer.

4. Environmental protection must be integrated into other policy areas, in as fundamental a manner as are economic concerns.

5. In order to integrate environmental policy into other policies, a special governmental mechanisms should be created in the Executive Branch.

6. EPA should continue to perform analysis similar to the present RRRSC Project and integrate the results in the Agency's strategic planning process.

7. EPA's annual budget should more directly reflect risk based priorities.

8. The Agency should develop an enhanced environmental education and training program for both professionals and the general public.

Key Words: Reducing Risks, Relative Risk Reduction Strategy

022 Review of ORD Risk Reduction Core Research Strategy

The Risk Reduction Subcommittee (RRS) of the Environmental Engineering Committee (EEC) of the EPA Science Advisory Board (SAB) has prepared a report on the Agency's proposed Risk Reduction Core Research Strategy. The Subcommittee examined issues within the core research proposal for risk reduction and answered the issues posed by the EPA's Office of Research and Development (ORD) relating to clarity of conceptual strategy, appropriateness of major areas for research, the appropriateness and completeness of research proposed within each of the sub-elements, and the rationale and need for each sub-element.

The Subcommittee examined five major topical areas related to the core research program for risk reduction: pollution prevention, pollution control, emerging and future issues, information and communication, and the implementation strategy.

The Subcommittee's findings and recommendations for long-term sustained risk reduction core research address the need to develop a culture that recognizes the values and benefits of sustained long-term core research as contrasted to the short-term marketability of programmatic research. The Subcommittee stresses the need to institute more effective mechanisms for recruiting and sustaining talented researchers oriented toward long-term environmental problems and for the maintenance of a sufficient human resources pool at all skill levels, both with the Agency and in the complementary public and private sectors. The Subcommittee also urges ORD to 1) develop criteria on methods for measuring progress in the area of pollution prevention initiatives, 2) recognize land disposal for municipal and industrial wastes as a disposal option of continuing importance,

and 3) incorporate a substantial element of contaminant transport and fate research into the core research plan.

Key Words: Core Research, Risk Reduction, Pollution Prevention, Pollution Control, Public Information and Communication

023 None issued

024 None issued

025 Review of ORD's Biomarker Research Strategy

The Science Advisory Board's Environmental Health Committee met in Miami Beach, Florida, on February 15-16, 1990, to review the Office of Research and Development's biomarker research strategy. The committee was provided with a detailed document describing the strategy (ORD Health Biomarker Research Program, A Strategy For The Future, Briefing Document for the EPA Science Advisory Board).

Biomarkers, broadly defined, are indicators of variation in cellular or biochemical components or processes, structure, or function that are measurable in biologic systems or samples. They can, in some instances, provide evidence of exposure to pollutants, early indicators of disease, and/or indication of the susceptibility of individuals to a pollutant or disorder. The Agency is to be commended for taking steps to develop a program in this emerging scientific area, which holds the promise of examining environmental questions in a more rigorous and cost-effective way.

The biomarker research strategy document presented to the Science Advisory Board's Environmental Health Committee was basically a plan for a plan. It contained much useful and generally accurate information about biomarkers, but it could benefit from additions, clarifications, and other changes, as suggested below. The major recommendations of the Committee concerning the document and strategy were: a) the specific aims of the strategy should be stated clearly; b) a rationale for setting priorities should be included; c) the program should be coordinated with similar programs in other Federal agencies; and d) exposure biomarkers should be distinguished from effects biomarkers.

Key Words: Biomarkers Research.

ABSTRACTS FOR SAB LETTER REPORTS

001 Deliberations on Alternative Disinfection Processes

The SAB and Office of Drinking Water have participated in an innovative approach in providing scientific and engineering advice to the Agency; i.e. a consultation. This letter report summarizes the procedure and describes briefly its generally successful results to date. The report is a collection of ideas expressed at the meeting. This is not a formal SAB report however, since it was not reviewed by the Executive Committee and forwarded to the Administrator.

002 Use of Indoor Air Quality/Total Human Exposure Committee

The Executive Committee, on behalf of the Indoor Air Quality and Total Human Exposure Committee, called the Administrator's attention to the extremely limited role the Committee has been able to play in advising him and Congress on its mandated role under the Radon Gas and Indoor Air Quality Research Act of 1986 (Title IV of SARA). EPA's asbestos in schools program was identified as an example of where a major indoor air initiative could have benefited from the advice of the Committee.

003 Nonionizing Radiation

The Radiation Advisory Committee urges the Agency to make provisions for an early resumption of the Agency's research and related activities needed to make decisions about the issuance of guidelines for exposure to nonionizing electromagnetic fields.

004 Nitrates and Nitrites

The Drinking Water Committee reviewed the health effects of nitrates and nitrites in drinking water and determined that such a review would have to be postponed until the Agency had developed documents on three issues: carcinogenicity, most sensitive population, and developmental toxicity. Part of the Agency seems to be proceeding with deliberate speed toward the promulgation of a MCL for nitrate in drinking water without the benefit of SAB comment on a revised criteria document for nitrate and its metabolic product, nitrite. Many of these issues are under discussion in the EPA RfD and CRAVE workgroups. The SAB looks forward to reviewing the Agency's position on these issues in a timely manner prior to promulgation of the rule.

005 Documentation of Ecological Risk Assessment Consultation

The Ecological Processes and Effects Committee met with the staff of the Risk Assessment Forum to discuss general

questions that were related to the development of ecological risk assessment guidelines. This meeting was a consultation which has no formal report. Although the Committee did not attempt to reach a consensus, there were several pertinent suggestions. The Committee recommended that the EPA develop an outline of the guidelines immediately and fill in the details later. The Committee felt that it was important to establish a consistent framework for ecorisk assessment in the EPA as soon as possible. The Committee also recommended that EPA improve its coordination and standardize the ecological risk terminology among the Risk Assessment Forum, the Environmental Monitoring and Assessment Program, and the Core Ecological Research Program within EPA. In addition, the Committee discussed the principles and issues that were related to endpoint selection, uncertainty, and risk characterization.

006 CASAC Recommendations on the Pollutant Standards Index

The CASAC recommended to the Administrator that the Agency update the 1976 guidance document (EPA-450/2-76-013) which contains cautionary statements for public reporting of the air quality Pollutant Standards Index (PSI). These statements are issued by local air pollution agencies in preparing air quality summaries which are provided to the media for public dissemination. The Committee is concerned that the health effects statements and cautionary language do not represent current knowledge, particularly for ozone.

007 CASAC Visibility Research Subcommittee

As a result of the CASAC Visibility Research Subcommittee Meeting in 1987 and the recent increased interest in visibility in the Senate and House versions of the Clean Air Act, the Committee recommended that the Agency initiate planning for the development of an interagency visibility research plan. The Committee noted that the Federal visibility research program lacked adequate coordination, overall direction, and focus.

Federal Advisory Committee Act (Public Law 92-463)

(Section 10(d) of the Federal Advisory Committee Act was amended by Section 5(c) of the Public Law 94-409, "Government in the Sunshine Act," effective March 12, 1977.)

(Section 7(d)(1) of the Federal Advisory Committee Act was amended by section 2 of Public Law 96-523, "Handicapped Federal Employees. Personal assistants, Employment.", effective February 10, 1981.)

(Section 6(c) of the Federal Advisory Committee Act was amended by Section 201(c) of Public Law 97-375, "Congressional Reports Elimination Act of 1982,"effective July 1, 1983.)

Public Law 92-463
92nd Congress, H. R. 4383
October 6, 1972

An Act

86 STAT. 770

To authorize the establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Advisory Committee Act".

Federal Advisory Committee Act.

FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that there are numerous committees, boards, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government.

(b) The Congress further finds and declares that—

(1) the need for many existing advisory committees has not been adequately reviewed;

(2) new advisory committees should be established only when they are determined to be essential and their number should be kept to the minimum necessary;

(3) advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;

(4) standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees;

(5) the Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and

(6) the function of advisory committees should be advisory only, and that all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) The term "Director" means the Director of the Office of Management and Budget.

(2) The term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof (hereafter in this paragraph referred to as "committee"), which is—

(A) established by statute or reorganization plan, or

(B) established or utilized by the President, or

(C) established or utilized by one or more agencies,

in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government, except that such term excludes (i) the Advisory Commission on Intergovernmental Relations, (ii) the Commission on Government Procurement, and (iii) any committee which is composed wholly of full-time officers or employees of the Federal Government.

(3) The term "agency" has the same meaning as in section 551(1) of title 5, United States Code.

(4) The term "Presidential advisory committee" means an advisory committee which advises the President.

APPLICABILITY

SEC. 4. (a) The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise.

Restrictions.

(b) Nothing in this Act shall be construed to apply to any advisory committee established or utilized by—

(1) the Central Intelligence Agency; or

(2) the Federal Reserve System.

(c) Nothing in this Act shall be construed to apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

RESPONSIBILITIES OF CONGRESSIONAL COMMITTEES

Review.

SEC. 5. (a) In the exercise of its legislative review function, each standing committee of the Senate and the House of Representatives shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed. Each such standing committee shall take appropriate action to obtain the enactment of legislation necessary to carry out the purpose of this subsection.

Guidelines.

(b) In considering legislation establishing, or authorizing the establishment of any advisory committee, each standing committee of the Senate and of the House of Representatives shall determine, and report such determination to the Senate or to the House of Representatives, as the case may be, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee. Any such legislation shall—

(1) contain a clearly defined purpose for the advisory committee;

(2) require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee;

(3) contain appropriate provisions to assure that the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment;

(4) contain provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 10 of this Act to be inadequate; and

(5) contain provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.

(c) To the extent they are applicable, the guidelines set out in subsection (b) of this section shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

RESPONSIBILITIES OF THE PRESIDENT

SEC. 6. (a) The President may delegate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to him by Presidential advisory committees.

(b) Within one year after a Presidential advisory committee has submitted a public report to the President, the President or his delegate shall make a report to the Congress stating either his proposals for action or his reasons for inaction, with respect to the recommendations contained in the public report. Report to Congress.

(c) The President shall, not later than March 31 of each calendar year (after the year in which this Act is enacted), make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding calendar year. The report shall contain the name of every advisory committee, the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, the dates of its meetings, the names and occupations of its current members, and the total estimated annual cost to the United States to fund, service, supply, and maintain such committee. Such report shall include a list of those advisory committees abolished by the President, and in the case of advisory committees established by statute, a list of those advisory committees which the President recommends be abolished together with his reasons therefor. The President shall exclude from this report any information which, in his judgment, should be withheld for reasons of national security, and he shall include in such report a statement that such information is excluded. Annual report to Congress. Exclusion.

RESPONSIBILITIES OF THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

SEC. 7. (a) The Director shall establish and maintain within the Office of Management and Budget a Committee Management Secretariat, which shall be responsible for all matters relating to advisory committees. Committee Management Secretariat. Establishment.

(b) The Director shall, immediately after the enactment of this Act, institute a comprehensive review of the activities and responsibilities of each advisory committee to determine— Review.

(1) whether such committee is carrying out its purpose;

(2) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;

(3) whether it should be merged with other advisory committees; or

(4) whether is should be abolished.

The Director may from time to time request such information as he deems necessary to carry out his functions under this subsection. Upon the completion of the Director's review he shall make recommendations to the President and to either the agency head or the Congress with respect to action he believes should be taken. Thereafter, the Director shall carry out a similar review annually. Agency heads shall cooperate with the Director in making the reviews required by this subsection. Recommendations to President and Congress. Agency cooperation.

Performance guidelines.

(c) The Director shall prescribe administrative guidelines and management controls applicable to advisory committees, and, to the maximum extent feasible, provide advice, assistance, and guidance to advisory committees to improve their performance. In carrying out his functions under this subsection, the Director shall consider the recommendations of each agency head with respect to means of improving the performance of advisory committees whose duties are related to such agency.

Uniform pay guidelines.

(d)(1) The Director, after study and consultation with the Civil Service Commission, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner which gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. Such regulations shall provide that—

(A) no member of any advisory committee or of the staff of any advisory committee shall receive compensation at a rate in excess of the rate specified for GS-18 of the General Schedule under section 5332 of title 5, United States Code; and

Travel expenses.

(B) such members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

80 Stat. 499; 83 Stat. 190.

(2) Nothing in this subsection shall prevent—

(A) an individual who (without regard to his service with an advisory committee) is a full-time employee of the United States, or

(B) an individual who immediately before his service with an advisory committee was such an employee,

from receiving compensation at the rate at which he otherwise would be compensated (or was compensated) as a full-time employee of the United States.

Expense recommendations.

(e) The Director shall include in budget recommendations a summary of the amounts he deems necessary for the expenses of advisory committees, including the expenses for publication of reports where appropriate.

RESPONSIBILITIES OF AGENCY HEADS

SEC. 8. (a) Each agency head shall establish uniform administrative guidelines and management controls for advisory committees established by that agency, which shall be consistent with directives of the Director under section 7 and section 10. Each agency shall maintain systematic information on the nature, functions, and operations of each advisory committee within its jurisdiction.

Advisory Committee Management Control Officer, designation.

(b) The head of each agency which has an advisory committee shall designate an Advisory Committee Management Officer who shall—

(1) exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by that agency;

(2) assemble and maintain the reports, records, and other papers of any such committee during its existence; and

81 Stat. 54.

(3) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to such reports, records, and other papers.

ESTABLISHMENT AND PURPOSE OF ADVISORY COMMITTEES

SEC. 9. (a) No advisory committee shall be established unless such establishment is—

(1) specifically authorized by statute or by the President; or

(2) determined as a matter of formal record, by the head of the agency involved after consultation with the Director, with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law. Publication in Federal Register.

(b) Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the President or an officer of the Federal Government.

(c) No advisory committee shall meet or take any action until an advisory committee charter has been filed with (1) the Director, in the case of Presidential advisory committees, or (2) with the head of the agency to whom any advisory committee reports and with the standing committees of the Senate and of the House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information: Charter, filing. Contents.

(A) the committee's official designation;

(B) the committee's objectives and the scope of its activity;

(C) the period of time necessary for the committee to carry out its purposes;

(D) the agency or official to whom the committee reports;

(E) the agency responsible for providing the necessary support for the committee;

(F) a description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions;

(G) the estimated annual operating costs in dollars and man-years for such committee;

(H) the estimated number and frequency of committee meetings;

(I) the committee's termination date, if less than two years from the date of the committee's establishment; and

(J) the date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress. Copy.

ADVISORY COMMITTEE PROCEDURES

SEC. 10. (a)(1) Each advisory committee meeting shall be open to the public. Meetings.

(2) Except when the President determines otherwise for reasons of national security, timely notice of each such meeting shall be published in the Federal Register, and the Director shall prescribe regulations to provide for other types of public notice to insure that all interested persons are notified of such meeting prior thereto. Notice. Publication in Federal Register. Regulations.

(3) Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to such reasonable rules or regulations as the Director may prescribe.

(b) Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist. 81 Stat. 54.

(c) Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Minutes.

Certification.

advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee.

(d) Subsections (a)(1) and (a)(3) of this section shall not apply to any advisory committee meeting which the President, or the head of the agency to which the advisory committee reports, determines is concerned with matters listed in section 552(b) of title 5, United States Code. Any such determination shall be in writing and shall contain the reasons for such determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5, United States Code.

81 Stat. 54.

Annual report.

Federal officer or employee, attendance.

(e) There shall be designated an officer or employee of the Federal Government to chair or attend each meeting of each advisory committee. The officer or employee so designated is authorized, whenever he determines it to be in the public interest, to adjourn any such meeting. No advisory committee shall conduct any meeting in the absence of that officer or employee.

(f) Advisory committees shall not hold any meetings except at the call of, or with the advance approval of, a designated officer or employee of the Federal Government, and in the case of advisory committees (other than Presidential advisory committees), with an agenda approved by such officer or employee.

AVAILABILITY OF TRANSCRIPTS

SEC. 11. (a) Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of transcripts of agency proceedings or advisory committee meetings.

"Agency proceeding."

(b) As used in this section "agency proceeding" means any proceeding as defined in section 551(12) of title 5, United States Code.

80 Stat. 382.

FISCAL AND ADMINISTRATIVE PROVISIONS

Recordkeeping.

SEC. 12. (a) Each agency shall keep records as will fully disclose the disposition of any funds which may be at the disposal of its advisory committees and the nature and extent of their activities. The General Services Administration, or such other agency as the President may designate, shall maintain financial records with respect to Presidential advisory committees. The Comptroller General of the United States, or any of his authorized representatives, shall have access, for the purpose of audit and examination, to any such records.

Audit.

Agency support services.

(b) Each agency shall be responsible for providing support services for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. Where any such advisory committee reports to more than one agency, only one agency shall be responsible for support services at any one time. In the case of Presidential advisory committees, such services may be provided by the General Services Administration.

RESPONSIBILITIES OF LIBRARY OF CONGRESS

Reports and background papers.

SEC. 13. Subject to section 552 of title 5, United States Code, the Director shall provide for the filing with the Library of Congress of at least eight copies of each report made by every advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for such reports and papers where they shall be available to public inspection and use.

Depository.

TERMINATION OF ADVISORY COMMITTEES

SEC. 14. (a) (1) Each advisory committee which is in existence on the effective date of this Act shall terminate not later than the expiration of the two-year period following such effective date unless—

(A) in the case of an advisory committee established by the President or an officer of the Federal Government, such advisory committee is renewed by the President or that officer by appropriate action prior to the expiration of such two-year period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(2) Each advisory committee established after such effective date shall terminate not later than the expiration of the two-year period beginning on the date of its establishment unless—

(A) in the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(b) (1) Upon the renewal of any advisory committee, such advisory committee shall file a charter in accordance with section 9(c). Renewal.

(2) Any advisory committee established by an Act of Congress shall file a charter in accordance with such section upon the expiration of each successive two-year period following the date of enactment of the Act establishing such advisory committee.

(3) No advisory committee required under this subsection to file a charter shall take any action (other than preparation and filing of such charter) prior to the date on which such charter is filed.

(c) Any advisory committee which is renewed by the President or any officer of the Federal Government may be continued only for successive two-year periods by appropriate action taken by the President or such officer prior to the date on which such advisory committee would otherwise terminate. Continuation.

EFFECTIVE DATE

SEC. 15. Except as provided in section 7(b), this Act shall become effective upon the expiration of ninety days following the date of enactment.

Approved October 6, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-1017 (Comm. on Government Operations) and No. 92-1403 (Comm. of Conference).
SENATE REPORT No. 92-1098 accompanying S. 3529 (Comm. on Government Operations).
CONGRESSIONAL RECORD, Vol. 118 (1972):
May 9, considered and passed House.
Sept. 12, considered and passed Senate, amended, in lieu of S. 3529.
Sept. 19, Senate agreed to conference report.
Sept. 20, House agreed to conference report.

"(iii) all written responses, and memoranda stating the substance of all oral responses, to the materials described in clauses (i) and (ii) of this subparagraph;

"(D) upon receipt of a communication knowingly made or knowingly caused to be made by a party in violation of this subsection, the agency, administrative law judge, or other employee presiding at the hearing may, to the extent consistent with the interests of justice and the policy of the underlying statutes, require the party to show cause why his claim or interest in the proceeding should not be dismissed, denied, disregarded, or otherwise adversely affected on account of such violation; and

"(E) the prohibitions of this subsection shall apply beginning at such time as the agency may designate, but in no case shall they begin to apply later than the time at which a proceeding is noticed for hearing unless the person responsible for the communication has knowledge that it will be noticed, in which case the prohibitions shall apply beginning at the time of his acquisition of such knowledge. Applicability.

"(2) This subsection does not constitute authority to withhold information from Congress.".

(b) Section 551 of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (12);

(2) by striking out the "act." at the end of paragraph (13) and inserting in lieu thereof "act; and"; and

(3) by adding at the end thereof the following new paragraph:

"(14) 'ex parte communication' means an oral or written communication not on the public record with respect to which reasonable prior notice to all parties is not given, but it shall not include requests for status reports on any matter or proceeding covered by this subchapter.". "Ex parte communication."

(c) Section 556(d) of title 5, United States Code, is amended by inserting between the third and fourth sentences thereof the following new sentence: "The agency may, to the extent consistent with the interests of justice and the policy of the underlying statutes administered by the agency, consider a violation of section 557(d) of this title sufficient grounds for a decision adverse to a party who has knowingly committed such violation or knowingly caused such violation to occur.". 5 USC 557.

CONFORMING AMENDMENTS

SEC. 5. (a) Section 410(b)(1) of title 39, United States Code, is amended by inserting after "Section 552 (public information)," the words "section 552a (records about individuals), section 552b (open meetings),".

(b) Section 552(b)(3) of title 5, United States Code, is amended to read as follows:

"(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;".

(c) Subsection (d) of section 10 of the Federal Advisory Committee Act is amended by striking out the first sentence and inserting in lieu thereof the following: "Subsections (a)(1) and (a)(3) of this section shall not apply to any portion of an advisory committee meeting where 5 USC app. I.

the President, or the head of the agency to which the advisory committee reports, determines that such portion of such meeting may be closed to the public in accordance with subsection (c) of section 552b of title 5, United States Code.".

EFFECTIVE DATE

5 USC 552b note.

SEC. 6. (a) Except as provided in subsection (b) of this section, the provisions of this Act shall take effect 180 days after the date of its enactment.

(b) Subsection (g) of section 552b of title 5, United States Code, as added by section 3(a) of this Act, shall take effect upon enactment.

Approved September 13, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-880, Pt. I and No. 94-880, Pt. 2, accompanying H.R. 11656 (Comm. on Government Operations) and No. 94-1441 (Comm. of Conference).

SENATE REPORTS: No. 94-354 (Comm. on Government Operations), No. 94-381 (Comm. on Rules and Administration) and No. 94-1178 (Comm. of Conference).

CONGRESSIONAL RECORD:

Vol. 121 (1975): Nov. 5, 6, considered and passed Senate.

Vol. 122 (1976): July 28, considered and passed House, amended, in lieu of H.R. 11656.

Aug. 31, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

Vol. 12, No. 38 (1976): Sept. 13, Presidential statement.

Travel expenses.

"(d)(1) In the case of any handicapped employee (including a blind or deaf employee) traveling on official business, the head of the agency may authorize the payment to an individual to accompany or assist (or both) the handicapped employee for all or a portion of the travel period involved. Any payment under this subsection to such an individual may be made either directly to that individual or by advancement or reimbursement to the handicapped employee.

Payment limitation.

"(2) With respect to any individual paid to accompany or assist a handicapped employee under paragraph (1) of this subsection—

"(A) the amount paid to that individual shall not exceed the limit or limits which the Office of Personnel Management shall prescribe by regulation to ensure that the payment does not exceed amounts (including pay and, if appropriate, travel expenses and per diem allowances) which could be paid to an employee assigned to accompany or assist the handicapped employee; and

5 USC 8101 et seq.

"(B) that individual shall be considered an employee, but only for purposes of chapter 81 of this title (relating to compensation for injury) and sections 2671 through 2680 of title 28 (relating to tort claims).

"(e) This section may not be held or considered to prevent or limit in any way the assignment to a handicapped employee (including a blind or deaf employee) by an agency of clerical or secretarial assistance, at the expense of the agency under statutes and regulations currently applicable at the time, if that assistance normally is provided, or authorized to be provided, in that manner under currently applicable statutes and regulations.".

(b) The item relating to section 3102 in the analysis of chapter 31 of title 5, United States Code, is amended to read as follows:

"3102. Employment of personal assistants for handicapped employees, including blind and deaf employees.".

(c)(1) Section 604(a)(16)(A) of title 28, United States Code, is amended by striking out "3102" and inserting in lieu thereof "3102(b)".

(2) Section 410(b)(1) of title 39, United States Code, is amended by striking out "3102 (employment of reading assistants for blind employees and interpreting assistants for deaf employees)," and inserting in lieu thereof "section 3102 (employment of personal assistants for blind, deaf, or otherwise handicapped employees),".

Ante, p. 3039.

SEC. 2. Section 7(d)(1) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by striking out "and" at the end of subparagraph (A), by striking out the period at the end of subparagraph (B) and inserting "; and" in lieu thereof, and by adding at the end thereof the following new subparagraph:

"(C) such members—

"(i) who are blind or deaf or who otherwise qualify as handicapped individuals (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794)), and

29 USC 791.
Ante, p. 3039.

"(ii) who do not otherwise qualify for assistance under section 3102 of title 5, United States Code, by reason of being an employee of an agency (within the meaning of section 8102(a)(1) of such title 5),

may be provided services pursuant to section 3102 of such title 5 while in performance of their advisory committee duties.".

Effective date.
5 USC 3102 note.

SEC. 3. The amendments made by this Act shall take effect sixty days after the date of the enactment of this Act.

SEC. 4. (a) Section 8332 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

mendations as he may deem proper as to the best means of preventing such injuries".

(c) The second sentence of section 19(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668(b); 84 Stat. 1590) is repealed.

REPORTS BY THE DEPARTMENT OF TRANSPORTATION

SEC. 111. (a) Section 151(g) of title 23, United States Code (87 Stat. 285), is amended by striking out the third and fourth sentences and inserting in lieu thereof, "No State shall submit any such report to the Secretary for any year after the second year following completion of the pavement marking program in that State.".

(b) Section 602 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 792; 87 Stat. 1022) is repealed. Repeal.

(c) Section 4417a(19) of the Revised Statutes (46 U.S.C. 391a(19)) is repealed.

(d) Section 515 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 835; 90 Stat. 82) is repealed.

(e) Section 10 of the Emergency Rail Services Act of 1970 (45 U.S.C. 669; 84 Stat. 1978) is repealed. Repeal.

REPORT BY THE DEPARTMENT OF THE TREASURY

SEC. 112. Section 602(c) of the Act of June 3, 1980, entitled "An Act to provide for increased participation by the United States in the Inter-American Development Bank, and the African Development Fund" (22 U.S.C. 262j(c); 94 Stat. 433), is repealed.

REPORT BY THE INTERSTATE COMMERCE COMMISSION

SEC. 113. Section 10327(j) of title 49, United States Code (92 Stat. 1350), is amended by striking out the last two sentences.

REPORT BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 114. Section 2304(e) of title 10, United States Code, is repealed.

REPORT BY THE NUCLEAR REGULATORY COMMISSION

SEC. 115. Section 11 of the Act of November 6, 1978, entitled "An Act to authorize appropriations to the Nuclear Regulatory Commission for fiscal year 1979, and for other purposes" (42 U.S.C. 2205a; 92 Stat. 2953), is repealed. Repeal.

TITLE II—MODIFICATIONS

REPORTS BY THE EXECUTIVE OFFICE OF THE PRESIDENT

SEC. 201. (a) Section 552a(e)(4) of title 5, United States Code, is amended by striking out "at least annually" and inserting in lieu thereof "upon establishment or revision"

(b) Subsection (p) of section 552a of title 5, United States Code, is amended to read as follows:

"(p) ANNUAL REPORT.—The President shall annually submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report—

"(1) describing the actions of the Director of the Office of Management and Budget pursuant to section 6 of the Privacy Act of 1974 during the preceding year;

5 USC 552a note.

"(2) describing the exercise of individual rights of access and amendment under this section during such year;

"(3) identifying changes in or additions to systems of records;

"(4) containing such other information concerning administration of this section as may be necessary or useful to the Congress in reviewing the effectiveness of this section in carrying out the purposes of the Privacy Act of 1974.".

Effective date.

(c) Effective July 1, 1983, section 6(c) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by striking out the first sentence and inserting in lieu thereof the following: "The President shall, not later than December 31 of each year, make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding fiscal year.".

REPORTS BY THE DEPARTMENT OF COMMERCE

SEC. 202. (a) Section 302(d) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432(d)) is amended to read as follows:

"(d) The Secretary shall submit a biennial report to the Congress, on or before March 1 of every other year beginning in 1984, setting forth a comprehensive review of his actions during the previous two fiscal years undertaken pursuant to the authority of this section, together with appropriate recommendation for legislation considered necessary for the designation and protection of marine sanctuaries.".

(b) Section 7 of the National Climate Program Act of 1978 (15 U.S.C. 2906) is amended by striking out "not later than January 30 of each year" and inserting in lieu thereof "not later than March 31 of each year".

(c) Section 4(a) of the National Ocean Pollution Research and Development and Monitoring Planning Act of 1978 (33 U.S.C. 1703(a)) is amended by striking out "and a revision of the plan shall be prepared and so submitted by September 15 of each odd-numbered year occurring after 1979" and inserting in lieu thereof "and a revision of the plan shall be prepared and so submitted by September 15 every three years after 1979".

(d) Section 8 of the Fair Packaging and Labeling Act (15 U.S.C. 1457) is amended by striking out the following: "or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(d) of this Act,".

REPORTS BY THE DEPARTMENT OF DEFENSE

SEC. 203. (a)(1) Section 808(a) of the Department of Defense Appropriation Authorization Act, 1978 (50 U.S.C. 1520(a); 91 Stat. 334) is amended by striking out clause (1) and by striking out "(2)".

(2) Section 409(a) of the Act of November 19, 1969 (50 U.S.C. 1511(a); 83 Stat. 209), is amended by adding the following sentence at the end thereof: "The report shall include a full accounting of all experiments and studies conducted by the Department of Defense in the preceding year, whether directly or under contract, which

GSA FINAL RULE, AS AMENDED

SUBPART 101-6.10 -- FEDERAL ADVISORY COMMITTEE MANAGEMENT

§ 101-6.1001 Scope.

(a) This subpart defines the policies, establishes minimum requirements, and provides guidance to agency management for the establishment, operation, administration, and duration of advisory committees subject to the Federal Advisory Committee Act, as amended. Reporting requirements which keep the Congress and the public informed of the number, purpose, membership, activities, and cost of these advisory committees are also included.

(b) The Act and this subpart do not apply to advisory meetings or groups listed in § 101-6.1004.

§ 101-6.1002 Policy.

The policy to be followed by Federal departments, agencies, and commissions, consistent with the Federal Advisory Committee Act, as amended, is as follows:

(a) An advisory committee shall be established only when it is essential to the conduct of agency business. Decision criteria include whether committee deliberations will result in the creation or elimination of, or change in regulations, guidelines, or rules affecting agency business; whether the information to be obtained is already available through another advisory committee or source within the Federal Government; whether the committee will make recommendations resulting in significant improvements in service or reductions in cost; or whether the committee's recommendations will provide an important additional perspective or viewpoint impacting agency operations;

(b) An advisory committee shall be terminated whenever the stated objectives of the committee have been accomplished; the subject matter or work of the committee has become obsolete by the passing of time or the assumption of the committee's main functions by another entity within the Federal Government; or the agency determines that the cost of operation is excessive in relation to the benefits accruing to the Federal Government;

(c) An advisory committee shall be fairly balanced in its membership in terms of the points of view represented and the functions to be performed; and

(d) An advisory committee shall be open to the public in its meetings except in those circumstances where a closed meeting shall be determined proper and consistent with the provisions in the Government in the Sunshine Act, 5 U.S.C. 552(b).

§ 101-6.1003 Definitions.

"Act" means the Federal Advisory Committee Act, as amended, 5 U.S.C., App.

"Administrator" means the Administrator of General Services.

"Advisory committee" subject to the Act means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof, which is established by statute, or established or utilized by the President or any agency official for the purpose of obtaining advice or recommendations on issues or policies which are within the scope of his or her responsibilities.

"Agency" has the same meaning as in section 551(1) of Title 5 of the United States Code.

"Committee Management Secretariat" ("Secretariat"), established pursuant to the Act is responsible for all matters relating to advisory committees, and carries out the Administrator's responsibilities under the Act and Executive Order 12024.

"Committee member" means an individual who serves by appointment on an advisory committee and has the full right and obligation to participate in the activities of the committee, including voting on committee recommendations.

"Presidential advisory committee" means any advisory committee which advises the President. It may be established by the President or by the Congress, or used by the President in the interest of obtaining advice or recommendations for the President.

"Independent Presidential advisory committee" means any Presidential advisory committee not assigned by the President, or the President's delegate, or by the Congress in law, to an agency for administrative and other support and for which the Administrator of General Services may provide administrative and other support on a reimbursable basis.

"Staff member" means any individual who serves in a support capacity to an advisory committee.

"Utilized" (or "used"), as referenced in the definition of "Advisory committee" in this

section, means a committee or other group composed in whole or in part of other than full-time officers or employees of the Federal Government with an established existence outside the agency seeking its advice which the President or agency official(s) adopts, such as through institutional arrangements, as a preferred source from which to obtain advice or recommendations on a specific issue or policy within the scope of his or her responsibilities in the same manner as that individual would obtain advice or recommendations from an established advisory committee.

§ 101-6.1004 Examples of advisory meetings or groups not covered by the Act or this subpart.

The following are examples of advisory meetings or groups not covered by the Act or this subpart:

(a) Any committee composed wholly of full-time officers or employees of the Federal Government;

(b) Any advisory committee specifically exempted by an Act of Congress;

(c) Any advisory committee established or utilized by the Central Intelligence Agency;

(d) Any advisory committee established or utilized by the Federal Reserve System;

(e) The Advisory Committee on Intergovernmental Relations;

(f) Any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies;

(g) Any committee which is established to perform primarily operational as opposed to advisory functions. Operational functions are those specifically provided by law, such as making or implementing Government decisions or policy. An operational committee may be covered by the Act if it becomes primarily advisory in nature. It is the responsibility of the administering agency to determine whether such a committee is primarily operational. If so, it would not fall under the requirements of the Act and this subpart, but would continue to be regulated under relevant laws, subject to the direction of the President and the review of the appropriate legislative committees;

(h) Any meeting initiated by the President or one or more Federal official(s) for the purpose of obtaining advice or recommendations from one individual;

(i) Any meeting initiated by a Federal official(s) with more than one individual for the purpose of obtaining the advice of individual attendees and not for the purpose of utilizing the group to obtain consensus advice or recommendations. However, agencies should be aware that such a group would be covered by the Act when an agency accepts the group's deliberations as a source of consensus advice or recommendations;

(j) Any meeting initiated by a group with the President or one or more Federal official(s) for the purpose of expressing the group's view, provided that the President or Federal official(s) does not use the group recurrently as a preferred source of advice or recommendations;

(k) Meetings of two or more advisory committee or subcommittee members convened solely to gather information or conduct research for a chartered advisory committee, to analyze relevant issues and facts, or to draft proposed position papers for deliberation by the advisory committee or a subcommittee of the advisory committee; or

(l) Any meeting with a group initiated by the President or one or more Federal official(s) for the purpose of exchanging facts or information.

§ 101-6.1005 Authorities for establishment of advisory committees.

An advisory committee may be established in one of four ways:

(a) By law where the Congress specifically directs the President or an agency to establish it;

(b) By law where the Congress authorizes but does not direct the President or an agency to establish it. In this instance, the responsible agency head shall follow the procedures provided in § 101-6.1007;

(c) By the President by Executive Order; or

(d) By an agency under general agency authority in Title 5 of the United States Code or under other general agency-authorizing law. In this instance, an agency head shall follow

the procedures provided in § 101-6.1007.

§ 101-6.1006 (Reserved)

§ 101-6.1007 Agency procedures for establishing advisory committees.

(a) When an agency head decides that it is necessary to establish a committee, the agency must consider the functions of similar committees in the same agency before submitting a consultation to GSA to ensure that no duplication of effort will occur.

(b) In establishing or utilizing an advisory committee, the head of an agency or designee shall comply with the Act and this subpart, and shall:

(1) Prepare a proposed charter for the committee which includes the information listed in section 9(c) of the Act; and

(2) Submit a letter and the proposed charter to the Secretariat proposing to establish or use, reestablish, or renew an advisory committee. The letter shall include the following information:

(i) An explanation of why the committee is essential to the conduct of agency business and in the public interest;

(ii) An explanation of why the committee's functions cannot be performed by the agency, another existing advisory committee of the agency, or other means such as a public hearing; and

(iii) A description of the agency's plan to attain balanced fairly membership. The plan will ensure that, in the selection of members for the committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the committee. Committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed.

(3) Subcommittees that do not function independently of the full or parent advisory committee need not follow the requirements of paragraphs (b)(1) and (b)(2) of this section. However, they are subject to all other requirements of the Act.

(4) The requirements of paragraphs (b)(1) and (b)(2) of this section shall apply for any subcommittee of a chartered advisory committee, whether its members are drawn in whole or in part from the full or parent advisory committee, which functions independently of the parent advisory committee such as by making recommendations directly to the agency rather than for consideration by the chartered advisory committee.

(c) The Secretariat will review the proposal and notify the agency of GSA's views within 15 calendar days of receipt, if possible. The agency head retains final authority for establishing a particular advisory committee.

(d) The agency shall notify the Secretariat in writing that either:

(1) The advisory committee is being established. The filing of the advisory committee charter as specified in § 101-6.1013 shall be considered appropriate written notification in this instance. The date of filing constitutes the date of establishment or renewal. The agency head shall then comply with the provisions of § 101-6.1009 for an established advisory committee; or

(2) The advisory committee is not being established. In this instance, the agency shall also advise the Secretariat if the agency head intends to take any further action with respect to the proposed advisory committee.

§ 101-6.1008 The role of GSA.

(a) The functions under section 7 of the Act will be performed for the Administrator by the Secretariat. The Secretariat assists the Administrator in prescribing administrative guidelines and management controls for advisory committees, and assists other agencies in implementing and interpreting these guidelines. In exercising internal controls over the management and supervision of the operations and procedures vested in each agency by section 8(b) of the Act and by § 101-6.1009 and § 101-6.1017 of this rule, agencies shall conform to the guidelines prescribed by GSA.

(b) The Secretariat may request comments from agencies on management guidelines and policy issues of broad interagency interest or application to the Federal advisory committee program.

(c) In advance of issuing informal guidelines, nonstatutory reporting requirements, and administrative procedures such as report formats or automation, the Secretariat shall

request formal or informal comments from agency Committee Management Officers.

(d) The Secretariat shall assure that follow-up reports required by section 6(b) of the Act are prepared and transmitted to the Congress as directed by the President; either by his delegate, by the agency responsible for providing support to a Presidential advisory committee, or by the responsible agency or organization designated pursuant to paragraph (c) of § 101-6.1011. In performing this function, GSA may solicit the assistance of the Office of Management and Budget and other appropriate organizations, as deemed appropriate.

§ 101-6.1009 Responsibilities of an agency head.

The head of each agency that uses one or more advisory committees shall ensure:

(a) Compliance with the Act and this subpart;

(b) Issuance of administrative guidelines and management controls which apply to all advisory committees established or used by the agency;

(c) Designation of a Committee Management Officer who shall carry out the functions specified in section 8(b) of the Act;

(d) Provision of a written determination stating the reasons for closing any advisory committee meeting to the public;

(e) A review, at least annually, of the need to continue each existing advisory committees, consistent with the public interest and the purpose and functions of each committee;

(f) Rates of pay are justified and levels of agency support are adequate;

(g) The appointment of a Designated Federal Officer for each advisory committee and its subcommittees;

(h) The opportunity for reasonable public participation in advisory committee activities;

(i) That the number of committee members is limited to the fewest necessary to accomplish committee objectives.

(j) That the interests and affiliations of advisory committee members are reviewed consistent with regulations published by the Office of Government Ethics in 5 CFR Parts 734, 735, and 737, and additional requirements, if any, established by the sponsoring agency pursuant to Executive Order 12674, the conflict-of-interest statutes, and the Ethics in Government Act of 1978, as amended; and

(k) Unless otherwise specified by the President, the preparation and transmittal of a follow-up report report to the Congress detailing the disposition of the public recommendations of a Presidential advisory committee supported by the agency, in accordance with section 6(b) of the Act.

§ 101-6.1010 (Reserved)

§ 101-6.1011 Responsibilities of the chairperson of an independent Presidential advisory committee.

The chairperson of an independent Presidential advisory committee shall comply with the Act and this subpart and shall:

(a) Consult with the Administrator concerning the role of the Designated Federal Officer and Committee Management Officer;

(b) Fulfill the responsibilities of an agency head as specified in paragraphs (d), (h) and (j) of § 101-6.1009; and

(c) Unless otherwise specified by the President, consult with the Administrator regarding the designation of an agency or organization responsible for implementing section 6(b) of the Act.

§ 101-6.1012 (Reserved)

§ 101-6.1013 Charter filing requirements.

No advisory committee may operate, meet, or take any action until its charter has been filed as follows:

(a) Advisory committee established, used, reestablished, or renewed by an agency. The agency head shall file -

(1) The charter with the standing committees of the Senate and the House of Representatives having legislative jurisdiction of the agency;

(2) A copy of the filed charter with the Library of Congress, Exchange and Gift Division, Federal Documents Section, Federal Advisory Committee Desk, Washington, DC 20540; and

(3) A copy of the charter indicating the Congressional filing date, with the Secretariat.

(b) Advisory committee specifically directed by law or authorized by law. Procedures are the same as in paragraph (a) of this section.

(c) Presidential advisory committee. When either the President or the Congress establishes an advisory committee that advises the President, the responsible agency head or, in the case of an independent Presidential advisory committee, the President's designee shall file -

(1) The charter with the Secretariat;

(2) A copy of the filed charter with the Library of Congress; and

(3) If specifically directed by law, a copy of the charter indicating its date of filing with the Secretariat, with the standing committees of the Senate and the House of Representatives having legislative jurisdiction of the agency or the independent Presidential advisory committee.

§ 101-6.1014 (Reserved)

§ 101-6.1015 Advisory committee information which must be published in the Federal Register.

(a) Committee establishment, reestablishment, or renewal.

(1) A notice in the Federal Register is required when an advisory committee, except a committee specifically directed by law or established by the President by Executive Order, is established, used, reestablished, or renewed. Upon receiving notification of the completed review from the Secretariat in accordance with paragraph (c) of § 101-6.1007, the agency shall publish a notice in the Federal Register that the committee is being established, used, reestablished, or renewed. For a new committee, such notice shall also describe the nature and purpose of the committee and the agency's plan to attain fairly balanced membership, and shall include a statement that the committee is necessary and in the public interest.

(2) Establishment and reestablishment notices shall appear at least 15 calendar days before the committee charter is filed, except that the Secretariat may approve less than 15 days when requested by the agency for good cause. The 15-day advance notice requirement does not apply to committee renewals, notices of which may be published concurrently with the filing of the charter.

(b) Committee meetings.

(1) The agency or an independent Presidential advisory committee shall publish at least 15 calendar days prior to an advisory committee meeting a notice in the Federal Register, which includes:

(i) The exact name of the advisory committee as chartered;

(ii) The time, date, place, and purpose of the meeting;

(iii) A summary of the agenda; and

(iv) A statement whether all or part of the meeting is open to the public or closed, and if closed, the reasons why, citing the specific exemptions of the Government in the Sunshine Act (5 U.S.C. 552(b)) as the basis for closure.

(2) In exceptional circumstances, the agency or an independent Presidential advisory committee may give less than 15 days notice, provided that the reasons for doing so are included in the committee meeting notice published in the Federal Register.

§ 101-6.1016 (Reserved)

§ 101-6.1017 Responsibilities of the agency Committee Management Officer.

In addition to implementing the provisions of section 8(b) of the Act, the Committee Management Officer will carry out all responsibilities delegated by the agency head. The Committee Management Officer should also ensure that sections 10(b), 12(a) and 13 of the

Act are implemented by the agency to provide for appropriate recordkeeping. Records include, but are not limited to:

(a) A set of approved charters and membership lists for each advisory committee;

(b) Copies of the agency's portion of the Annual Report of Federal Advisory Committees required by paragraph (b) of § 101-6.1035;

(c) Agency guidelines on committee management operations and procedures as maintained and updated; and

(d) Agency determinations to close advisory committee meetings as required by paragraph (c) of § 101-6.1023.

§ 101-6.1018 (Reserved)

§ 101-6.1019 Duties of the Designated Federal Officer.

The agency head or, in the case of an independent Presidential advisory committee, the Administrator shall designate a Federal officer or employee, who may be either full-time or permanent part-time, to be the Designated Federal Officer for each advisory committee and its subcommittees, who:

(a) Must approve or call the meeting of the advisory committee;

(b) Must approve the agenda;

(c) Must attend the meetings;

(d) Shall adjourn the meetings when such adjournment is in the public interest; and

(e) Chairs the meeting when so directed by the agency head.

(f) The requirement in paragraph (b) of this section does not apply to a Presidential advisory committee.

§ 101-6.1020 (Reserved)

§ 101-6.1021 Public participation in advisory committee meetings.

The agency head, or the chairperson of an independent Presidential advisory committee, shall ensure that -

(a) Each advisory committee meeting is held at a reasonable time and in a place reasonably accessible to the public;

(b) The meeting room size is sufficient to accommodate advisory committee members, committee or agency staff, and interested members of the public;

(c) Any member of the public is permitted to file a written statement with the advisory committee; and

(d) Any member of the public may speak at the advisory committee meeting if the agency's guidelines so permit.

§ 101-6.1022 (Reserved)

§ 101-6.1023 Procedures for closing an advisory committee meeting.

(a) To close all or part of a meeting, an advisory committee shall submit a request to the agency head or, in the case of an independent Presidential advisory committee, the Administrator, citing the specific provisions of the Government in the Sunshine Act (5 U.S.C. 552(b)) which justify the closure. The request shall provide the agency head or the Administrator sufficient time to review the matter in order to make a determination prior to publication of the meeting notice required by § 101-6.1015(b).

(b) The general counsel of the agency or, in the case of an independent Presidential advisory committee, the general counsel of the General Services Administration should review all requests to close meetings.

(c) If the agency head or, in the case of an independent Presidential advisory committee, the Administrator agrees that the request is consistent with the provisions in the Government in the Sunshine Act and the Federal Advisory Committee Act, he or she shall issue a determination that all or part of the meeting be closed.

(d) The agency head, or the chairperson of an independent Presidential advisory committee, shall:

(1) Make a copy of the determination available to the public upon request; and
(2) State the reasons why all or part of the meeting is closed, citing the specific exemptions used from the Government in the Sunshine Act in the meeting notice published in the **Federal** Register.

§ 101-6.1024 (Reserved)

§ 101-6.1025 Requirement for maintaining minutes of advisory committee meetings.

(a) The agency head or, in the case of an independent Presidential advisory committee, the chairperson shall ensure that detailed minutes of each advisory committee meeting are kept. The minutes must include:
(1) Time, date, and place;
(2) A list of the following persons who were present:
(i) Advisory committee members and staff;
(ii) Agency employees; and
(iii) Members of the public who presented oral or written statements;
(3) An estimated number of other members of the public present;
(4) An accurate description of each matter discussed and the resolution, if any, made by the committee of such matter; and
(5) Copies of each report or other document received, issued, or approved by the committee.
(b) The chairperson of each advisory committee shall certify to the accuracy of all minutes of advisory committee meetings.

§ 101-6.1026 (Reserved)

§ 101-6.1027 Termination of advisory committees.

(a) Any advisory committee shall automatically terminate not later than 2 years after it is established, reestablished, or renewed, unless:
(1) Its duration is otherwise provided for by law;
(2) The President or agency head renews it prior to the end of such period; or
(3) The President or agency head terminates it before that time by revoking or abolishing its establishment authority.
(b) If an agency head terminates an advisory committee, the agency shall notify the Secretariat of the effective date of termination.

§ 101-6.1028 (Reserved)

§ 101-6.1029 Renewal and rechartering of advisory committees.

(a) Advisory committees specifically directed by law:
(1) Whose duration extends beyond 2 years shall require rechartering by the filing of a new charter every 2 years after the date of enactment of the law establishing the committee. If a new charter is not filed, the committee is not terminated, but may not meet or take any action.
(2) Which would terminate under the provisions of section 14 of the Act, and for which renewal would require reauthorization by law, may be reestablished by an agency provided that the agency complies under general agency authority with the provisions of § 101-6.1007.
(b) Advisory committees established by the President may be renewed by appropriate action of the President and the filing of a new charter.
(c) Advisory committees authorized by law or established or used by an agency may be renewed, provided that at least 30 but not more than 60 days before the committee terminates, an agency head who intends to renew a committee complies with the provisions of § 101-6.1007.

§ 101-6.1030 (Reserved)

§ 101-6.1031 Amendments to advisory committee charters.

(a) Committees specifically directed by law or authorized by law; or established by the President. The agency head shall be responsible for ensuring that any minor technical changes made to current charters are consistent with the relevant statute or Executive Order. When the Congress by law, or the President by Executive Order, changes the authorizing language which has been the basis for establishing an advisory committee, the agency head, or the chairperson of an independent Presidential advisory committee, shall:

(1) Amend those sections of the current charter affected by the new law or Executive Order; and

(2) File the amended charter as specified in § 101-6.1013.

(b) Committees established or used by an agency. The charter of an advisory committee established under general agency authority may be amended when an agency head determines that the existing charter no longer accurately reflects the objectives or functions of the committee. Changes may be minor, such as revising the name of the advisory committee, or modifying the estimated number or frequency of meetings. Changes may also be major such as those dealing with the objectives or composition of the committee. The agency head retains final authority for amending the charter of an advisory committee. Amending any existing advisory committee charter does not constitute renewal of the committee under § 101-6.1029.

(1) To make a minor amendment to a committee charter, an agency shall:

(i) Amend the charter language as necessary, and

(ii) File the amended charter as specified in § 101-6.1013.

(2) To make a major amendment to a committee charter, an agency shall:

(i) Amend the charter language as necessary,

(ii) Submit the proposed amended charter with a letter to the Secretariat requesting GSA's views on the amended language, along with an explanation of the purpose of the changes and why they are necessary. The Secretariat will review the proposed changes and notify the agency of GSA's views within 15 calendar days of the request, if possible; and

(iii) File the amended charter as specified in § 101-6.1013.

§ 101-6.1032 (Reserved)

§ 101-6.1033 Compensation and expense reimbursement of advisory committee members, staffs and consultants.

(a) Uniform pay guidelines for members of an advisory committee. Nothing in this subpart shall require an agency head to provide compensation, unless otherwise provided by law, to a member of an advisory committee. However, when compensation is deemed appropriate by an agency, it shall fix the pay of the members of an advisory committee to the daily equivalent of a rate of the General Schedule in 5 U.S.C. 5332 unless the members are appointed as consultants and compensated under 5 U.S.C. 3109. In determining an appropriate rate of pay for the members, an agency shall give consideration to the significance, scope, and technical complexity of the matters with which the advisory committee is concerned and the qualifications required of the members of the advisory committee. An agency may not fix the pay of the members of an advisory committee at a rate higher than the daily equivalent of the maximum rate for a GS-15 under the General Schedule, unless a higher rate is mandated by statute, or the head of the agency has personally determined that a higher rate of pay under the General Schedule is justified and necessary. Such a determination must be reviewed by the head of the agency annually. Under this subpart, an agency may not fix the pay of the members of an advisory committee at a rate of pay higher than the daily equivalent of a rate for a GS-18, as provided in 5 U.S.C. 5332.

(b) Pay for staff members of an advisory committee. An agency may fix the pay of each advisory committee staff member at a rate of the General Schedule in which the Staff member's position would appropriately be placed (5 U.S.C. Chapter 51). An agency may not fix the pay of a staff member at a rate higher than the daily equivalent of the maximum rate for GS-15, unless the agency head has determined that under the General Schedule the staff member's position would appropriately be placed at a grade higher than GS-15. This determination must be reviewed annually by the agency head.

(1) In establishing rates of compensation, the agency head shall comply with any applicable statutes, regulations, Executive Orders, and administrative guidelines.

(2) A staff member who is a Federal employee shall serve with the knowledge of the Designated Federal Officer and the approval of the employee's direct supervisor. If a non-Federal employee, the staff member shall be appointed in accordance with applicable agency procedures, following consultation with the advisory committee.

(c) Pay for consultants to an advisory committee. An agency shall fix the pay of a consultant to an advisory committee after giving consideration to the qualifications required of the consultant and the significance, scope, and technical complexity of the work. The compensation may not exceed the maximum rate of pay authorized by 5 U.S.C. 3109, and shall be in accordance with any applicable statutes, regulations, Executive Orders and administrative guidelines.

(d) Gratuitous services. In the absence of any special limitations applicable to a specific agency, nothing in this subpart shall prevent an agency from accepting the gratuitous services of an advisory committee member, staff member, or consultant who agrees in advance to serve without compensation.

(e) Travel expenses. Advisory committee members and staff members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of Title 5, United States Code, for persons employed intermittently in the Government service.

(f) Services for handicapped members. While performing advisory committee duties, an advisory committee member who is blind or deaf or who qualifies as a handicapped individual may be provided services by a personal assistant for handicapped employees if the member:

(1) Qualifies as a handicapped individual as defined by section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

(2) Does not otherwise qualify for assistance under 5 U.S.C. 3102 by reason of being an employee of an agency.

(g) Exclusions.

(1) Nothing in this section shall prevent any person who (without regard to his or her service with an advisory committee) is a full-time Federal employee from receiving compensation at a rate at which he or she otherwise would be compensated as a full-time Federal employee.

(2) Nothing in this section shall prevent any person who immediately before his or her service with an advisory committee was a full-time Federal employee from receiving compensation at the rate at which he or she was compensated as a full-time Federal employee.

(3) Nothing in this section shall affect a rate of pay or a limitation on a rate of pay that is specifically established by law or a rate of pay established under the General Schedule classification and pay system in chapter 51 and chapter 53 of Title 5, United States Code.

§ 101-6.1034 (Reserved)

§ 101-6.1035 Reports required for advisory committees.

(a) Within one year after a Presidential advisory committee has submitted a public report to the President, a follow-up report will be prepared and transmitted to the Congress as determined under paragraph (d) of §101-6.1008, detailing the deposition of the committee's recommendations in accordance with section 6(b) of the Act. Reports shall be consistent with specific instructions issued periodically by the Secretariat;

(b) The President's annual report to the Congress shall be prepared by GSA based on reports filed on a fiscal year basis by each agency consistent with the information specified in section 6(c) of the Act. Reports from agencies shall be consistent with instructions provided annually by the Secretariat. Agency reports shall also include information requested to enable the Secretariat to carry out the annual comprehensive review of each advisory committee as required by section 7(b) of the Act. These reports have been cleared in accordance with FIRMR 201-45.6 in 41 CFR Chapter 201 and assigned interagency report control number 0304-GSA-XX.

(c) In accordance with section 10(d) of the Act, advisory committees holding closed meetings shall issue reports at least annually, setting forth a summary of activities consistent with the policy of Section 552(b) of Title 5, United States Code.

(d) Subject to section 552 of Title 5, United States Code, eight copies of each report made by an advisory committee, including any report on closed meetings as specified in paragraph (c) of this section, and, where appropriate, background papers prepared by consultants, shall be filed with the Library of Congress as required by section 13 of the Act, for public inspection and use at the location specified in paragraph (a)(2) of § 101-6.1013.

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