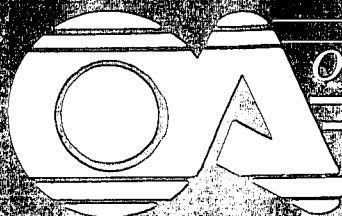




U.S. Environmental Protection Agency/Advisory Committees

Charters, Rosters, And Accomplishments June 1994



Office of Administration

Management and Organization Division

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

The enclosed publication furnishes information on Environmental Protection Agency advisory committees – their charters, members, activities and accomplishments. Also, it contains a listing of recent committee reports filed with the Library of Congress, an alphabetical index of committee members, a copy of the Federal Advisory Committee Act and the GSA Final Rule, as amended.

Public advisory committees are important in the Federal decision-making process. They provide opportunity for citizen involvement and input on national policies and programs. Members of EPA's advisory committees contribute knowledge and expertise in highly specialized and technical areas. The open forum of advisory committee meetings also provides citizens with a better understanding of the decisions made by EPA.

If you are interested in receiving our monthly meeting schedule or in continuing to receive our annual publication, please complete and return the form attached.

If you have any questions concerning a specific advisory committee, feel free to contact the Designated Federal Officer listed in the enclosed publication for that advisory committee.

Sincerely,

A handwritten signature in cursive script, reading "Kathy Petrucci", is written over a dotted line.

Kathy Petrucci, Director
Management and Organization Division
(3203) – Cut at dotted line –

Fill-in Name and Address

I am interested in receiving (check):

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U.S. Environmental Protection Agency
ATTN: Shelley Allen-Moorefield, (3203)
401 M Street, S.W.
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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

THE ADMINISTRATOR

Through its federal advisory committees, EPA forms partnerships with a variety of constituents who are interested and qualified to provide expertise on environmental issues. These independent committees provide a wide range of scientific and technical expertise to me and my senior staff as we develop and implement this nation's complex environmental program. Their advice and recommendations are critical to our joint effort to improve the environment.

A significant accomplishment in this era of environmental and regulatory complexity is EPA's pioneer work in the federal use of negotiated rulemaking processes to develop new regulations. The report describes a number of policy dialogue and negotiated rulemaking advisory committees. The collaboration of these special advisory committees often results in understanding and cooperation among groups having no prior purpose or opportunity to work together, and frequently results in better rules for all.

This year is also distinguished by the creation of the National Environmental Justice Advisory Council (NEJAC), which held its first meeting in May, 1994. NEJAC members provide advice to the Agency about how to achieve environmental protection for all so that no segment of the population, regardless of race, ethnicity, or income, bears a disproportionately high and adverse effect of pollution.

The challenges of preserving health and protecting the environment motivate EPA to cooperate with other federal agencies, states, tribes, local governments, business, industry, non-profit organizations, and academia. We continue to depend on the expert advice of dedicated committee members and others to help the Agency make informed decisions, and to advise us in our mission of protecting the Earth's ecosystems, natural resources, and human health.

A handwritten signature in black ink, reading "Carol M. Browner", is positioned in the lower right area of the page.



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U.S. Environmental Protection Agency

**Advisory Committees
Charters, Rosters, and Accomplishments
June 1994**



This publication was prepared by the
Management and Organization Division,
Office of Administration,
Office of Administration and Resources Management

If you have questions about EPA's Advisory Committee Program
contact Mary Beatty, EPA Committee Management Officer, on
(202) 260-5037

Additional copies may be obtained by contacting
Shelley Allen-Moorefield, Committee Management Assistant, on
(202) 260-5038

U.S. Environmental Protection Agency
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EPA ADVISORY COMMITTEES

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EPA ADVISORY COMMITTEES

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS
NEGOTIATED RULEMAKING ADVISORY COMMITTEE (NRAC)

1. **PURPOSE.** This charter establishes the Architectural and Industrial Maintenance Coatings Negotiated Rulemaking Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c) and the Negotiated Rulemaking Act, 5 U.S.C. Sections 581-590.
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 183(e) of the Clean Air Act, as amended.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Committee will serve as an integral part of EPA's development of a rulemaking approach to control volatile organic compounds (VOC's) from Architectural and Industrial coatings. It will attempt, via face-to-face negotiations, to reach consensus on concepts and language to use as the basis of rules implementing Section 183 (e) of the Clean Air Act, as amended.
4. **FUNCTIONS.** The Committee's function is to assist directly in the development of rules to control VOC emissions from Architectural and Industrial Maintenance Coatings. With the participation of knowledgeable, affected parties, EPA expects to develop a practical, protective approach to controlling these VOC emissions 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 approximately twenty-five (25) 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:
 - Affected Industry
 - Consumers
 - Environmental Groups
 - Federal Agencies
 - Labor
 - State and Local Air Pollution Agencies

ADVISORY COMMITTEE CHARTER

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 Officer and will be present at all meetings. The Designated Federal Officer 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 Officer. 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 one year after establishment, 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.

September 21, 1992
Agency Approval date

F. Henry Habicht II
Deputy Administrator

October 2, 1992
GSA Consultation Date

October 14, 1992
Date filed with Congress

July 31, 1994
Date of Temporary Extension

ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS NRAC

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ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS NRAC

RECENT ACCOMPLISHMENTS

In July 1993, the Committee agreed in principle to the elements of a comprehensive proposed rulemaking controlling emissions from Architectural and Industrial Maintenance Coatings. EPA expects to publish a consensus proposed rule in 1994.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

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. 2, §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 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;

ADVISORY COMMITTEE CHARTER

- 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 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.

ADVISORY COMMITTEE CHARTER

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 Officer 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.

October 2, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

October 19, 1992
GSA Consultation Date

November 19, 1992
Date Filed with Congress

BIOTECHNOLOGY SCIENCE ADVISORY COMMITTEE

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NOTE: Terms expire November 30 of the year indicated by member's name

BIOTECHNOLOGY SCIENCE ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Biotechnology Science Advisory Committee (BSAC) held a meeting of the Subcommittee on Plant Pesticides, including transgenic plant pesticides, on July 13, 1993. The Subcommittee reviewed a set of scientific issues being considered by the Agency in determining whether a pesticidal substance produced in a plant is exempt from the requirement of a food tolerance if it is an inherent plant pesticide derived from a known food source and meets certain other criteria.

The Subcommittee also commented on the feasibility of using *in vitro* digestibility studies as toxicity assays.

The BSAC and the FIFRA Scientific Advisory Panel held a Joint Subpanel meeting on the proposed rule for plant pesticides on January 21, 1994.

The joint Subpanel considered a set of scientific issues being evaluated by the Agency for: (1) a proposed policy statement that generally describes how EPA proposes to regulate plant-pesticides under FIFRA and FFDCA; (2) a proposal under FIFRA describing the changes in the 40 CFR that define the scope of regulation for plant-pesticides under FIFRA and implements parts of EPA's program for plant-pesticides; (3) a proposed exemption from the requirement of a tolerance for coat proteins from plant viruses when produced in plants; (4) a proposed exemption from the requirement of a tolerance for nucleic acids produced in plants as part of a plant-pesticide; and (5) a proposed exemption from the requirement of a tolerance for categories of plant-pesticides that will result in significantly different dietary exposures.

The BSAC meetings have been very useful to the Agency in providing guidance on science issues raised by Agency rulemaking efforts and policy needs, and on other scientific issues pertinent to program needs in biotechnology. Moreover, the BSAC has provided a forum for Agency interaction with the public on biotech science issues. The BSAC has been one of the few available mechanisms by which industry, academia, and public interest groups have come together to comment on issues of importance regarding biotechnology. The BSAC will continue to play an active and productive role in the EPA biotechnology program as a result of the on-going development of the biotechnology industry.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

CLEAN AIR ACT ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This charter is reissued to renew the Clean Air Act Advisory Committee which was originally established on November 19, 1990 in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §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 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 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 toxics 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.

ADVISORY COMMITTEE CHARTER

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

- Approaches for new and expanded programs, including those using innovative or market-based means to achieve environmental improvements.
- 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.
- Policy and technical contents of proposed major EPA rulemaking and guidance required by the Clean Air Act in order to help effectively incorporate appropriate outside advice and information.
- Integration of existing policies, regulations, standards, guidelines, and procedures in programs for implementing requirements of the Act.

4. **COMPOSITION.** The Advisory Committee shall be composed of approximately 50 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 institutions; state and local governments; unions; nongovernmental and environmental organizations and service 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 Officer, 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 Officer.

ADVISORY COMMITTEE CHARTER

The estimated annual operating cost of the Advisory Committee is \$125,000, which includes 0.6 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.

October 22, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

November 6, 1992
GSA Consultation Date

November 19, 1992
Date Filed with Congress

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NOTE: Terms expire March 31, 1996

CLEAN AIR ACT ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

With passage of the 1990 Clean Air Act Amendments, the U.S. Environmental Protection Agency (EPA) began to revise its new source review (NSR) rules to incorporate the requirements of the 1990 Amendments. In conjunction with the revision, EPA began considering ways to simplify the NSR process. To facilitate its efforts to identify potential methods for simplifying the NSR process, EPA decided to conduct 3 workshops, open to the public, to solicit comments from interested parties.

EPA considered the input provided by the three public workshops as invaluable and that it was time to select appropriate options in order to formulate policy and regulations. To accomplish this, EPA decided that the Subcommittee on New Source Review, constituted as part of the Clean Air Act Advisory Committee, be formulated to assist in choosing courses of action.

On July 7, 1993, EPA gave notice of the establishment of the NSR Reform Subcommittee (58 FR 36407) under the auspices of the Clean Air Act Advisory Committee (55 FR No. 217, 46993) which was established pursuant to the Federal Advisory Committee Act (5 U.S.C. APP. 1). The Subcommittee's purpose is to provide independent advice and counsel to EPA on policy and technical issues associated with reforming NSR rules.

The NSR Reform Subcommittee met for the first time on July 20-21, 1993. This meeting addressed NSR issues related to best available control technology (BACT) and Class I areas. As a result of the discussions, the Subcommittee decided to form six subgroups to address broad BACT and Class I area topics. The Subcommittee charged the subgroups with discussing the identified issues and developing recommendations for resolving their respective issues.

Another Subcommittee meeting was held on November 8-9, 1993, to review draft options and recommendations developed by the subgroups on specific areas regarding Class I area impacts on BACT. In addition, the Subcommittee addressed NSR applicability-related issues. At this meeting, two new subgroups were formed: NSR Applicability and Existing Source Impacts on Class I areas.

The Subcommittee met on January 20 and 21, 1994. The primary focus of this meeting was to have the Subcommittee reach a final consensus regarding recommendations on Class I permitting issues, control technology determinations and NSR applicability.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE
(of the Science Advisory Board)

1. **PURPOSE.** This charter renews 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. 2, §9(c).

2. **AUTHORITY.** The Committee was specifically directed by law on August 7, 1977, under section 109 of the Clean Air Act, as amended [ACT], (42 U.S.C. 7409), and the charter was renewed on August 6, 1979; July 22, 1981; August 1, 1983; July 23, 1985; August 7, 1991; and September 30, 1993.

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, source 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. Subgroups that do not function independently of the parent committee are subject to all FACA requirements except separate chartering. 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 section 109 of the Act 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;

ADVISORY COMMITTEE CHARTER

- 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 the scientific/technical fields relevant to air pollution and air quality issues. Members of the Committee also 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. Most members will serve as Special Government Employees.

6. **MEETINGS.** The Committee will meet three to six times per year. A full time or permanent part-time Federal officer or employee of the Agency, who will serve as the Designated Federal Officer (DFO), 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. The Committee may not conduct any meetings in the absence of the DFO or his/her designee. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. The 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 as permitted by the Committee's guidelines and to the extent that time permits. Support shall be provided by EPA through the Offices of the Science Advisory Board. The estimated annual operating cost totals approximately \$185,000 and 2.0 FTEs.

7. **DURATION.** The Committee will be needed on a continuing basis. This charter will be effective until August 7, 1995, at which time the Committee charter may be renewed for another two-year period.

September 27, 1993
Agency Approval Date

Carol M. Browner
Administrator

September 30, 1993
Date Filed with Congress

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE
(of the Science Advisory Board)

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NOTE: Terms expire on September 30 of the year indicated by member's name

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE
(of the Science Advisory Board)

RECENT ACCOMPLISHMENTS

The Clean Air Scientific Advisory Committee (CASAC) is a statutory advisory group (established under section 109 of the Clean Air Act as amended on August 7, 1977). CASAC has an independent charter, but it operates under the administrative umbrella of the Science Advisory Board (SAB) and its Chair serves as a member of the Executive Committee. CASAC primarily reviews documents relating to National Ambient Air Quality Standards (NAAQS). By law, these standards are to be re-evaluated by EPA every 5 years. In practice, however, the process often takes longer. CASAC does not set the review schedule; rather, it is responsive to Agency time tables.

CASAC met three times on a number of topics throughout FY 1993. In addition to a December planning meeting, CASAC met in June to review the draft air quality criteria document for oxides of nitrogen (NO_x), and a draft research strategy for alternative fuels developed by the Office of Research and Development. CASAC members have provided the Agency with written comments on both issues within the NO_x review, closure being reached in July, 1993. CASAC also met in August, 1993 to review the draft criteria document and staff paper for SO_x. CASAC members made numerous suggestions for the improvement of both documents. CASAC issued two letter reports and a commentary: a) Alternative Fuels Research Strategy Review (EPA-SAB-CASAC-LTR-93-014); b) NO_x Closure (EPA-SAB-CASAC-LTR-93-015); and c) Ozone Criteria Document Development Schedule (EPA-SAB-CASAC-COM-93-004).

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

COUNCIL ON CLEAN AIR COMPLIANCE ANALYSIS
(of the Science Advisory Board)

1. **PURPOSE.** This Charter establishes the Council on Clean Air Compliance Analysis in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §9(c).

2. **AUTHORITY.** The Council was specifically directed under section 812 of the Clean Air Act, as amended on November 15, 1990 (42 U.S.C. 7401 et seq.).

3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Council shall provide independent advice on technical and economic aspects of analyses and reports which the Agency prepares concerning the impacts of the Clean Air Act on the public health, economy, and the environment of the United States. The Council shall hold meetings, make necessary site visits and undertake other activities, necessary to meet its responsibilities. The Council 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. Use of consultants and establishment of subcommittees is authorized for any purpose consistent with this charter providing subcommittees report back to the full Council. The Council will report to the Administrator of the U.S. Environmental Protection Agency.

4. **FUNCTIONS.** As required by the Clean Air Act Amendments of 1990, the Council shall:

- review the data to be used or any analysis required under section 812 and make recommendations on the use of such data, review the methodology used to analyze such data and make recommendations on the use of such methodology, and prior to the issuance of a report to Congress required under section 812, review the findings of such report, and make recommendations concerning the validity and utility of such findings.

At the Agency's request, the Council will:

- review other reports and studies prepared by the Agency relating to the benefits and costs of the Clean Air Act, and provide advice on areas where additional knowledge is necessary to fully evaluate the impacts of the Clean Air Act and the research efforts necessary to provide such information.

ADVISORY COMMITTEE CHARTER

5. **COMPOSITION AND MEETINGS.** The Council shall consist of at least 9 members, appointed by the Administrator for terms of two years, after consultation with the Secretary of Commerce and the Secretary of Labor. Most members will be appointed as Special Government Employees subject to the conflict-of-interest restrictions. The Administrator shall appoint a chairperson. Members of the Council shall be recognized experts in the fields of economics analysis, the health and environmental effects of air pollution, environmental sciences, or such other fields that the Administrator determines to be appropriate. The chairperson of the Council shall serve as a member of the Executive Committee of the Science Advisory Board. Other members of the Council may be members of the Science Advisory Board and may also serve on its various other committees or study groups. It is expected that the Council will meet two to four times per year. A full time employee of the Agency, who will serve as the Designated Federal Officer, will be present at all meetings and is authorized to adjourn any meeting whenever it is determined 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 \$150,000 and 1.5 work-years of staff support.

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

March 13, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

March 31, 1992
Date Filed with Congress

COUNCIL ON CLEAN AIR COMPLIANCE ANALYSIS
(of the Science Advisory Board)

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NOTE: Terms expire on September 30 of the year indicated by member's name

COUNCIL ON CLEAN AIR COMPLIANCE ANALYSIS
(of the Science Advisory Board)

RECENT ACCOMPLISHMENTS

The CAACAC is a statutory advisory group (mandated by the Clean Air Act Amendments of 1990) under the administrative umbrella of the SAB. Like the Clean Air Scientific Advisory Committee, it reports directly to the Administrator and has a separate charter. The CAACAC and the Environmental Economics Advisory Committee have complimentary responsibilities and some overlap in membership, but the CAACAC primary mission is to conduct an on-going review of the Agency's retrospective and prospective analyses of the cost/benefit impacts of the Clean Air Act.

The CAACAC met three times during FY93, and released three letter reports: a) Review of the Agency's study to analyze impacts of the Clean Air Act (EPA-SAB-CAACAC-LTR-93-006); b) Review of the Agency's retrospective study to analyze benefits of the Clean Air Act (EPA-SAB-CAACAC-LTR-93-007); and c) Review of the Agency's prospective study to analyze benefits of the Clean Air Act (EPA-SAB-CAACAC-LTR-93-011).

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

DIALOGUE COMMITTEE ON HAZARDOUS WASTE IDENTIFICATION

1. **PURPOSE.** This charter establishes the Dialogue Committee on Hazardous Waste Identification in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c).
2. **AUTHORITY.** It is determined that this Committee is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities under the Resource Conservation and Recovery Act.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Dialogue Committee will provide a forum to discuss appropriate procedures and standards to identify and govern safe management of mixtures and derivatives of hazardous waste, contaminated media, and remediation waste. It is hoped that a consensus on the most feasible process changes may be possible but, at a minimum, EPA would like to ensure that all process changes are identified and thoroughly evaluated. The output of the Dialogue Committee will be options for modifying regulations for the identification and management of waste regulated by RCRA.
4. **FUNCTIONS.** The Committee's function is to identify and evaluate modifications to the current RCRA regulations and to facilitate the exchange of ideas and information among the interested parties. The evaluation should include the technical and economic feasibility of the regulatory changes and modifications in the volume and/or risks posed by wastes regulated under the current regulations. With the participation of knowledgeable, affected parties, EPA expects to identify a list of feasible regulatory changes.
5. **COMPOSITION.** The Committee will consist of not more than 25 members. Members will represent the following segments of the population in appropriate mix and balance for the task at hand.

Categories of Members:

- environmental groups
- States
- representatives from the waste treatment industry
- industry

ADVISORY COMMITTEE CHARTER

Appropriate members shall be selected and appointed for the duration of the Dialogue Committee. Workgroups may meet for any purpose consistent with this Charter. Such workgroups shall report back to the full Committee unless separately chartered. Workgroups that report directly to the Agency must be separately chartered. Unchartered workgroups have no authority to make decisions on behalf of the full Committee. Workgroups that do not function independently of the parent advisory committee are subject to all FACA requirements except separate chartering, unless exempt from such requirements under the GSA Rule (41 CFR 101-6.1004(k)).

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 1 work-year of staff/contractual support. EPA's Office of Policy, Planning and Evaluation will provide administrative and process support to the Committee.

6. MEETINGS. A full-time or permanent part-time officer or employee of the Agency will serve as the Designated Federal Officer (DFO) and will be present at all meetings. The DFO is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so. The Committee may not conduct any meetings in the absence of the DFO or his/her designee. Meetings shall be held as necessary, at the call of the Chair, with an agenda for each meeting approved in advance by the DFO. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. The 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 as permitted by the Committee's guidelines and to the extent that time permits.

7. DURATION. The Committee will terminate by June 8, 1995, unless the Deputy Administrator determines that the Committee will finish its work within 30 days of this 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 §14 of FACA.

May 13, 1994
Agency Approval Date

Rober M. Sussman
Administrator

May 31, 1994
OMB Approval Date

June 7, 1994
Date Filed with Congress

DIALOGUE COMMITTEE ON HAZARDOUS WASTE IDENTIFICATION

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DIALOGUE COMMITTEE ON HAZARDOUS WASTE IDENTIFICATION

RECENT ACCOMPLISHMENTS

The Dialogue Committee on Hazardous Waste Identification, Co-chaired by a State and by an EPA representative, established two workgroups: one on Contaminated Media; the other on Process Waste issues. The full Committee and workgroups met numerous times during FY 1993. The Committee is now considering recommendations from the Contaminated Media Group having to do with definitional issues, storage, and removal. The Committee is also reviewing recommendations from the Process Waste Group regarding allowable exemption, entrance and exit levels.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

DIALOGUE COMMITTEE ON PHOSPHORIC ACID WASTES

1. **PURPOSE.** This charter renews the Dialogue Committee on Phosphoric Acid Production Wastes which was originally established on December 7, 1992 in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c).
2. **AUTHORITY.** It is determined that establishment of this Committee is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities under the Toxic Substances Control Act and the Resource Conservation and Recovery Act.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Dialogue Committee will provide a forum to address any existing or potential risks to human health or the environment from phosphoric acid production wastes by identifying technically and economically feasible changes to the current phosphoric acid production process. These process changes should not introduce significant new environmental or human health risks. It is hoped that a consensus on the most feasible process changes may be possible but, at a minimum, EPA would like to ensure that all process changes are identified and thoroughly evaluated. Differing positions on the evaluations, as well as the reasons for those differences will be identified. The output of the Dialogue Committee will be the identification of one or more process changes that can later be considered for application to phosphoric acid facilities on a case-by-case facility specific basis.
4. **FUNCTIONS.** The Committee's function is to identify and evaluate changes to the current phosphoric acid production process and to facilitate the exchange of ideas and information among the interested parties. The evaluation should include the technical and economic feasibility of the process changes and what reduction in the volume and/or toxicity of the current wastes would result from such process changes. With the participation of knowledgeable, affected parties, EPA expects to develop a list of feasible process changes.
5. **COMPOSITION.** The Committee will consist of not more than 40 members, appointed by the EPA Deputy Administrator, plus an EPA official that will serve as Chair. Members will represent the following segments of the population in appropriate mix and balance for the task at hand.

Categories of Members:

- public interest groups
- representatives from the phosphoric acid industry

ADVISORY COMMITTEE CHARTER

- States
- Federal agencies

Appropriate members shall be selected and appointed for the duration of the 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 Officer and will be present at all meetings. The Designated Federal Officer 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. The Committee's estimated annual operating cost is approximately \$180,000 which includes 1 work-year of staff/contractual 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 Officer. 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 September 30, 1994. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

September 20, 1993
Agency Approval Date

Carol M. Browner
Administrator

August 12, 1993
GSA Consultation Date

September 30, 1993
Date Filed with Congress

September 30, 1994
Date of Temporary Extension

DIALOGUE COMMITTEE ON PHOSPHORIC ACID WASTES

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DIALOGUE COMMITTEE ON PHOSPHORIC ACID WASTES

RECENT ACCOMPLISHMENTS

The Dialogue Committee on Phosphoric Acid Wastes met four times in fiscal year 1993. Prior to the second meeting the Committee members had an opportunity to tour a phosphoric acid production plant in central Florida and to discuss with plant managers the various processes being employed in the production of phosphoric acid. Committee members have received briefings and data on the different production methods and have considered the pros and cons of various process changes with regard to pollution prevention or waste reduction. In fiscal year 1994, the Committee will conclude its deliberations and recommend to the Agency whether certain process changes have potential for real reductions in the pollution resulting from the production of phosphoric acid.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ENVIRONMENTAL FINANCIAL ADVISORY BOARD

1. PURPOSE AND AUTHORITY. This Charter renews the Environmental Financial Advisory Board, which was originally established on February 25, 1991, in accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §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. It is determined that this Board is in the public interest in connection with the performance of duties imposed on the Agency by law.

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. 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.

ADVISORY COMMITTEE CHARTER

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 reports and issue papers, as necessary, and solicit comments from persons who are not members of the Board.

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 EFAB.** 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, banking, and legal communities; 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 forty members and is authorized to form subgroups to report back to the Board. Subgroups that do not function independently of the parent advisory committee are subject to all FACA requirements except separate chartering.

ADVISORY COMMITTEE CHARTER

The Deputy Administrator or his/her designee appoints individuals to serve on the Board. Appointments will be established on a staggered basis, and members may be reappointed to the Board. The Deputy Administrator or a designee will also appoint members of the Board to serve as the Chair and Vice Chair.

5. **MEETINGS.** 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 Officer (DFO) of the Board, who will be present at all meetings and is authorized to adjourn meetings whenever it is in the public interest. Meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. The 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 as permitted by the Board's guidelines and to the extent that time permits.

Budgetary support for the Advisory Board is provided through the Environmental Financing Program staff in EPA's Office of the Comptroller. This staff serves as the executive secretariat to the Board and performs staff support and related assignments. The FY 1994 estimated annual operating costs total approximately \$350,000.00, which includes 3.5 workyears of staff support.

6. **DURATION.** The Advisory Board may be needed on a continuing basis. This charter will be in effect for two years from the date it is filed with the Congress. After that two-year period, the charter may be renewed for another two years, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

March 8, 1994
Agency Approval Date

Robert M. Sussman
Deputy Administrator

March 16, 1994
GSA Consultation Date

March 31, 1994
Date Filed With the Congress

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ENVIRONMENTAL FINANCIAL ADVISORY BOARD

RECENT ACCOMPLISHMENTS

The Environmental Financial Advisory Board (EFAB) was established in 1989 to provide authoritative analysis and advice on environmental finance to the EPA Administrator to assist the Agency in carrying out its mission. Operating under the Federal Advisory Committee Act, EFAB is currently organized into three committees: Paying for Environmental Mandates; Education and Communication; and International.

The Board and its committees met numerous times in 1992-1993 to analyze environmental financing issues and alternatives and to develop formal reports and advisory statements. EFAB activities and products during this period included:

- May 1992 -- The Board met in Washington, D.C. and released a formal progress report, Narrowing the Gap: Environmental Finance for the 1990s. This report outlined the major recommendations contained in EFAB's first four advisories and laid out directions for future Board activities.
- June 1992 -- EFAB's Paying for Mandates Committee served as the official review forum for the EPA State Capacity Task Force report entitled, Alternative Financing Mechanisms for Environmental Programs.
- September 1992 -- EFAB issued a joint report with EPA's Clean Air Act Advisory Committee entitled, The Clean Air Act of 1990: A Guide to Public Financing Options. This report addresses ways that states and localities can meet the costs of implementing their clean air programs.
- October 1992 -- The Board met in Washington, D.C. to discuss innovative financing ideas and to work on developing new advisories.
- December 1992 -- EFAB's Education and Communication Committee met in Washington, D.C. to continue to examine ways to better market environmental financing techniques.
- February 1993 -- The Board met in Washington, D.C. to discuss local government finance issues and to work in committee sessions on urban, international and marketing advisories.
- March 1993 -- EFAB formally released an advisory entitled, Urban Environmental Policy: Steps Toward Environmental Equity, Reduced Environmental and Health Risks, and Urban Revitalization.

ENVIRONMENTAL FINANCIAL ADVISORY BOARD

- July 1993 -- The Board transmitted to the Administrator a report entitled, Financing Environmental Infrastructure Along the United States-Mexican Border and in Eastern Europe and the Former Soviet Republics.
- September 1993 -- EFAB's International Committee chair participated in discussions with EPA and Treasury officials on developing mechanisms for financing environmental activities along the U.S.-Mexican border.
- November 1993 -- The International Committee met in Washington, D.C. to review initiatives for financing environmental facilities in the U.S.-Mexican border region. The Committee also examined approaches for financing the clean-up of hazardous waste sites in this region.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ENVIRONMENTAL STATISTICS TECHNICAL ADVISORY COMMITTEE

1. **PURPOSE AND AUTHORITY.** This Charter is reissued to renew the Agency's Environmental Statistics Technical Advisory Committee (ESTAC) of the American Statistical Association which was originally established on April 10, 1992 in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §9(c).

The U.S. Environmental Protection Agency's (U.S. EPA's) Environmental Statistics Program has seven major activities: compiling and analyzing environmental quality measures; promulgating guidelines for collecting data; coordinating the collection of environmental quality measures with Federal information gathering activities; making required data readily accessible; publishing timely summary measures; gathering conditions and trends information; and coordinating with EPA research offices to identify data needs.

The American Statistical Association has consented to the Agency's utilization of the ESTAC for the purpose of providing independent scientific advice and counsel to the Agency on matters involving environmental statistics. The Technical Advisory Committee is not utilized as an EPA advisory committee when it deliberates on other matters, including those related to its internal administration.

2. **SCOPE OF ACTIVITY.** The Technical Advisory Committee shall provide advice on the technical aspects and the results of the analyses of the U.S. EPA's Environmental Statistics Program, including how they can be presented in a balanced, carefully documented and useful way. The Committee will also provide advice concerning statistical research needed to develop appropriate methods for analyzing and displaying environmental data. The Technical Advisory Committee shall be consulted on technical, scientific and analytical matters involving the U.S. EPA's Environmental Statistics Program.

The Technical 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 reports of the Technical Advisory Committee will be presented to the Assistant Administrator for the Office of Policy, Planning and Evaluation.

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

ADVISORY COMMITTEE CHARTER

3. **OBJECTIVES.** The Technical Advisory Committee is assigned the role to advise on scientific and technical matters involved in the activities of the U.S. EPA's Environmental Statistics Program. Responsibilities consistent with this role include providing advice concerning the following:

- the scientific and technical methods and approaches of analyses of environmental data;
- the nature, quality and appropriateness of the scientific and technical data to be used;
- the methods for determining the nature and character of environmental trends;
- the methods of displaying and presenting environmental data and trends;
- the research needed to support the activities of the U.S. EPA'S Environmental Statistics Program;
- the analyses of data quality and cleanup for proper presentation;
- the scientific and technical nature and character of annual and special reports; and
- any other scientific and technical matter involved in the activity of the U.S. EPA's Environmental Statistics Program that are deemed appropriate.

4. **COMPOSITION.** The Committee is a committee of the American Statistical Association. In view of the goals and purposes for which the Committee's advice is sought, its utilization is expected to be continuing in nature.

The Technical Advisory Committee shall be composed of between 6 and 12 nationally and internationally known experts in environmental statistics and environmental data collection and analysis. Members shall be appointed by the Deputy Administrator of the US Environmental Protection Agency from among individuals representing environmental organizations, academia, research organizations, industry, federal, state, and local governments, and other appropriate entities. Members will be selected from a list of candidates provided by the American Statistical Association. Members shall serve for a 3-year term, with a possible second term of 3 years. Most members will be repre-

ADVISORY COMMITTEE CHARTER

sentatives of non-federal interests. Members shall be paid travel expenses and compensation for special projects. The Chairman will be elected by the Committee in consultation with the Designated Federal Officer.

5. **MEETINGS.** Meetings shall be held twice a year, or as necessary, as called by the Chairperson and approved by the Designated Federal Officer. A full-time employee of the Agency, who will serve as the Designated Federal Officer, will be present at all meetings and is authorized to adjourn any meeting whenever it is determined not 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 Officer.

The estimated annual operating cost of the Technical Advisory Committee is \$15,000 plus 0.6 work years of staff support. The U.S. EPA's Environmental Statistics Program will provide the necessary support for the Committee.

6. **ADMINISTRATION.** When the Technical Advisory Committee is utilized as a federal advisory committee, the conduct of their meetings shall comply with all applicable provisions of the Act, including the following:

(1) A meeting shall not be held except at the call of, or the advance approval of, the Designated Federal Officer who also approves the agenda which lists the matters to be considered at the meeting. The Designated Federal Officer who may be either a full-time or permanent part-time Government employee will be designated by the Agency.

(2) A meeting shall not be conducted in the absence of the Designated Federal Officer, who shall be authorized to adjourn any advisory committee meeting whenever he or she determines it not to be in the public interest.

(3) Minutes shall be kept of each committee meeting. The minutes shall include the time and place of the meeting; a list of the committee members, staff, members of the public presenting oral or written statements, and Agency employees present; a complete summary of matters discussed and conclusions reached; copies of all reports received, issued, or approved by the committee; a description of the extent to which the meeting was open to the public; and an estimate of the number of members of the public who attended the meeting. The accuracy of the minutes shall be certified by the committee chairperson.

(4) Committee meetings shall be open to the public and a notice shall be published in the Federal Register at least 15 days before each meeting, except for emergency situations. The notice should include the name of the advisory committee, the

ADVISORY COMMITTEE CHARTER

time, place, purpose of the meeting (including, where appropriate, a summary of the agenda), and information that the meeting will be open to the public. Other forms of notice, such as press releases, are to be used to the extent practicable.

(5) Each committee meeting shall be open to the public and interested persons shall be permitted to attend and appear before the committee, subject to reasonable limitations of space and time. Meetings may be closed to the public only as authorized by § 10(d) of the Federal Advisory Committee Act (5 U.S.C., Appendix 1), as amended, and applicable regulations. Interested persons may file written statements with the committee at any time.

7. **DURATION.** The Environmental Statistics Technical Advisory Committee shall be needed on a continuing basis. The Charter will be in effect for two years from the date it is filed with Congress and may be renewed for another 2-year period, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

March 8, 1994
Agency Approval Date

Robert M. Sussmann
Deputy Administrator

March 16, 1994
GSA Consultation Date

April 10, 1994
Date Filed with Congress

ENVIRONMENTAL STATISTICS TECHNICAL ADVISORY COMMITTEE

CHAIRPERSON

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NOTE: Terms expire April 10 of the year indicated by member's name

ENVIRONMENTAL STATISTICS TECHNICAL ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Environmental Statistics Technical Advisory Committee met for the first time this past year in two sessions. The first was at the annual meeting of the American Statistical Association in San Francisco, California, August 10, 1993. At this meeting the background of statistics in EPA and the status of the proposed Bureau of Environmental Statistics was discussed. The second meeting was held by audio conference call January 20, 1994 and recommendations were developed concerning the National Environmental Goals Project. The Committee was able to better understand the interrelationships, and roles of the EPA, the proposed Bureau of Environmental Statistics, and the Committee. Their first substantive accomplishment was a set of constructive suggestions to be used in the data analysis for the EPA-wide National Environmental Goals Project. With the Committee's input, the quality of data and analyses upon which the Agency will determine whether national environmental goals are being attained, should be considerably enhanced.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

FEDERAL FACILITIES ENVIRONMENTAL RESTORATION DIALOGUE

1. **PURPOSE.** This charter establishes the Federal Facilities Environmental Restoration Dialogue Committee, in accordance with the provisions of the Federal Advisory Committee (FACA), 5 U.S.C. App. 2, §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 120 of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Section 6001 of the Resource Conservation and Recovery Act (RCRA), and other authorities pertaining to the environmental restoration of federal facilities.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Committee will provide a forum to refine and further develop issues related to environmental restoration activities at federal facilities. The forum will facilitate the exchange of ideas and information among interested parties. It is hoped that consensus may be possible on these issues, but at a minimum, EPA would like to ensure that issues are thoroughly refined and that differing positions, as well as the reasons for those differences, are identified. A final report describing the results of the dialogue will be prepared.
4. **FUNCTIONS.** As indicated above, the Committee's function is to assist directly in the development of EPA and federal agency efforts to address federal facility environmental restoration programs. With the participation of knowledgeable, affected parties, EPA expects to develop a practical approach to federal agency environmental restoration efforts which will best protect human health and the environment within guidelines and principles that have broad public support and national applicability.
5. **COMPOSITION.** The Committee will consist of not more than forty (40) members, appointed by the EPA Deputy Administrator, plus a facilitator who will serve as Chair. Members will represent the following interests in an appropriate mix and balance:

Categories of Members:

- Public interest/environmental groups
 - Tribal Government and Native American representatives
 - State Government representatives
 - Federal Agency representatives
 - Other Interested and Affected Parties
-

ADVISORY COMMITTEE CHARTER

Appropriate members shall be selected and appointed for the duration of the Committee's charter. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal Officer and will be present at all meetings. The Designated Federal Officer 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 work groups for any purpose consistent with this Charter. Such work groups shall report back to the full Committee. Work groups 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 \$200,000, which includes .5 work years of staff support. EPA's Office of Enforcement 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 Officer. 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 30, 1993, 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 may 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.

March 13, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

April 29, 1992
GSA Consultation Date

April 29, 1992
Date Filed with Congress

September 30, 1994
Date of Temporary Extension

FEDERAL FACILITIES ENVIRONMENTAL RESTORATION
DIALOGUE COMMITTEE

CHAIRPERSON

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DIALOGUE COMMITTEE**

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FEDERAL FACILITIES ENVIRONMENTAL RESTORATION
DIALOGUE COMMITTEE

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Chair, Pollution Campaign Steering
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**FEDERAL FACILITIES ENVIRONMENTAL RESTORATION
DIALOGUE COMMITTEE**

**Native American Organizations
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**FEDERAL FACILITIES ENVIRONMENTAL RESTORATION
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FEDERAL FACILITIES ENVIRONMENTAL RESTORATION DIALOGUE COMMITTEE

RECENT ACCOMPLISHMENTS

In February 1993, the Federal Facilities Environmental Restoration Dialogue Committee (FFERDC) issued its Interim Report on Recommendations for Improving Federal Facilities Environmental Restoration Decision-Making and Priority-Setting Processes. The Committee recommendations include:

- improving dissemination and exchange of information related to federal facility clean-ups;
- involving affected stakeholders through establishment and consultation with Site Specific Advisory Boards (SSABs); and
- consultation on federal facility environmental restoration funding matters.

Throughout the spring and summer of 1993, the FFERDC conducted seven regional public forums where the Committee's recommendations were presented. Forum participants were invited to provide feedback to the Committee.

During the September 1993 plenary session, FFERDC members agreed the report should not be modified at that time, but that implementation efforts of various agencies needed to be monitored.

At the September plenary session, new members were added to the FFERDC, representing environmental justice and local government interests. These two areas of concern were not included during the first phases of the FFERDC's efforts.

The Committee's recommendations on enhanced public participation are being implemented at DOE and at DoD sites around the country. DOE has established SSABs at more than a dozen of their installations; DoD has developed guidance for establishing and utilizing Restoration Advisory Boards (RABs) at a number of their closing facilities.

The FFERDC is monitoring the implementation of SSABs and RABs, and is planning to continue work on priority-setting issues.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)
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. 2, §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.

ADVISORY COMMITTEE CHARTER

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 Prevention, 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 Prevention, 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. The chair of FIFRA Scientific Advisory Panel is a member of the Executive Committee of the Science Advisory Board.

ADVISORY COMMITTEE CHARTER

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, bio-chemistry, 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-I), 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 1.75 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 Prevention, Pesticides and Toxic Substances, or his/her designee, or at the request of the Chairperson with the concurrence of the Assistant Administrator for Prevention, 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

ADVISORY COMMITTEE CHARTER

permitted to file written 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 Prevention, Pesticides and Toxic Substances or his/her designee, will serve as the Designated Federal Officer 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 Officer. The Designated Federal Officer 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 Officer or his/her designee.

Temporary subpanels may be created at the request of the Assistant Administrator for Prevention, 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 meetings, including 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, which summarizes 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.

October 13, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

October 26, 1992
Date Filed with Congress

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)
SCIENTIFIC ADVISORY PANEL

CHAIRPERSON

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DESIGNATED FEDERAL OFFICER

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FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)
SCIENTIFIC ADVISORY PANEL

RECENT ACCOMPLISHMENTS

The FIFRA Scientific Advisory Panel (FIFRA SAP) fulfills a critical, independent, and scientific peer review role in the EPA pesticide regulatory program. The Panel is convened at the discretion of the Agency to provide expert comment and advice on various aspects of the Agency's scientific review of pesticide issues. During 1993, the FIFRA SAP met jointly with the Science Advisory Board (SAB) on three occasions, demonstrating a significant enhancement of the integrated scientific peer review process which is operative within the Agency. FIFRA SAP & SAB gave scientific advice on the significance of cholinesterase inhibition and relevance of such measurements in laboratory animal species, particularly as they impact on the risk assessment of similar effects in humans. Secondly, FIFRA SAP & SAB provided expert counsel on the carcinogenicity of 2,4-D, a widely used herbicide in domestic and agricultural settings. The significance of recent epidemiological reports as they related to evidence for carcinogenicity in humans as well as domestic animals resulting from exposures to 2,4-D were investigated and discussed. A report is currently in the final drafting stages for submission to the Administrator.

The FIFRA SAP continues to provide up-to-date scientific advice affecting antimicrobial test methodology research, a program the Agency has funded the past several years. Their input has helped focus the Agency's scientific efforts in this area and continues to provide much needed advice to the Agency.

The FIFRA SAP has also provided expert scientific advice in the rapidly developing science of genetically engineered plant pesticides. These materials show promise as being less toxic alternatives to synthetically produced chemical pesticides. In this context, FIFRA SAP works closely with the Agency's Biotechnology Science Advisory Committee. Their recommendations will be incorporated in the regulatory decisions affecting registration status.

Finally, FIFRA SAP has waived formal regulatory review of three separate issues, one of which was needed in very short turnaround time. In this manner FIFRA SAP provides the Agency with regulatory flexibility needed in the Office of Pesticide Programs to meet changing and challenging demands.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

1. **PURPOSE.** This is issued to renew the Gulf of Mexico Program Policy Review Board in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §9(c). The Board was originally established on September 21, 1989.
2. **AUTHORITY.** It is determined that renewal 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. **COMPOSITION.** The Board consists of approximately twenty-five (25) members, including two Co-Chairs representing the Gulf States and EPA. The EPA Co-Chair shall have the lead responsibility for managing the Board's activities. 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

ADVISORY COMMITTEE CHARTER

representatives who are the Chair and Vice-Chair of the Citizens Advisory Committee of the Gulf of Mexico Program. Ex officio members will also serve on the Policy Review Board. Ex officio members are defined as non-voting members of the Board who represent their agencies by virtue of their positions. The meetings shall be chaired by a Federal and a State Co-Chair. The State Co-Chair shall be elected by majority vote of the states. The Federal Co-Chair will be held by EPA. The State Co-Chair is to be chosen from among the five state representatives nominated by the member states' governors.

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. Most members will serve as representatives of non-federal interests.

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 1993 allocation of approximately \$4.0 million. The estimated annual operating cost totals approximately \$150,000, which includes 0.60 workyears of staff support. All travel and per diem expenses except for the citizens 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.

February 20, 1994
Agency Approval Date

Robert M. Sussman
Deputy Administrator

March 7, 1994
GSA Consultation Date

March 31, 1994
Date Filed with Congress

GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

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GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

RECENT ACCOMPLISHMENTS

The First Generation of the Action Agenda process was completed. This consensus process has brought focus to needed actions regarding the eight issues/challenges identified: public health, coastal erosion, nutrient enrichment, living aquatic resources, habitat degradation, marine debris, toxic substances, and freshwater inflow in the Gulf. A part of this process is the selection of ten action items annually from each of the eight Action Agenda and to obtain commitments and initiate implementation.

The Gulf of Mexico Symposium held in Tarpon Springs, in December 1992 brought together over 2000 people including scientists, environmental managers and regulators, industry and non-governmental organization representatives, educators, students, and international representatives from across the region.

The "Partnership for Action" was signed by the governors of all five Gulf states, representatives from eleven federal agencies, and the chair of the Citizens Advisory Committee. The agreement is the first time that these combined federal agencies, Gulf states, and the public have jointly pledged their best efforts to accomplish a common set of environmental challenges for the Gulf of Mexico.

As an outcome of a co-sponsored workshop in Corpus Christi, with the Gulf of Mexico Program, U.S. Coast Guard, and the World Bank to promote technical transfer regarding solid waste management in the prevention of marine debris, the Gulf of Mexico Program is working with the Organization of American States to develop a pilot program with the Eastern Caribbean Islands.

The President proclaimed 1993 the Year of the Gulf of Mexico. The Gulf Program managed the Gulf-wide communication and outreach efforts of the proclamation. Accomplishments included: greatly expanded public awareness and knowledge about the importance of the Gulf's finite resources; improved fostering of public/private partnerships for wise use of the Gulf's resources; and enhanced recognition of regional efforts to preserve the Gulf.

The Gulf of Mexico Program provided leverage funding to initiate 15 individual environmental protection or restoration projects around the Gulf.

The Gulf of Mexico Program Office is working with the leadership of the emerging Gulf of Mexico Business Council for Sustainable Development (GMBCSD). A supporting counterpart organization was established by Mexico's corporate leaders.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

LOCAL GOVERNMENT ADVISORY COMMITTEE

1. **AUTHORITY AND PURPOSE.** This charter renews the Local Government Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c). It is determined that establishment of this Committee is in the public interest and supports EPA in performing its duties and responsibilities under miscellaneous statutes and as a general means of complying with Executive Orders 12866, 12875, and 12862. The purpose of the Committee is to advise, consult with, and make recommendations to the Administrator of EPA on matters related to the implementation of Federal environmental requirements by local governments.

2. **SCOPE OF ACTIVITY.** The Committee will identify and make recommendations to improve the implementation of environmental programs by local governments. Such recommendations could include, for example, changes in the regulatory planning and development process to involve local governments more effectively; changes needed to allow flexibility to accommodate local needs without compromising environmental performance, accountability, or fairness; and ways EPA and states can help local governments strengthen their capacity to promote environmental quality. The Committee may recommend projects to help local governments deal with the challenge of financing environmental protection, identify ways to encourage innovation by local governments, and explore ways to speed dissemination of new environmental protection techniques and technologies among local governments.

3. **FUNCTIONS.** The Committee's function is to make recommendations concerning development, implementation and evaluation of projects designed to improve the implementation of environmental programs by local governments; analysis of the difficulties local governments experience implementing environmental regulations; and clarification of the environmental consequences of these difficulties.

4. **COMPOSITION.** The Committee will consist of approximately thirty-five (35) members appointed by the EPA Deputy Administrator, and may elect either to have a facilitator serve as Chair or elect the Chair from among the members. Members will represent the following segments of the population in appropriate mix and balance:

Local and State Officials
Public Interest Groups
Environmental Groups
Federal Executive and Congressional Agencies and Offices

ADVISORY COMMITTEE CHARTER

Appropriate members shall be selected and appointed initially for a one year term and may be reappointed. The Committee is authorized to form subcommittees for any purpose consistent with this Charter. Such subcommittees shall report back to the full Committee and are subject to the requirements of FACA. Subcommittees 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. The Committee's estimated annual operating cost is approximately \$140,000, which includes 0.4 work years of staff support.

5. **MEETINGS.** A full-time or permanent part-time officer or employee of the Agency will serve as a Designated Federal Officer (DFO) and will be present at all meetings. The DFO is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so. Meetings shall be held as necessary, at the call of the Chairperson, with an agenda approved in advance by the DFO. 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 written comments before or after meetings, or to make oral statements to the Committee as permitted by the Committee's guidelines to the extent that time permits.

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

December 10, 1993
Agency Approval Date

Robert M. Sussman
Deputy Administrator

December 17, 1993
GSA Consultation Date

December 30, 1993
Date Filed with Congress

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NOTE: Terms expire December 31, 1994

LOCAL GOVERNMENT ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Committee conducted its first meeting on March 2 and 3, 1994. The Committee elected to form five subcommittees to address the issues listed below:

Focusing on Environmental Outcomes versus Process
(Flexibility/accountability) Chair: William Westbrook

Improve State/Local Access to EPA Rulemaking Process
(Involvement) Chair: James Cole and Amy Swann

Program for Communication and Structure and
Increased Training (Clearinghouse for Information
within Localities and EPA) Chair: Michael Hightower

State/Local Participation in EPA Strategic Plan Development
Chair: Elizabeth Treadway

Customer Service Standards and Survey.
Chair: George Britton and Edward Cyr

The Subcommittees are making contacts within EPA, developing work plans, and gathering information in preparation for their next meeting.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

MANAGEMENT ADVISORY GROUP
TO THE ASSISTANT ADMINISTRATOR FOR WATER

1. **PURPOSE.** This charter renews the Management Advisory Group (MAG) 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. 2, §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, November 18, 1988, November 6, 1990, November 6, 1992, and September 30, 1993. 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, diverse, and balanced 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.

ADVISORY COMMITTEE CHARTER

5. **COMPOSITION.** The Management Advisory Group consists of approximately 20 members appointed by the Deputy Administrator, EPA, for a two-year term. Balanced 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. The Group is authorized to form subcommittees or subgroups to consider specific matters and report back to full committee. Subgroups that do not function independently of the parent advisory committee are subject to all FACA requirements except separate chartering.

6. **MEETINGS.** Meetings of the MAG are held two to four times a year, to be scheduled by the Designated Federal Officer in consultation with the MAG members. A full-time or permanent part-time Federal officer or employee of the Agency, who will serve as the Designated Federal Officer, 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 Group may not conduct any meetings in the absence of the DFO or his/her designee. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. The 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 as permitted by the Group's guidelines, to the extent that time permits. The estimated annual operating cost of the Management Advisory Group with meetings four times a year totals approximately \$70,000 which includes .35 work-year of administrative Federal staff support. The Communications and Information Management Staff provides the necessary administrative staff support for the Management Advisory Group.

7. **DURATION.** The Charter of the Management Advisory Group is hereby renewed for two years from the date it is filed with Congress. The Charter may be extended beyond that date if authorized in accordance with Section 14 of the Federal Advisory Committee Act.

February 28, 1994
Agency Approval Date

Robert M. Sussmann
Deputy Administrator

March 16, 1994
GSA Consultation Date

March 31, 1994
Date Filed with Congress

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NOTE: Terms expire July 31, 1994

**MANAGEMENT ADVISORY GROUP
TO THE ASSISTANT ADMINISTRATOR FOR WATER**

RECENT ACCOMPLISHMENTS

In the past fiscal year (FY 1993), the Management Advisory Group (MAG) met one time to finalize recommendations to the Assistant Administrator for the Office of Water (OW). The Combined Sewer Overflows and Nonpoint Source Pollution workgroups finalized their reports and submitted recommendations in December 1993 to the Administrator for the Environmental Protection Agency. Recommendations for Ecosystem Protection reached the draft stage but were not finalized.

1. Combined Sewer Overflows (CSO): The MAG members concentrated their efforts on the development of recommendations to control pollution from combined sewer overflows. The recommended approach specifies the use of minimum technologies to reduce both human health and environmental risks and comply with water quality standards. The committee also recommended that EPA engage in negotiated dialogue with stakeholders. The Office of Wastewater Enforcement and Compliance, Office of Water, has used MAG's recommendations as the fundamental foundation for the CSO policy. EPA has, in fact, engaged in the negotiated dialogue and enjoys support from municipal and environmental groups who see the CSO policy, which includes MAG recommendations, as their product.

2. Nonpoint Source Pollution: MAG members recommended a framework for an EPA Nonpoint Sources (NPS) pollution prevention policy that advances water quality goals and allows cities and states to develop realistic NPS pollution policies and plans that can be implemented. The Office of Wetlands, Oceans and Watersheds, Office of Water, is using MAG's recommendations to help formulate an Agency policy on Nonpoint Sources. Issues include:

- Committing adequate program resources which include linkage with other federal programs;
- Implementing an aggressive outreach program, focusing on both problem awareness and viable solutions;
- Developing a strategic plan from the national to state level involving stakeholders at all levels; incorporate pollution prevention and water quality mechanisms; define measurable objectives for program evaluation and problem definition; and
- Continued development of policy, program, and monitoring tools.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL ADVISORY COUNCIL
FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

1. **PURPOSE AND AUTHORITY.** This Charter renews the National Advisory Council for Environmental Policy and Technology (NACEPT) which was originally established 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. 2, §9(c). The purpose of NACEPT is to provide advice and counsel to the Administrator of EPA on issues associated with environmental management and policy. It is determined that NACEPT is in the public interest in connection with the performance of duties imposed on the Agency by law.

2. **OBJECTIVES.** NACEPT provides independent advice and counsel to the Administrator on issues such as:

- developing approaches for reducing barriers to environmental technology development and transfer, institutionalizing public and private pollution prevention programs, ecosystems management and environmental sustainability and community empowerment;

- fostering improved global environmental management, and increasing the focus on environment in international trade and contributions to U.S. competitiveness;

- increasing communication and understanding among all levels of government, business, nongovernmental organizations and academia, with the goal of increasing non-federal resources and improving the effectiveness of federal and non-federal resources directed at solving environmental economic problems;

- implementing statutes, executive orders and regulations previously enacted or which may be enacted in the future;

- reviewing progress in implementing statutes, executive orders and regulations;
and

- assessing approaches for measuring the environmental benefits of technology transfer and alternative approaches to environmental protection.

ADVISORY COMMITTEE CHARTER

3. **SCOPE OF THE ACTIVITY.** NACEPT advises, consults with and makes recommendations on a continuing basis to the Administrator on issues associated with environmental management generally and on matters relating to activities, functions and policies under the Federal environmental statutes, executive orders, regulations, and policies affecting environmental management responsibilities of EPA. NACEPT conducts meetings, analyzes problems, presents findings, makes recommendations, and performs other activities as necessary for the attainment of its objectives. It advises the Administrator on ways to improve development and implementation of domestic and international environmental management policies, programs, and technologies. Ecosystems protection, NAFTA implementation and Information Resources Management Strategic Planning are some of the issues currently under review. NACEPT also provides external input to Assistant Administrators on selected program topics where appropriate. NACEPT, working with other EPA organizations, advises the Administrator on broad, cross-cutting environmental policy and technology issues and priorities.

4. **COMPOSITION.** NACEPT consists of a group of independent experts selected from among industry and business; academia, government agencies; international organizations; environmental groups, non-profit entities, and other non-governmental organizations. The group shall be of sufficient size and diversity to provide the range of perspective required to evaluate the issues to be addressed. Most members will be appointed as representatives of non-federal interests.

NACEPT will be organized in an Executive Committee and several specialized committees. Subgroups may be established on a temporary or standing basis as necessary to carry out NACEPT responsibilities. Such subgroups shall report back to the Executive Committee unless separately chartered. Subgroups that do not function independently of the Executive Committee are subject to all FACA requirements except separate chartering, unless exempt from such requirements under the GSA Rule 41 CFR section 101-6.1004(k).

The Deputy Administrator of the EPA appoints individuals to serve on the Executive and standing committees. Appointments will be established on a staggered basis for one, two, or three year terms and may be reappointed for terms not to exceed six years unless granted by the Deputy Administrator based on justification regarding why an appropriate replacement cannot be found. The Deputy Administrator or a designee will also appoint members of the Executive Committee to serve as Chair and Vice-Chair.

5. **MEETINGS.** The Executive Committee meets at least once each year, and subgroups meet as necessary. A full-time or permanent part-time salaried officer or employee of the Agency will act as the Designated Federal Officer who will be present at

ADVISORY COMMITTEE CHARTER

all meetings and is authorized to adjourn any such meetings whenever the official determines it to be in the public interest. All committee meetings will be called, announced and held in accordance with the EPA Committee Management Manual. The 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 as permitted by NACEPT guidelines and to the extent time permits.

Each meeting shall be conducted in accordance with an agenda approved in advance by a Designated Federal Officer. Budgetary support for NACEPT is provided through the Office of Cooperative Environmental Management. This office serves as the executive secretariat to the NACEPT and performs staff support and related assignments for NACEPT. The estimated annual operating cost totals approximately \$1.9M, which includes 11 workyears of staff support.

6. DURATION. NACEPT shall be needed on a continuing basis and may be renewed as authorized in accordance with section 14 of the Federal Advisory Committee Act.

May 12, 1994
Agency Approval Date

Robert M. Sussmann
Deputy Administrator

June 10, 1994
GSA Consultation Date

June 24, 1994
Date Filed with the Congress

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NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

RECENT ACCOMPLISHMENTS

The National Advisory Council for Environmental Policy and Technology's committees met 25 times during 1993 to develop advice and recommendations on a number of issues highlighted below. A summary report of NACEPT's recommendations was published in March 1993. Among the most notable was the Superfund Evaluation Committee's efforts. The Administrator has been highly receptive to the Committees' deliberations and subsequent proposals and recommendations and believes that their contributions will be reflected in the Superfund reauthorization in 1994.

The Superfund Evaluation Committee (SEC), established in 1993, was created to ensure that EPA is informed of the views and concerns of key stakeholder groups and to assist the Agency in formulating its position on changes relating to Superfund reauthorization. The objectives of the SEC are to: 1) review the current performance of the Superfund program; 2) examine the concerns of affected constituencies; 3) identify possible administrative and legislative improvements; and 4) develop a creative proposal for change that helps foster improvement in state and local capacities.

The SEC members, selected by the Administrator, broadly represented the affected constituencies. The SEC met seven times between June and November 1993. Commitment to public participation was a very important part of the process. This commitment was demonstrated in a SEC meeting held in Raleigh, NC where video broadcast to all ten EPA Regions allowed local citizens an opportunity to present proposals for Superfund reform. The SEC addressed the following topics: remedy selection, liability scheme, role of the States, municipal liability and environmental justice, public participation, economic redevelopment and voluntary cleanups. A proposal was developed and presented to the Deputy Administrator in November for the topic areas.

The Trade and Environment Committee's (TEC) mandate is to provide guidance to EPA in formulating the Agency's policy on trade and environment, as well as in EPA's participation in the development of U.S. Government policy on trade and environment.

In the Spring of 1993, the (TEC) published its report, "The Greening of World Trade," which summarized its recommendations to EPA and the papers that were developed as a part of the advisory committee process. The Government Printing Office has sold over 500 copies of and recently reprinted the 240-page publication. Over 2500 copies have been distributed in total.

NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

The TEC's recommendations recognize that the two policy spheres of trade and environment are not necessarily in conflict. Reconciling trade and environment policies, while inherently difficult, offers the opportunity for a transition from degradative to restorative commerce and the inclusion of environmental costs and benefits into calculations that determine comparative advantage in the international division of labor. The TEC's recommendations reflect the understanding that trade and environment policies can and should be mutually reinforcing and sustainable. 1993 was also the beginning of work on competitiveness, trade and environment, with particular focus on Section 811 of the Clean Air Act, which requires the President to report to Congress on the competitiveness effects of the Clean Air Act on U.S. business and industry. This aspect of TEC's work will continue in 1994.

The Technology Innovation and Economics Committee (TIE) provides advice and recommendations to EPA on actions that the Agency can take to speed the development, commercialization, and use of environmentally beneficial technologies. TIE has concentrated on identifying regulatory and non-regulatory barriers to the development and diffusion in the marketplace of these environmentally beneficial technologies. Its most recent report to the Administrator examined EPA's permitting and compliance policies, and recommended changes to the Agency relating to programs that promote pollution prevention, technological innovation, and economic productivity.

One TIE report included recommendations to the Agency on improving the effluent guidelines program to encourage pollution prevention. The TIE is also providing advice to the Agency on the development of EPA's Innovative Technology Strategy and on the workplans for the President's Environmental Technology Initiative.

The Environmental Information and Assessment Committee (EIA) was established to examine policy alternatives related to measuring and tracking change in the environment. EIA has provided recommendations on chemical accident prevention, environmental statistics, Toxics Release Inventory issues, the Pollution Prevention Information Clearinghouse, regulations for radiation site cleanup standards, and issues associated with the Waste Isolation Pilot Plant. EIA has also initiated a major project to advise the Agency on developing and implementing an information resources management strategic plan.

The Pollution Prevention Education Committee (PPEC) recommended in prior reports that the Administrator provide a forum where unaddressed needs and concerns of State and local governments could be aired and considered. Additionally, PPEC recommended that the Agency clarify roles and responsibilities within and outside

NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

of the Agency, on improving delivery of information to state and local governments. These recommendations, as well as others submitted by the PPEC underscored the need for the Agency to assume a leadership role in the environmental education field, and were instrumental in EPA's creation of the Office of Environmental Education. As a result, responsibility for addressing pollution prevention education issues were transferred to the Office of Environmental Education, the PPEC membership, as well as NACEPT, considered its work completed. PPEC was terminated in 1993.

The State and Local Environment Committee (SLEC) developed findings and recommendations included in a report published by EPA titled, Building State and Local Pollution Prevention Programs (EPA 130-R-93-001 December 1992). Key findings of this report focus on the increasing value of pollution prevention as a basic strategic approach to achieving environmental and economic health, as well as the critical role of the private sector in voluntary reduction of pollution sources. The SLEC underscored the need for EPA to take advantage of opportunities at the state and local levels for fostering the development of pollution prevention partnerships. SLEC recommendations address the need for EPA to: provide leadership and build broader support for pollution prevention; integrate pollution prevention into mainstream environmental programs; modify management accountability and funding systems to support prevention efforts; improve technical capacity and the infrastructure for information exchange about pollution prevention; clarify the appropriate roles for federal, state, and local governments in fostering pollution prevention; and expand the role of pollution prevention in meeting the environmental goals of the wastewater pretreatment program. The findings and recommendations were provided to EPA's Administrator, the Pollution Prevention Policy Staff, and all major EPA media programs.

The Lead Subcommittee operates under NACEPT's Policy Integration Committee (PIC) in cooperation with the Office of Policy, Planning and Evaluation. The Lead Subcommittee's charge is to advise EPA on integrating policies of differing Federal agencies that have responsibility for reducing lead exposure, to improve EPA coordination of its lead reduction activities, and to improve management of lead reduction activities government-wide. The Lead Subcommittee met four times during 1993. A final meeting and report submission is planned for 1994.

The Lead Subcommittee expects to provide specific recommendations relating to state and local government and small business assistance needs; expanded lead-based paint abatement in public buildings; architectural waste management; and reporting and approval requirements for new uses of lead.

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The Subcommittee (composed of representatives from academia, government, industry, nongovernmental organizations, medicine and law) focused its efforts on 12 areas: 1) EPA guidance and information programs to reduce exposure to lead in drinking water; 2) state and local abatement program and funding needs; 3) mechanisms for ensuring that changes in lead use do not add to existing risks of exposure in the workplace and generally; 4) options and processes for managing lead contaminated waste streams; 5) potential use of standardized data collection and reporting systems for lead test results; 6) policy implications of extending lead paint hazard control requirements to schools, day care operations, shelters and other public buildings; 7) need for changes in national ambient air quality standards for lead; 8) research and development needs and opportunities for increased government/industry research cooperation; 9) policy implications of reducing statutory blood lead level exposure standards; 10) opportunities for increased use of training and certification programs for lead based paint abatement personnel; 11) opportunities for increased outreach and assistance to lead using sectors that have a significant small business segment; and 12) international issues, such as transboundary migration of emissions, waste management and recycling of batteries, labelling, prohibition on use of leaded gasoline.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

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. 2, §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, November 18, 1988, and November 1, 1990. 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.

ADVISORY COMMITTEE CHARTER

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 Officer 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 \$55,000, 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 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.

September 21, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

October 1, 1992
OMB/GSA Review Date

November 2, 1992
Congressional Filing Date

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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 technique guidelines (CTG) for selected industries.

At its November 17-19, 1992 meeting, the Committee was provided a status report on several Title III projects which included: source category schedule, early reductions, general provisions, modifications under section 112(g), State program guidance under section 112(l), municipal waste combustion regulations, and source category deletion petition process. The Committee was also updated on the maximum available control technology (MACT) standards for several source categories, including: hazardous organic NESHAP (HON), dry cleaning, coke ovens, pulp & paper, secondary lead, gasoline distribution (Stage I), halogenated solvent cleaning-degreasing, polymers and resins, and magnetic tape. Finally, the Committee was provided an overview of the CTG program under Title I and specifically provided a status report on the solvent cleanup CTG.

In each of the above sessions, members of the Committee were polled for their guidance and advice after listening to the EPA presentations as well as presentations from interested participants from the audience. Minutes of the meetings are maintained as official records of the advice provided to EPA by the Committee. The NAPCTAC consists of 11 members with diverse backgrounds. It serves EPA and the public by providing a forum for the expression of different viewpoints and exchange of ideas 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 interest groups, government organizations, trade associations, and control equipment manufacturers.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

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. 2, §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; November 22, 1988 and December 13, 1990.
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 related 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. Most members will be appointed as Special Government Employees. 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.

ADVISORY COMMITTEE CHARTER

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 Officer. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Officer. The Designated Federal Officer 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 \$75,000, which includes .40 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.

November 19, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

December 16, 1992
Date Filed with Congress

NATIONAL DRINKING WATER ADVISORY COUNCIL

CHAIRPERSON

Vacant

DESIGNATED FEDERAL OFFICER

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NOTE: Terms expire December 15 of the year indicated by member's name

NATIONAL DRINKING WATER ADVISORY COUNCIL

RECENT ACCOMPLISHMENTS

The National Drinking Water Advisory Council held three meetings since the last reporting period: November 19 and 20, 1992, May 6 and 7, 1993 and December 2 and 3, 1993. The major topic of discussion during this period of time was the reauthorization of the Safe Drinking Water Act. The Agency relied heavily on the recommendations of the Advisory Council concerning changes needed to the current statute. The most controversial of these was the standard setting process. Following the May 1993 meeting, the Agency used the recommendations of the Advisory Council to help formulate the Administration's position on Reauthorization. Issues included: establishing a drinking water state revolving fund; maintaining state primacy through user fees; ensuring the viability of small systems; establishing small system "Best Available Technology"; training and certifying system operators; improving the process of selecting contaminants for regulation; providing EPA flexibility to set compliance timeframes; and streamlining and strengthening enforcement provisions.

The Council advised the Agency to consider all water as part of the total water cycle, choosing the best source for drinking water. They recommended that during reauthorization of the Safe Drinking Water Act, the Clean Water Act and related legislation, efforts should be made to provide comprehensive source protection and watershed management as the bridge to holistically protect ambient water quality. The Council feels that pollution prevention should be the driving force behind any legislative activity.

Research needs were a consistent theme in all three Council meetings. The Council feels that the current regulatory climate may be characterized by detection of new contaminants, the ability to observe lower concentrations of these contaminants and debates by epidemiologists, health professionals and risk assessors as to the possible adverse health effects associated with exposure to these contaminants. In addition, technical advances have been seen in the area of engineering control. This is occurring simultaneously with decreasing expenditures on research and increased costs for regulation in the field of drinking water. The Council expressed dismay and concern over continuing reductions in funding drinking water research, even in the face of rapidly expanding and costly regulatory requirements and the continuing threat to health exemplified by recent outbreaks of cryptosporidiosis, giardia and other diseases. Effective regulations designed to control chemical and microbial risks cannot be developed without a credible scientific basis derived through research. In the absence of adequate research, the Council believes a real threat exists that regulations could be promulgated that are actually adverse to health. In a letter of concern to the Administrator, the Council pointed out that the safety of a substance as essential to life as water, which is actually consumed by every person in this country on a daily basis, should receive high priority in allocating scarce research funds.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL ENVIRONMENTAL EDUCATION ADVISORY COUNCIL

1. **AUTHORITY AND PURPOSE.** Section 9(a) of the National Environmental Education Act (PL-101-619) 20 U.S.C. §5501 et seq. establishes a National Environmental Education Advisory Council. The purpose of the Council is to advise, consult with, and make recommendations to the Administrator of the U.S. Environmental Protection Agency (EPA) on matters relating to activities, functions, and policies of EPA under the Act.

2. **SCOPE OF ACTIVITY.** The Council will provide advice to the Administrator of EPA through the Office of Environmental Education. Such advice will focus on EPA's overall implementation of the Act, including EPA's development and implementation of the national environmental education and training center and education grant programs, the internship and fellowship programs, as well as the clearinghouse. With respect to the grant programs, the Council will provide general advice on the process EPA develops to administer the grant programs but will not review nor make recommendations on individual grant proposals. Pursuant to section 9(d)(1) of the Act, the Council is responsible for producing a bi-annual report to Congress which assesses the state of environmental education nationally and offers recommendations for improving environmental education. The Council may provide advice on other EPA environmental education activities as directed by the Office of Environmental Education.

3. **MEMBERSHIP.** Pursuant to section 9(b)(2) of the Act, the Council consists of 11 members appointed by the Administrator of EPA after consultation with the Secretary of the Department of Education. The 11 members represent: primary and secondary education; colleges and universities; not-for-profit organizations involved in environmental education; State departments of education and natural resources; business and industry; and senior Americans. Two members represent each category, except for senior Americans which has only one representative. As stipulated by the Act, the conflict of interest provision at section 208(a) of title 18, U.S.C., shall not apply to members' participation in matters which affect the financial interests of employers which they represent pursuant to this subsection. A representative of the Secretary of the Department of Education serves as an ex-officio member. The Council must include representatives from the various geographic regions of the country and must include minority ethnic representation. The professional backgrounds of the members must include scientific, policy, and other appropriate disciplines.

ADVISORY COMMITTEE CHARTER

The Council may form specialized committees on an ad hoc or standing basis to facilitate the conduct of Council business. The Administrator of EPA, through the Office of Environmental Education, may appoint additional expert advisors to serve on such committees if deemed necessary by the Office of Environmental Education.

The Office of Environmental Education appoints a chairperson among the 11 member Council to serve a one year term. The role of the chairperson is to assist the Office of Environmental Education in formulating meeting agendas and in conducting meetings.

Pursuant to section 9(b)(4) of the Act, each member of the Council holds office for a term of three years, except that the terms of members first taking office expire one, two, or three years after the date of enactment of the Act (November 16, 1990) as designated at the time of appointment. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of the term.

4. COMPENSATION. Pursuant to section 9(b)(5) of the Act, members receive compensation and allowances while attending meetings of the Council or otherwise engaged in business of the Council. Such compensation will include a fee as well as travel and per diem expenses. The fee is determined by the Administrator, but may not exceed the daily equivalent of the annual rate for a GS-18 federal employee. If expert advisors are selected to serve on specialized committees of the Council, such experts serve on a voluntary and non-compensatory basis.

5. MEETINGS. The Council meets at least twice each year and more often if necessary as determined by the Office of Environmental Education. A representative of the Office of Environmental Education serves as the Designated Federal Officer who will be present at all meetings. Each meeting will be conducted in accordance with an agenda to be approved in advance by the Designated Federal Officer. Budgetary support for the Council is provided through the Office of Environmental Education. The estimated annual operating cost of the Council is approximately \$60,000, which includes .5 work-year of staff support.

ADVISORY COMMITTEE CHARTER

6. DURATION. As provided by section 9(b)(6) of the National Environmental Education 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 the Council.

January 14, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

January 30, 1992
Date Filed with Congress

NATIONAL ENVIRONMENTAL EDUCATION ADVISORY COUNCIL

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NOTE: Terms expire November 18 of the year indicated by member's name

NATIONAL ENVIRONMENTAL EDUCATION ADVISORY COUNCIL

RECENT ACCOMPLISHMENTS

During the past year, the National Environmental Education Advisory Council reviewed applications and nominated individuals to receive awards under the first National Environmental Education Awards Program mandated under section 8 of the National Environmental Education Act. Four awards were presented by EPA Administrator Carol Browner in a ceremony in Washington, D.C. on May 4, 1993, commemorating Rachel Carson (for print media); Gifford Pinchot (for forestry and natural resource management); Theodore Roosevelt (for teaching); and Henry David Thoreau (for literature).

The Advisory Council also provided overall guidance and reviewed several draft reports assessing the state of environmental education nationally. The Advisory Council is required to submit this report to Congress as mandated under section 9 of the National Environmental Education Act. The Council's first biennial report to Congress is expected to be completed in 1994.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

1. **AUTHORITY AND PURPOSE.** This Charter establishes the National Environmental Justice Advisory Council (NEJAC) in accordance with the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c). The purpose of the NEJAC is to advise, consult, with, and make recommendations to the Administrator of EPA on matters relating to environmental justice.
2. **SCOPE OF ACTIVITY.** The NEJAC will provide advice to the Administrator of EPA through the Office of Environmental Equity on issues related to managing environmental justice as defined in section 3. The NEJAC shall hold meetings, analyze issues, conduct reviews, perform studies, produce reports, make necessary recommendations and undertake other activities necessary to meet its responsibilities. The NEJAC will also provide advice on the process that the Office of Environmental Equity develops to administer grant programs but will not review nor make recommendations on individual grant proposals. The NEJAC will also give advice and provide recommendations on possible outreach and awareness programs involving environmental justice. NEJAC subcommittees may be formed to facilitate the conduct of NEJAC business and report back to the full Council. The Council will function solely as an advisory body, and will comply fully with the provisions of FACA.
3. **OBJECTIVES.** The NEJAC shall provide independent advice to the Administrator on areas relating to environmental justice that may include the following:
 - EPA's framework for integrating socio-economic programs into strategic planning, annual planning and management accountability for achieving environmental justice results agency-wide.
 - EPA's progress, quality, and adequacy in planning, developing, and implementing environmental justice strategies, projects, and programs.
 - EPA's existing and future information management systems, technologies, data collection, and analyses that support and strengthen environmental justice programs in administrative and scientific areas.
 - EPA's direction, criteria, scope, and adequacy of the Agency's scientific research and demonstration projects relating to environmental justice.

ADVISORY COMMITTEE CHARTER

- Participation, cooperation, and communication among the Agency and other Federal, State, or local governments, Federally recognized tribes, environmental justice leaders, interest groups, and the public.
- EPA's administration of grant programs relating environmental justice assistance (not to include review or recommendations of individual grant proposals or awards).
- EPA's awareness, education, training, and other outreach activities involving environmental justice.

4. **COMPOSITION.** The NEJAC will consist of approximately twenty-five members, appointed by the EPA Deputy Administrator for initial terms of one year. At the conclusion of the one-year period, members may be reappointed or new members appointed to serve on the Committee. Appointments made after the initial one year period will be for staggered terms. The Deputy Administrator shall select a member to serve as Chairperson for a two-year term and may be reappointed to serve an additional one-year term. The role of the Chairperson is to assist the Office of Environmental Equity in directing the activities of the NEJAC, formulating meeting agendas, and conducting meetings.

Advisory Council members shall be appointed who have knowledge of, and experience with, environmental conditions in racial minority, ethnic minority, or low income communities. Council members shall include, but not be limited to, individuals who are recognized experts in the fields of socio-economic analysis, health and environmental effects, exposure evaluation, and environmental health science research. Advisory Council members shall be appointed in a balanced representation among the following sectors: Community-based groups, industry and business; academic and educational institutions; federal, state and local governmental agencies; federally recognized tribes and other non-government and environmental groups as deemed appropriate.

Most members shall be appointed as representatives of non-federal interests and will receive travel and per diem expenses while attending meetings of the Council or otherwise engaged in the business of the NEJAC. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal Officer (DFO) and will be present at all meetings. The DFO is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so.

ADVISORY COMMITTEE CHARTER

5. **MEETINGS.** The Council will meet twice each year and more often if deemed necessary by the DFO. Each meeting will be conducted in accordance with an agenda approved in advance by the DFO. Budgetary support for the NEJAC is provided through the Office of Environmental Equity. The estimated annual operating cost of the Council is approximately \$50,000 which includes a .5 work-year for staff support.
6. **DURATION.** The 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 FACA.

July 23, 1993
Agency Approval Date

Carol M. Browner
Administrator

September 9, 1993
OMB Approval Date

September 30, 1993
Date Filed with Congress

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

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NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

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NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

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NOTE: All terms expire on 3/31/95

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

RECENT ACCOMPLISHMENTS

The goal of the NEJAC Committee is to provide independent advice to the Administrator on Environmental Justice (EJ) by reviewing and commenting on the following:

- EPA's framework for integrating socio-economic programs strategic planning;
- EPA's progress, quality, and adequacy in planning, developing, and implementing EJ strategies, projects, and programs;
- EPA's existing and future information management systems, technologies, data collection, and analyses that support and strengthen EJ programs in administrative and scientific areas;
- EPA's direction, criteria, scope, and adequacy of scientific research and demonstration projects relating to EJ;
- Participation and cooperation among the Agency and other federal, state, or local governments, federally recognized tribes, EJ leaders, interest groups, and the public;
- EPA's administration of grant programs relating to EJ assistance (not to include review or recommendations of individual grant proposals or awards);
- EPA's awareness, education, training and other outreach activities involving EJ.

Membership selection for the Council was completed in April 1994. Four Several meetings of the Council are planned for FY 1994.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

RISK ASSESSMENT AND MANAGEMENT COMMISSION

1. **PURPOSE.** This charter establishes the Risk Assessment and Management Commission in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §9(c).
2. **AUTHORITY.** The Commission was specifically directed under Section 303 of the Clean Air Act, as amended on November 15, 1990.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** As required by the Clean Air Act Amendments of 1990, the Risk Assessment and Management Commission shall make a full investigation of the policy implications and appropriate uses of risk assessment and risk management in regulatory programs various Federal laws to prevent cancer and other chronic human health effects which may result from exposure to hazardous substances.

The Commission shall consider:

(a) The report of the National Academy of Sciences authorized by section 112(0) of the Clean air Act, the use and limitations of risk assessment in establishing emissions and effluent standards, ambient standards, exposure standards, acceptable concentration levels, tolerances or other environmental criteria for hazardous substances that present a risk of carcinogenic effects or other chronic health effects and reductions in the number of persons exposed at various levels of risk, the incidence of cancer, and other public health factors;

(b) The most appropriate methods for measuring and describing cancer risks or risks of other chronic health effects from exposure to hazardous substances considering such alternative approaches as the lifetime risk of cancer or other effects to the individual or individuals most exposed to emissions from a source or sources on both an actual and worst case basis, the range of such risks, the total number of health effects avoided by exposures standards, acceptable concentration levels, tolerances and other environmental criteria, reductions in the number of persons exposed at various levels of risk, the incidence of cancer, and other public health factors;

(c) Methods to reflect uncertainties in measurement and estimation techniques, the existence of synergistic or antagonistic effects among hazardous substances, the accuracy of extrapolating human health risks from animal exposure data, and the

ADVISORY COMMITTEE CHARTER

existence of unquantified direct or indirect effects on human health in risk assessment studies;

(d) Risk management policy issues including the use of lifetime cancer risks to individuals most exposed, incidence of cancer, the cost and technical feasibility of exposure reduction measures and the use of site specific actual exposure information in setting emissions standards and other limitations applicable to sources of exposure to hazardous substances; and

(e) Comment on the degree to which it is possible or desirable to develop a consistent standard of acceptable risk, among various Federal programs.

4. **FUNCTIONS.** (a) In the conduct of the studies required by this section, the Commission is authorized to contract (in accordance with Federal contract law) with nongovernmental entities that are competent to perform research or investigations within the Commission's mandate, and to hold public hearings, forums, and workshops to enable full public participation.

(b) The Commission may appoint and fix the pay of such staff as it deems necessary in accordance with the provisions of title 5, United States code. The Commission may request the temporary assignment of personnel from the Environmental Protection Agency or other Federal agencies.

(c) The members of the Commission who are not officers or employees of the United States, while attending conferences or meetings of the Commission or while otherwise serving at the request of the Chair, shall be entitled to receive compensation at a rate not in excess of the maximum rate of pay for Grade GS 18, as provided in the General Schedule under section 5332 of title 5 of the United States Code, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence as authorized by law for persons in the Government service employed intermittently.

(d) A report containing the results of all Commission studies and investigations under this section, together with any appropriate legislative recommendations or administrative recommendations, shall be made available to the public for comment not later than 42 months after the date of enactment of the Clean Air Act Amendments of 1990 and shall be submitted to the President and to the Congress not later than 48 months after such date of enactment. In the report, the Commission shall make recommendations with respect to the appropriate use of risk assessment and risk management in Federal regulatory programs to prevent cancer or other chronic health effects which may result from exposure to hazardous substances.

ADVISORY COMMITTEE CHARTER

5. **COMPOSITION AND MEETING.** The Commission shall be composed of ten members who shall have knowledge or experience in fields of risk assessment or risk management, including three members to be appointed by the President, two members to be appointed by the Speaker of the House of Representatives, one member to be appointed by the minority Leader of the House of Representatives, two members to be appointed by the Majority Leader of the Senate, one member to be appointed by the Minority leader of the Senate, and one member to be appointed by the President of the National Academy of Sciences.

6. **DURATION.** The Commission shall cease to exist upon the date determined by the Commission, but not later than 9 months after the submission of such report.

October 30, 1992
Agency Approval Date

F. Henry Habicht
Deputy Administrator

December 23, 1992
Date Filed with Congress

RISK ASSESSMENT AND MANAGEMENT COMMISSION

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NOTE: Terms end when Commission terminates

RISK ASSESSMENT AND MANAGEMENT COMMISSION

RECENT ACCOMPLISHMENTS

Risk Assessment and Management Commission Future Plans:

The first meeting of the Commission will address a range of administrative and organizational issues and begin to develop a plan and schedule for its work. The Commission is expected to meet several times in Fiscal Year 1994.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

SCIENCE ADVISORY BOARD

1. **PURPOSE AND AUTHORITY.** This Charter is reissued to renew the Science Advisory Board in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, §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; November 6, 1987; November 8, 1989; and November 8, 1991.
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 independent 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;

ADVISORY COMMITTEE CHARTER

- 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 technical review and advice required under the Clean Air Act, as amended in 1990;
- 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 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 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 1990. This group, established by separate charter, will be an integral part of the Board, and its members will also be members of the Science Advisory Board.

ADVISORY COMMITTEE CHARTER

5. **MEMBERSHIP AND MEETINGS.** The Administrator appoints individuals to serve on the Science Advisory Board for two year terms 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. Most members will serve as special Government employees.

There will be approximately 50-60 meetings of the specialized committees per year. A full-time or permanent part-time Federal officer or employee of the Agency, who will serve as the Designated Federal Officer (DFO), 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. The Committee may not conduct any meetings in the absence of the DFO or his/her designee. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. The 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 as permitted by the Committee's guidelines and to the extent that time permits.

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 \$1,689,000 and the estimated Federal permanent staff support will be 16 work-years.

6. **DURATION.** The Board shall be needed on a continuing basis. This charter will be effective until November 8, 1995, at which time the Board charter may be renewed for another two-year period.

October 27, 1993
Agency Approval Date

Carol M. Browner
Administrator

November 8, 1993
Date Filed with Congress

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SCIENCE ADVISORY BOARD

RECENT ACCOMPLISHMENTS

During FY 1993, the nine SAB Standing Committees conducted 54 public meetings and one closed meeting, all of which were announced in the Federal Register. In addition, twelve public conference calls were held for planning, writing, and discussion purposes. A wide variety of topics were covered including health effects of specific chemicals, techniques for assessing risks at Superfund sites, aspects of the Agency's research program, and various reports to Congress.

The SAB was involved with nearly every program office of the Agency. The SAB responded to requests for reviews from the Agency and took the initiative in delving into new areas and approaches, providing technical advice to the Agency.

The activities of the individual Committees are summarized in the sections below:

Executive Committee (EC)

In FY 1993 the EC was active beyond its scheduled quarterly meetings. Much of the activity involved exploring new partnerships and interactions to address science-related issues facing the Agency.

This increased involvement was anticipated by the EC-coordinated FY 1993 Annual Membership Meeting which focused on the topic: "The Role of the Science Advisory Board". During this annual meeting, the Vice Chair of the Environmental Financial Advisory Board (EFAB), announced a collaborative effort between EFAB and SAB leaders to explore providing joint advice on topics that have scientific and financial components. Specifically, the groups examined the interface between the selection of environmental risk reduction options and financing those options. While this partnership effort did not generate a specific report, it did develop mutual understandings and relationships that could serve the Board and the Agency in the future.

As noted below, four different SAB committees (EEAC, EEC, EHC, and EPEC) formed a partnership to examine aspects of the Agency's regulatory impact analysis (RIA) of the Resource Conservation and Recovery Act (RCRA) Corrective Action rule. Given the breadth and complexity of the issues involved, the EC established a RCRA-RIA Steering Committee to coordinate the SAB's activities and response, including generation of a synthesized, overview report, which will be transmitted to the Agency in FY 1994.

In FY 1993, the Board was mandated by Congress to review and comment on aspects of the Agency's multi-media assessment of risks posed by radon and associated remediation costs. The EC established a Steering Committee to coordinate the review

SCIENCE ADVISORY BOARD

of two different committees and to prepare an overview report. Under a significant time constraint the Board met the schedule and submitted a report.

The EC continued its FY 1992 effort to provide assistance to the Superfund Office by investigating site-specific issues at the Industrial Excess Landfill Site in Uniontown, OH. This activity is part of the Board's attempt to determine whether and how it might provide advice to Program and Regional Offices, and the public in resolving technical issues in site-specific situations.

At the quarterly meeting, in July the Assistant Administrators asked the Board to initiate a project to anticipate future environmental problems. Following an endorsement from Administrator Browner, the EC established an Environmental Futures Project Steering Committee (EFC) to plan and guide a major effort throughout FY 1994.

The EC issued one letter report and one commentary, both addressing concerns with radon: a) Radon Overview letter report EPA-SAB-EC-LTR-93-010, and b) Radon Commentary EPA-SAB-EC-COM-93-003.

Drinking Water Committee (DWC)

The Drinking Water Committee was formed from a Subcommittee of the Environmental Health Committee and includes experts in the effects and control of microbiological agents and chemicals in drinking water. In the past, the primary client for DWC was the Office of Drinking Water. This year the DWC also served the Office of Science and Technology in a joint review with EPEC of the Great Lakes Water Quality Initiative and in further reviews of water quality criteria methods, as well as the Office of Radiation Programs on drinking water treatment for radon.

The DWC held six committee meetings and issued four reports (one jointly with EPEC), one commentary, and a notice of consultation resulting in: a) Review of the Methodology for Developing Ambient Water Quality Criteria for the Protection of Human Health (EPA-SAB-DWC-93-016), b) Review by the Drinking Water Committee of the Water Research Program at the Health Effects Research Laboratory (HERL) (EPA-SAB-DWC-93-001), c) Review of Issues Related to the Cost of Mitigating Indoor Radon Resulting from Drinking Water (EPA-SAB-DWC-93-015) [Multi-media Risks of Radon], d) Review of the Great Lakes Water Quality Initiative (EPA-SAB-EPEC/DWC-93-005), Commentary on Requirements for Nationwide Approval of New and Optionally Revised Methods for Inorganic and Organic Analyses in National

SCIENCE ADVISORY BOARD

Primary Drinking Water Regulations Monitoring (EPA-SAB-DWC-COM-93-002), and e) Notification of a Consultation on the Draft Drinking Water Criteria Documents for Chlorine and for Chloramines (EPA-SAB-DWC-CON-93-001).

In addition, other transmittals to the Administrator on what will occur in FY 1994 include: a) Review of the Draft Criteria Document for Arsenic in Drinking Water, b) Review of the Research Program on Disinfectants and Disinfection By-Products in the Risk Reduction Research Laboratory, and c) Commentary on the outcome of the regulatory negotiations regarding disinfectants and disinfection by-products.

Ecological Processes and Effects Committee (EPEC)

In FY 1993, EPEC held 7 meetings and produced two reports (one jointly with DWC), one letter report, and one commentary: a) Review of the Great Lakes Water Quality Initiative (EPA-SAB-EPEC/DWC-93-005), b) Review of Sediment Criteria Development Methodology for Non-Ionic Organic Contaminants (EPA-SAB-EPEC-93-002), c) Review of the Research Program for Environmental Release of Biotechnology Products (EPA-SAB-EPEC-LTR-93-012), and d) Commentary on the Agency's Research and Management Programs for Coastal Ecosystems (EPA-SAB-EPEC-COM-93-005).

In keeping with its commitment the Committee scheduled regular briefings on key programs, and engaged in consultations on the following issues: a) The Agency's draft Habitat Strategy (EPA-SAB-EPEC-CON-93-003), b) Environmental Monitoring and Assessment Program (EMAP) Assessment Hierarchy (EPA-SAB-EPEC-CON-93-005), and c) Proposed Revisions to the Aquatic Life Water Quality Criteria Guidelines (EPA-SAB-EPEC-CON-93-006).

Other reviews begun include: a) an evaluation of draft technical guidance for biological criteria for streams, b) a review of the ecological assessment in the RCRA-RIA, c) a review of the draft testing manual for discharge of dredged material into inland or near coastal waters, d) a review of the EMAP Assessment Framework, and e) a review of portions of the global climate change research program.

Environmental Economics Advisory Committee (EEAC)

During FY 1993, the Committee conducted four meetings and released one letter report: Science Advisory Board's Comments on the Office of Management and Budget's "Health-Health" Concept (EPA-SAB-EEAC-LTR-93-005). The report addresses a contro-

SCIENCE ADVISORY BOARD

versial theory that regulations imposed to promote specific health benefits could have unintended negative general health consequences. The Committee (in concert with three other SAB Committees) currently has two reports on the RCRA-RIA in preparation for FY 1994 release.

Environmental Engineering Committee (EEC)

The EEC conducted eight meetings; three of the full Committee, and five of various subcommittees, covering 10 topics, of which 4 were continued from the previous fiscal year. In addition to the four reports and three commentaries described below, the Committee conducted a consultation on Groundwater Modeling Pathways for Radioactive Wastes.

The following reports were completed by the EEC and its various Ad Hoc Subcommittees during FY 1993: a) Review of the OSWER/CEPPO Draft Hydrogen Fluoride Study: Report to Congress. A report of the Hydrogen Fluoride Review Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-93-004), b) SAB/EEC Consultation on Groundwater Modeling Pathways for Radioactive Wastes (EPA-SAB-EEC-CON-93-004), c) Review of the Office of Research and Development Underground Storage Tank Research Program. A report of the Underground Storage Tank Research Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-93-008), d) Review of the Office of Research and Development Indoor Air Engineering Research and Development Program. A report of the Indoor Air Engineering Research Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-93-009), e) Review of the OSWER Assessment Framework for Ground-Water Model Applications. A report of the Modeling Project Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-93-013), f) Review of Draft Agency Guidance for Conducting External Peer Review of Environmental Regulatory Modeling. A letter report of the Modeling peer Review Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-LTR-93-008), g) Review of OSWER/Office of Emergency and Remedial Response's draft Strategic Plan for Ground-Water Remediation at Superfund Sites (EPA-SAB-EEC-LTR-93-009), and h) Review of the Global Climate Change Engineering Research and Development Program -- A letter report of the Global Climate Change Engineering Research Subcommittee of the Environmental Engineering Committee (EPA-SAB-EEC-LTR-93-013).

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The EEC is developing two additional reports, the Multimedia Mathematical Model (MMSOILS) review which deals with the Office of Solid Waste's (OSW's) RCRA-RIA, as well as OSW's sponsored research on Quantitative Data Quality Objectives (QDQO) for Monitoring Well Network Design being conducted at the Environmental Monitoring Systems Laboratory (EMSL), Las Vegas, NV.

Environmental Health Committee (EHC)

The EHC met twice (both times in conjunction with the Office of Pesticides' Scientific Advisory Panel), and conducted one public teleconference as part of the RCRA-RIA review. The Committee released three reports during the past year: a) Review of the draft Dermal Exposure Assessment Guidelines (EPA-SAB-EHC-93-006), b) Review of the Superfund Health Risk Assessment Guidance (EPA-SAB-EHC-93-007), and c) Review of the Draft Policy on Risk Assessment with Data on Cholinesterase Inhibition (EPA-SAB-EHC-93-011). The Committee's report on the health benefit estimates incorporated in the RCRA-RIA will be released in FY 1994.

Indoor Air Quality/Total Human Exposure Committee (IAQC)

The IAQC held one committee meeting during FY 1993 and issued one report and two letter reports: a) Review of the Office of Research and Development's Draft Report: "Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders" (EPA-SAB-IAQC-93-003), b) Review of the Risk Assessment Forum's Draft Guidance Document on Showering with VOC Contaminated Tap Water (EPA-SAB-IAQC-LTR-93-002), and c) Review of the Risk Assessment Forum's Draft Guidance on Assessing Health Risks of Gasoline Vapors in Buildings (EPA-SAB-IAQC-LTR-93-003).

Radiation Advisory Committee (RAC)

During the year the RAC completed two full reports, one letter report, and two commentaries. The two reports included: a) High Level Radioactive Waste/Carbon-14 Release (EPA-SAB-RAC-93-010), and b) Review of Uncertainty Analysis product of FY 1992 activity. In doing so, the RAC and its Radon Science Initiative Subcommittee conducted seven public meetings and another eleven two-hour conference-call public meetings. The completed reports were: a) Review of High-Level Radioactive Risks Associated with Exposure to Radon (EPA-SAB-RAC-93-014), c) Evaluation of the

SCIENCE ADVISORY BOARD

Agency's Proposed Methodology for Estimating Radiogenic Cancer Risks (EPA-SAB-RAC-LTR-93-004), d) Radon Mitigation Research Preliminary Finding (EPA-SAB-RAC-COM-93-001), and e) Quantitative Uncertainty Analysis for Radiological Assessments (EPA-SAB-RAC-COM-93-006). The Committee has also completed work on a report that will be reviewed by the Executive Committee in FY 1994: Radon Research Needs.

Research Strategies Advisory Committee (RSAC)

During FY 1993, the RSAC held one Subcommittee meeting, and released one report and one letter report: a) Social Science Research Review (EPA-SAB-RSAC-LTR-93-001), and b) Recommendations on Nominations for the 1993 Scientific and Technical Achievement Awards (EPA-SAB-RSAC-93-012).

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

SMALL NONROAD ENGINES
NEGOTIATED RULEMAKING ADVISORY COMMITTEE (NRAC)

1. **PURPOSE.** This charter establishes the Small Nonroad Engines Negotiated Rulemaking Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c) and the Negotiated Rulemaking Act, 5 U.S.C. § 581-590.
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 213, 42 U.S.C. 7547 of the Clean Air Act.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The committee will serve as an integral part of EPA's development of a proposed rule to reduce air emissions from small nonroad engines under Section 213 of the Clean Air Act. Small nonroad engines are spark-ignition nonroad engines 25 horsepower and below, excluding engines used in marine propulsion or recreational propulsion applications. With the participation of knowledgeable, affected parties, EPA expects to develop a practical approach to a comprehensive regulatory program for control of air emissions from small nonroad engines. The negotiation committee will address key issues during the negotiations including, but not limited to: a control program of emissions related to small nonroad engines; standards and effective date; test procedures; fuel effects; in-use enforcement; evaporative and refueling emissions; market-based incentive programs; and compliance flexibility programs. In addition, the Committee's success or lack thereof will help EPA assess the procedures and circumstances which best foster successful regulatory negotiations.
4. **FUNCTIONS.** The Committee's function is to assist directly in the development of the proposed small nonroad engine regulations. It will attempt, via face-to-face negotiations, to reach consensus on concepts and language to use as the basis of a proposed rule under Section 213, 42 U.S.C. 7547 of the Clean Air Act.
5. **COMPOSITION.** The Committee will consist of approximately fifteen (15) members, plus a facilitator who will serve as chair. Members will represent the following segments of the population in appropriate mix and balance:
 - Engine and equipment manufacturers
 - Emission control manufacturers
 - Environmental and public health interests

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- State government air programs
- U.S. Environmental Protection Agency

Members will be selected and appointed for the duration of the negotiation. Most members will serve as representatives of non-Federal interests. A Federal Official or employee of the Agency will serve as the Designated Federal Officer and will be present at all meetings. The Designated Federal Officer 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 work groups for any purpose consistent with this Charter. Such work groups shall report back to the full Committee. Work groups 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 \$120,000, 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. **MEETING.** 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 Officer. 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 May 31, 1995, unless the Agency determines that the Committee will finish its work within 30 days of the original termination date. If the Agency makes such a determination, it can extend the termination date by 30 days without further consultation with OMB. In the event more time is needed, EPA may seek an extension under Section 14 of FACA.

September 9, 1993
Approval Date

Carol M. Browner
Administrator

September 28, 1993
OMB Approval Date

September 30, 1993
Date Filed with Congress

SMALL NONROAD ENGINES NRAC

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SMALL NONROAD ENGINES NRAC

RECENT ACCOMPLISHMENTS

The Small Nonroad Engines Negotiated Rulemaking Advisory Committee was chartered on September 30, 1993. The Committee adopted negotiation groundrules and a mission statement and generated a list of issues to be considered during the negotiation. The Committee has set dates for six meetings, through December, 1994 and has formed four working groups to present information and recommendations to the Committee. Deliberations are scheduled for completion in the Spring of 1995.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

SMALL TOWN ENVIRONMENTAL PLANNING TASK FORCE

1. **PURPOSE AND AUTHORITY.** This charter establishes the Small Town Environmental Planning Task Force in accordance with provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c), and the requirements of the Federal Facilities Compliance Act of 1992, 42 U.S.C. §6908 (b)(1)(Act).
2. **SCOPE OF ACTIVITY.** The Task Force shall:
 - Identify regulations developed pursuant to federal environmental laws which pose significant compliance problems for small towns;
 - identify means to improve the working relationship between the Environmental Protection Agency and small towns;
 - review proposed regulations for the protection for the environment and public health and suggest revisions that could improve the ability of small towns to comply with such regulations; and
 - identify means to promote regionalization of environment treatment systems and infrastructure service small towns to improve the economic condition of such systems and infrastructure; and provide such other assistance to the Administrator as the Administrator deems appropriate.
3. **OBJECTIVES.** The Task Force's objective is to carry out the requirements of the Act, as described at 42 U.S.C., § 6908(b)(2).
4. **COMPOSITION.** Pursuant to the Act, 42 U.S.C. § 6908(b)(1), the Task Force will be composed of representatives of small towns from different areas of the United States, federal and state governmental agencies, and public interest groups. The Task Force will consist of approximately 15 members appointed by the EPA Deputy Administrator or his designee, and may elect either to have a facilitator to serve as Chair, or elect a Chair from among the members. Members will be appointed for an initial term of one year. At the conclusion of the one-year period, members may be reappointed for one additional year, or new members may be appointed to serve on the Task Force.

ADVISORY COMMITTEE CHARTER

The Task Force is authorized to form subcommittees for any purpose consistent with this charter. Such subcommittees shall report back to the full committee and are subject to the requirements of FACA. Subcommittees have no authority to make decisions on behalf of the full committee nor can they report directly to the Agency.

5. **MEETINGS.** It is anticipated that the Task Force will meet at least two times each year for two years, or as necessary. An EPA employee will serve as the Designated Federal Officer (DFO) of the Task Force, will be present at all meetings, and is authorized to adjourn meetings whenever it is in the public interest. Committee meetings will be called, announced, and held in accordance with EPA's 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 written comments before or after meetings, or to make oral statements to the Task Force as permitted by their guidelines to the extent that time permits.

EPA may pay travel and per diem expenses when necessary and appropriate. The Task Force's estimated annual operating cost is approximately \$50,000, which includes 0.2 workyears of staff support. Each meeting will be conducted in accordance with an agenda approved in advance of the meeting by the Designated Federal Officer.

6. **DURATION.** Pursuant to 42.U.S.C., § 6908(b)(1), the Administrator shall terminate the Task Force not later than two years after the establishment of the Task Force.

January 24, 1994
Agency Approval Date

Robert M. Sussman
Deputy Administrator

January 26, 1994
Date Filed with Congress

SMALL TOWN ENVIRONMENTAL PLANNING TASK FORCE

CHAIRPERSON

Honorable Rueben Miller
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SMALL TOWN ENVIRONMENTAL PLANNING TASK FORCE

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NOTE: Terms expire January 26, 1995

SMALL TOWN ENVIRONMENTAL PLANNING TASK FORCE

RECENT ACCOMPLISHMENTS

The Task Force held its organizational meeting March 3-4, 1994 and discussed its statutory responsibilities to identify regulations posing significant compliance problems for small towns; identify means to improve the working relationship between EPA and small towns; review proposed regulations and suggest revisions that could improve the ability of small towns to comply; and identify means to promote regionalization.

The Task Force preliminarily identified a list of significant proposed or current regulations:

- surface water treatment
- nonpoint source pollution
- watershed protection
- Safe Drinking Water Act monitoring provisions
- NPDES stormwater
- storage/disposal of low-level radioactive waste
- RCRA Subtitle D Landfills
- sludge disposal
- wetlands
- Davis-Bacon Law on wages
- underground storage tank compliance dates
- lead and copper
- stormwater
- combined sewer overflows
- Oil Pollution Control Act actions

Members stressed that although individual rules can be a problem, the overriding concern is the basic ability of small towns to comply. After a substantive dialogue addressing various facets of small town concerns, the Task Force elected to form a subcommittee for the purpose of drafting a resolution to be considered at the next meeting. The resolution would address the unique nature of America's small communities, and the need to treat small towns differently in the regulatory process.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

WOOD FURNITURE MANUFACTURING INDUSTRY NEGOTIATED
RULEMAKING ADVISORY COMMITTEE (NRAC)

1. **PURPOSE.** This charter establishes the Wood Furniture Manufacturing Industry Negotiated Rulemaking Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, §9(c), and the Negotiated Rulemaking Act, 5 U.S.C. Sections 581-590.
2. **AUTHORITY.** It is determined that establishment of this Committee is in the public interest and supports the EPA in performing its duties and responsibilities under Section 112 and Section 183 of the Clean Air Act (CAA), as amended.
3. **OBJECTIVE AND SCOPE OF ACTIVITY.** The Committee will serve as an integral part of the EPA's development of a rulemaking approach to control hazardous air pollutants (HAP's) and volatile organic compounds (VOC's) from wood furniture manufacturing operations. It will attempt, via face-to-face negotiations, to reach consensus on concepts and language to use as the basis of a national emission standard for hazardous air pollutants (NESHAP) implementing Section 112 and a control techniques guideline (CTG) implementing Section 183 of the CAA, as amended.
4. **FUNCTIONS.** The Committee's function is to assist directly in the development of rules to control HAP emissions, and guidelines to reduce VOC emissions from wood furniture manufacturing operations. With the participation of knowledgeable, affected parties, the EPA expects to develop a practical approach to controlling these emissions at less cost than traditional rulemaking. In addition, the Committee's success or lack thereof will help the EPA assess the procedures and circumstances which best foster successful negotiations.
5. **COMPOSITION.** The Committee will consist of approximately 25 members. Members will represent the following segments of the population in appropriate mix and balance:
 - Affected Industry
 - U.S. Environmental Protection Agency
 - State and Local Air Pollution Agencies
 - Environmental Groups

ADVISORY COMMITTEE COMMITTEE

Appropriate members will be selected and appointed for the duration of the negotiation itself. A full-time salaried official or regular employee of the EPA will serve as the Designated Federal Officer and will be present at all meetings. The Designated Federal Officer 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 work groups for any purpose consistent with this Charter. Such work groups shall report back to the full Committee. Work groups have no authority to make decisions on behalf of the full Committee nor can they report directly to the EPA.

The 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 \$50,000, which includes .3 work years of staff support. The 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 Officer. Committee meetings will be called, announced, and held in accordance with the EPA Committee Management Manual. This manual contains the EPA's policies and procedures for implementing the 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 1 year after establishment, unless the Agency determines that the Committee will finish its work within 30 days of the original termination date. If the Agency makes such a determination, we can extend the termination date by 30 days without further consultation with OMB. In the event more time is needed, the EPA may seek an extension under Section 14 of the FACA.

April 21, 1993
Agency Approval Date

Carol M. Browner
Administrator

May 26, 1993
OMB Approval Date

June 8, 1993
Date Filed with Congress

WOOD FURNITURE MANUFACTURING INDUSTRY NRAC

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WOOD FURNITURE MANUFACTURING INDUSTRY NRAC

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RECENT ACCOMPLISHMENTS

The Wood Furniture Manufacturing Advisory Committee held four plenary and over twenty workgroup meetings. It is now close to full consensus on a proposed rule which would control Volatile Organic Compounds [VOCs] and Hazardous Air Pollutants [HAPs] generated in the manufacturing and finishing of wood furniture. The group also is close to full consensus on a Control Techniques Guideline, a document which the states use to help them determine best available industry pollution abatement techniques.

EPA ADVISORY COMMITTEES

APPENDICES

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE JUNE 30, 1992

| COMMITTEE ABBREVIATION | REPORT TITLE | REPORT CODE | DATE REPORT FILED BY |
|---------------------------|---|----------------|-------------------------|
| BSAC | PLANT PESTICIDES IN FOOD PLANTS AND EXEMPTION FROM FFDCA, JULY 13, 1993 | | 09/10/93 |
| CAAAC | INTRODUCTORY GUIDE TO SMART IMPLEMENTATION--JUNE 1992 | | 02/28/94 |
| CAAAC | A PRIMER ON CONSENSUS-BUILDING--SEPTEMBER 1992 | | 02/28/94 |
| CAAAC | A GUIDE TO PUBLIC FINANCING OPTIONS--SEPTEMBER 1992 | | 02/28/94 |
| CAACAC | REVIEW OF THE OFFICE OF POLICY, PLANNING AND EVALUATION'S AND THE OFFICE OF AIR & RADIATION'S PROGRESS ON PROSPECTIVE STUDY OF IMPACTS OF THE CAA | LTR-93-011 | 08/12/93 |
| FACILITIES | INTERIM REPORT OF THE FEDERAL FACILITIES ENVIRONMENTAL RESTORATION DIALOGUE COMMITTEE | | 08/31/93 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES CONSIDERED BY AGENCY IN CONNEC. W/PROPOSED AMENDMENT TO SUBDIV. F GUIDELINE REQRMNTS FOR IMMUNOTOX. TESTING/SCREENING ASSAYS | | 02/28/94 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES CONSIDERED BY AGENCY IN CONNEC. W/DEVELOPMENT OF HARMONIZED TEST GUIDELINES FOR REPRO. TOXICITY | | 02/28/94 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES CONSIDERED BY AGENCY IN CONNEC. W/DEVELOPMENT OF A STD EVAL. PROCEDURE FOR REPRODUCTIVE TOXICITY | | 02/28/94 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES CONSIDERED BY AGENCY IN CONNEC. W/PROPOSED REVISIONS TO A DEVELOPMENT OF TOXICITY GUIDELINE | | 02/28/94 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY AGENCY IN CONNEC. W/THE DEVELOPMENT OF GUIDELINES FOR DERMAL ABSORPTION | | 02/28/94 |
| FIFRA/BSAC | SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY AGENCY IN CONNEC. W/PROPOSED REVISIONS TO THE INHALATION TOXICITY GUIDELINES | | 02/28/94 |
| FIFRASAP | A SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY AGENCY IN CONNECTION W/REVIEW OF ANTIMICROBIAL TEST METHODOLOGY RESEARCH AND PROTOCOL REVIEW PROCESS | | 10/12/93 |

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE JUNE 30, 1992

| COMMITTEE ABBREVIATION | REPORT TITLE | REPORT CODE | DATE REPORT FILED BY |
|---------------------------|--|----------------|-------------------------|
| FIFRASAP | REQUEST FOR WAIVER OF FIFRA SAP'S REVIEW OF THE NOTICE OF INTENT TO CANCEL SPORICIDIN AND WIPEOUT REGISTRATIONS--5/19/93 | | 10/19/93 |
| FIFRASAP | REQUEST FOR WAIVER OF FIFRASAP'S REVIEW OF PROPOSED/FINAL RULE TO EXEMPT NATURAL CEDAR PESTICIDES FR. REGS. UNDER AUTH. OF FIFRA SEC 25(b)--6/11/93 | | 10/19/93 |
| FIFRASAP | REQUEST FOR WAIVER OF FIFRA SAP'S REVIEW OF THE PROPOSED RULE REVISING 40 CFR 156.10--6/24/93 | | 10/19/93 |
| FIFRASAP | A SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY THE AGENCY IN CONNECTION W/REVIEW OF ANTIMICROBIAL TEST METHOD. RESEARCH/PROTOCOL REVIEW PROCESS--8/24 | | 10/19/93 |
| FIFRASAP | A SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY THE AGENCY IN CONNECTION W/PROPOSED REGULATION OF PLANT PESTICIDES--12/18/92 | | 10/19/93 |
| FIFRASAP | A SET OF SCIENTIFIC ISSUES BEING CONSIDERED BY THE AGENCY IN CONNECTION W/ALDICARB AND ALDICARB SULFONE--11/6/92 | | 10/19/93 |
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**PUBLIC LAW 92-463
92ND CONGRESS, H.R. 4383
OCTOBER 6, 1972**

"FEDERAL ADVISORY COMMITTEE ACT"

Public Law 92-463

October 6, 1972
[H. R. 4383]

AN ACT

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.

Federal Advisory Committee Act.

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".

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.

80 Stat. 381.

(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.

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

Restrictions.

(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

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.

Review.

(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—

Guidelines.

(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.

Report to Congress.

(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.

Annual 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.

Exclusion.

RESPONSIBILITIES OF THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Committee Management Secretariat, establishment.

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.

Review.

(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—

- (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 it should be abolished.

Recommendations to President and Congress.

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.

Agency cooperation.

(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. Performance 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— Uniform pay guidelines.

(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

(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. 5 USC 5332 note.
Travel expenses.
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.

(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. Expense recommendations.

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.

(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

(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. Advisory Committee Management Control Officer, designation.
81 Stat. 54.

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

**Publication in
Federal Register.**

(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.

Charter, filing.

(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.

Contents.

(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:

- (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.

Copy.

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

ADVISORY COMMITTEE PROCEDURES**Meetings.**

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

**Notice, publica-
tion in Federal
Register.
Regulations.**

(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.

(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.

81 Stat. 54.

(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.

Minutes.

(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

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.

(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.

Certification.

81 Stat. 54.

Annual report.

Federal officer or employee, attendance.

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.

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

"Agency proceeding."
80 Stat. 382.

FISCAL AND ADMINISTRATIVE PROVISIONS

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.

(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.

Recordkeeping.

Audit.

Agency support services.

RESPONSIBILITIES OF LIBRARY OF CONGRESS

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.

Reports and background papers.

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.

Renewal.

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

(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.

Continuation.

(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.

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.

Public Law 92-464

October 6, 1972
[H. J. Res. 807]

JOINT RESOLUTION

Authorizing the President to proclaim the second full week in October of 1972 as "National Legal Secretaries' Court Observance Week".

National Legal
Secretaries'
Court Observance
Week.
Designation
authorization.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the second full week in October 1972 as "National Legal Secretaries' Court Observance Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Approved October 6, 1972.

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

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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

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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

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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 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 -

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(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

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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:

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- (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)

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§ 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.

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(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.

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(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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**FEDERAL PROPERTY MANAGEMENT REGULATIONS
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