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Agency

Administration And
Resources Management
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June 1992

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EPA

U. S. Environmental Protection Agency Advisory Committee

Charters, Rosters, And Accomplishments June 1992

Office of Administration

Management and Organization Division

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

JUN 18 1992

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,

Kathy Petruccelli

Kathy Petruccelli, Director
Management and Organization Division
(PM-213)

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U.S. Environmental Protection Agency

Advisory Committees
Charters, Rosters and Accomplishments
June 1992

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

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

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

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

MAY 29 1992

THE ADMINISTRATOR

EPA has a vital mission to protect air, water, and land resources. We are committed to working closely with State and local governments, industry, environmentalists, scientists, and citizens generally to make progress on many complex environmental problems. EPA's advisory committee program, operating under the authority of the Federal Advisory Committee Act, plays an integral role in achieving our environmental objectives. Their collective scientific knowledge, independent perspectives, and outreach to key constituencies enable us to make better decisions, which will protect human health and improve our quality of life.

The Federal advisory committees and councils have proved important public forums where cooperative, collaborative efforts have resulted in more effective EPA programs. One example is the successful use of negotiated rulemaking to develop regulations having greater acceptance, thus lessening the prospect for costly litigation.

Another outstanding product of our advisory committee program this year has been the report issued by the Expert Panel on the Role of Science at EPA. The findings and recommendations of this effort provide a catalyst for improving the quality of science at the Agency.

Since our 1991 publication, seven new advisory committees have been established. We welcome their participation and look forward to working with them. They are:

- Council on Clean Air Act Compliance Analysis
- Environmental Statistics Technical Advisory Committee
- EPA Environmental Border Plan Public Advisory Committee
- Federal Facility Environmental Restoration Dialogue Committee
- National Emission Standards for Coke Oven Batteries Committee
- National Environmental Education Advisory Council
- Lawn Care Pesticide Advisory Committee

We are grateful for the valuable contributions of the many distinguished members on these and our other advisory committees. We will continue to draw on their collective wisdom and dedication to meet the environmental challenges ahead.

William K. Reilly
May 1992

EPA ADVISORY COMMITTEES

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ACID RAIN ADVISORY COMMITTEE

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

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

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

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

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

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

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

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

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

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

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

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

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

5. MEETINGS. Meetings will be held at least four times a year, or as necessary, as called by the Chairperson. A full-time employee of the Agency, who will serve as the Designated Federal 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.

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

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

June 25, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

July 18, 1990
GSA Consultation Date

November 19, 1990
Date Filed with Congress

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NOTE: Terms expire on November 30

RECENT ACCOMPLISHMENTS

The Acid Rain Advisory Committee (ARAC) was established to provide independent advice and counsel to the Agency on policy and technical issues associated with development and implementation of the acid rain control program. The 44 member Committee consists of public utility commissioners, state air pollution control officials, utility executives, environmentalists, consumer advocates, pollution control representatives, academicians, and individuals representing coal and gas interests.

During FY 1991, the Committee held six full committee meetings between mid-December and the end of July. In addition, five subcommittee meetings were held. During FY 1992, four subcommittees convened and a full committee meeting was held in December. Each of these meetings was open to the public. The Committee made outstanding contributions by providing expert assistance to EPA in formulating the key regulations of the acid rain control program. The Committee's structure allowed for an interplay of diverse opinions and positions from various individuals and groups helping to generate workable solutions to potentially problematic issues in the regulations.

To promote a more incisive examination of the problems confronting the key acid rain proposed regulations, ARAC was divided into four key subcommittees reflecting the four most complicated and contentious sections of the legislation: permits, allowances, monitoring, and conservation and renewable energy. (Two additional subcommittees dealing with nitrogen oxides and opt-in rules were formed in July, 1991.)

Full Committee Meeting Dates:

- December 13-14, 1990
- January 28-29, 1991
- February 21-22, 1991
- March 21-22, 1991
- April 29 - May 1, 1991
- July 15-16, 1991
- December 3-4, 1991

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. II § 9(c). Also, this Charter is revised to remove the requirement that the Committee have one scientist member who also serves as a member of the FIFRA Scientific Advisory Panel.

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

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

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

- Consideration of scientific issues referred by Program Office Directors;
- Comparison of case reviews to evaluate internal scientific consistency among programs;
- Assessment, in participation with the Science Advisory Board, of issues requiring research and referral to appropriate Agency research committees;
- 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;

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

- 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. COMPOSITION. 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.

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.

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

October 29, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

November 2, 1990
GSA Consultation Date

November 16, 1990
Date Filed with Congress

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NOTE: Terms expire November 30

BIOTECHNOLOGY SCIENCE ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Biotechnology Science Advisory Committee (BSAC) held a full committee meeting on September 30, 1991. Members discussed the following reports on Subcommittee work which has been completed:

(1) Report on the BSAC Subcommittee on Ecoregions--which discussed the use of an ecoregion geographic framework to predict the fate of microorganisms in the environment.

(2) Report on the BSAC Subcommittee on Good Developmental Practices--which discussed the Organization of Economic Cooperation and Development draft document "Good Developmental Practices for Small Scale Research with Genetically Modified Plant and Micro-Organisms.

(3) Report on the BSAC Subcommittee on Implementation of Scope Principles under TSCA and FIFRA--which discussed the EPA implementation, under TSCA and FIFRA, of the "Principles for Federal Oversight of Biotechnology".

The Committee also heard reports on the status of biotechnology rules, the Scientific Advisory Panel Meeting on the Proposed Rule under FIFRA, the BSAC Subcommittee on Mobile Genetic Elements, BSAC cooperation with other Advisory Committees, OPTS product reviews, and the Office of Research and Development's biotechnology research.

The Committee also heard a report on the BSAC Subcommittee meeting that was held on July 22, 1991, to discuss the proposed biotechnology rule under TSCA. The Subcommittee provided advise to EPA on scientific issues in the proposed rule. The Subcommittee recommended that the TSCA proposal, after consideration of the Subcommittee comments, be published for public comment.

The BSAC Committee and subcommittee meetings described above 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 ongoing development of the biotechnology industry.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

CLEAN AIR ACT ADVISORY COMMITTEE

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

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

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

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

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

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

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 new amendments 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 new amendments.

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

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

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

5. MEETINGS. Meetings will be held at least four times a year or as necessary, as determined by the Chairperson. A full-time employee of the Agency, who will serve as the Designated Federal 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.

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

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

September 10, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

September 26, 1990
GSA Consultation Date

November 19, 1990
Date Filed with Congress

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NOTE: Terms expire on March 31, 1993

CLEAN AIR ACT ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

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

o Facilitate effective two-way communication between EPA and the segments of our society directly affected by the new Clean Air Act,

o Discuss societal, economic and energy implications of the Act's implementation which are broader than the Act itself,

o Address voluntary pollution reduction, market-based approaches and other major cross-cutting implementation issues, and

o Discuss broad implementation issues in all Titles of the Act, except acid rain and stratospheric ozone depletion which have separate Advisory Committees.

The CAAAC is comprised of 50 senior representatives from state and local government, academic institutions, unions, environmental and public interest groups, industries and service groups.

The Committee has organized itself into four Workgroups: Federal and State Relations, Energy and Transportation, Flexibility and Market-Based, and Early Reductions and Pollution Prevention. Since its formation the Committee has held five meetings and has provided advice and recommendations to EPA on the following issues: 1) Effective communication/outreach methods for implementing the Early Reductions Program; 2) Rulemaking options on vehicle inspection and maintenance requirements (the Committee passed a resolution supporting the issuance of the most technically advanced and comprehensive I/M option); 3) Alternative programs that would assist and encourage states to promote energy efficiency as an air quality strategy; 4) Effective consultation and communication techniques that could be applied at the State and local levels, and 5) Regulatory reform options to be used in submitting the results of a 90-day regulations review to the White House.

Finally, the Committee issued a brochure entitled "An Introductory Guide to Smart Implementation" that was transmitted to a wide audience of state and local officials, Chambers of Commerce, environmental and health organizations and other interested parties.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

CLEAN AIR SCIENTIFIC ADVISORY COMMITTEE
of the Science Advisory Board

1. PURPOSE. This charter is reissued to renew 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. II § 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 5, 1987; August 7, 1989; and
August 7, 1991.

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. 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,

- 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 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. The Committee will meet three to six times per year. A full time salaried officer or employee of the Agency will be present at all meetings and is authorized to adjourn any such meeting whenever this official determines it to be in the public interest. Support shall be provided by EPA through the Offices of the Science Advisory Board. The estimated annual operating cost totals approximately $185,000 and two workyears of staff support.

6. DURATION. The Committee will be needed on a continuing basis. This charter will be effective until August 7, 1993, at which time the Committee charter may be renewed for another two-year period.

August 7, 1991
Agency Approval Date

F. Henry Habicht, II
Deputy Administrator

August 7, 1991
Date Filed with Congress

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NOTE: Terms expire on September 30

RECENT ACCOMPLISHMENTS

Historically, the majority of CASAC activity has centered around the ambient air quality criteria chemicals; e.g., sulfur oxides and nitrogen oxides. During the past year the Committee reviewed the Agency's updated position on the ambient criteria for carbon monoxide. They will consider the nitrogen oxides criteria later this year.

With the passage of the Clean Air Act Amendments of 1990 the workload for CASAC is expected to increase substantially. The legislation calls for Agency action on a wide range of issues, many of whose technical underpinnings will be reviewed by the Committee. As one example, CASAC has formed a Panel to examine the Agency's approach to the ranking of the 189 hazardous air pollutants listed in the Amendments. Additional issues include the Agency's approach to fuels which may be alternatives to gasoline and the assessment of risks posed by diesel emissions.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

COMMITTEE ON NATIONAL ACCREDITATION
OF ENVIRONMENTAL LABORATORIES

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

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

3. OBJECTIVES. The Committee on National Accreditation of Environmental Laboratories is to complete a one-year study of national laboratory accreditation to determine the need for a national accreditation program, to examine alternatives to a national program, and to determine the appropriate role for EPA. This would include: (1) characterizing the laboratory evaluation needs of users of environmental testing services, (2) evaluating program designs, (3) examining program implementation options, and (4) determining the benefit of accreditation to EPA and others.

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

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

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

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

May 13, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

June 13, 1991
GSA Consultation Date

July 3, 1991
Date Filed with Congress

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NOTE: All terms expire on September 30, 1992

COMMITTEE ON NATIONAL ACCREDITATION
OF ENVIRONMENTAL LABORATORIES

RECENT ACCOMPLISHMENTS

The Committee on National Accreditation of Environmental Laboratories has met three times between July, 1991 and February, 1992. The following issues have been covered:

- A needs assessment was conducted which included the entire spectrum of affected parties. This yielded an overall goal which is to: "obtain data of the needed quality in a cost effective manner".

- An inclusive list of possible alternatives to respond to the overarching goal was developed. All proposed solutions were then examined to identify the advantages and disadvantages.

- Based on the findings the field was narrowed down from 15 to 4 alternatives, among which a national environmental laboratory accreditation program was preeminent.

- The elements of a national environmental accreditation program have been defined from the perspective of the laboratory requirements and also the accrediting organization.

- The scope of any program has been defined to cover all media under all EPA programs.

- The issue of fraudulent activities in the laboratory community has been addressed and the potential interaction and cooperation between any national uniform program and enforcement agencies has been described.

- Possible scenarios for implementation of a national program have been identified.

The committee will meet at least one more time in order to submit cost information, to establish the ranking of the identified alternatives, to recommend options for administration of the program and the role of EPA, and to develop a final report.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

COUNCIL ON CLEAN AIR COMPLIANCE ANALYSIS

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. II § 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 for 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.

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

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NOTE: Terms expire on March 31

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NOTE: Terms expire on March 31

RECENT ACCOMPLISHMENTS

The CAACAC met for the first time on April 14, 1992. The meeting was devoted to briefings on EPA economic issues of interest to the Office of Policy, Planning, and Evaluation (OPPE), the Office of Air and Radiation (OAR), to briefings on Agency policies on conflict of interest and the functioning of the Science Advisory Board, and to reviewing the joint OPPE/OAR workplan for performing the retrospective study of impacts of the Clean Air Act (CAA) required by the 1990 CAA amendments.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ENVIRONMENTAL FINANCIAL ADVISORY BOARD

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

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

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

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

Local governments must pay for the construction and operation of environmental facilities, such as wastewater treatment plants, solid waste facilities, and drinking water facilities. They must also provide an array of other environmental services, such as garbage collection, to their communities. Their need for resources, both financial and technical, particularly in the face of the growing demand for increasingly expensive environmental services, calls for support from all levels of government and from the private and non-profit sectors. At the same time, Federal and state resources for environmental programs are expected to remain fairly constant relative to the growth in costs associated with new legislative and program requirements.

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

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

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

5. COMPOSITION. Members of the Advisory Board are selected on the basis of their professional qualifications and diversity of perspectives and backgrounds that will enable them to provide advice and guidance to the Administrator on environmental financing issues. The Advisory Board consists of a group of independent experts drawn from all levels of government, including elected officials; the finance and banking community; business and industry; national organizations; and academia. The group shall be of sufficient size and diversity to provide the range of perspectives required to assess the various issues pertaining to environmental financing. Most members will be appointed as representatives of non-federal interests. The Board will consist of approximately thirty-three members and is authorized to form subgroups to report back to the Board.

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

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

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

February 12, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

February 20, 1991
GSA Consultation Date

February 25, 1991
Date Filed With the Congress

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NOTE: Terms expire on September 30

RECENT ACCOMPLISHMENTS

The Environmental Financial Advisory Board (EFAB) was established in August 1989 to provide authoritative analysis and advice on environmental finance to assist EPA in carrying out its mission. Initially a committee of the National Advisory Council For Environmental Technology Policy, EFAB became an independent advisory board in February 1991 consistent with the requirements of the Federal Advisory Committee Act.

Organized in four workgroups -- Small Community, Private Sector, Public Sector and Economic Incentives -- the Board met several times in 1991-1992 to analyze financing alternatives and develop formal advisory statements. EFAB activities included:

- May 1991 - The Small Community Workgroup, chaired by Senator Pete V. Domenici of New Mexico, met in Albuquerque to hear the views of public and private officials on financing environmental facilities in small communities.

- August 1991 - EFAB issued advisories to the Administrator on small community financing strategies and economic incentives for environmental investment.

- December 1991 - The Board met in Washington, DC to complete two more advisories and begin to shape its future agenda.

- March 1992 - EFAB issued advisories to the Administrator on private sector incentives and public financing options.

- The Board expects to reorganize its workgroup structure, develop and finalize additional advisory statements, and hold further meetings during 1992. Anticipated activities include:

- replacing its workgroups with committees examining a range of environmental financing areas including -- education and communication, international/cross-border issues, paying for mandates and Clean Water Act Reauthorization activities;

- producing a finance guide advisory to aid federal,state, and local officials in implementation of the Clean Air Act Amendments;

- supporting the work of the Agency's State and Local Capacity Task Force as it examines environmental financing options.

- holding a May meeting to be keynoted by EPA Administrator William K. Reilly focusing on actions the Agency can take to contribute to environmental progress and economic revitalization; and

- providing advisory services on financing environmental activities in Eastern Europe and along the Mexican border.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

ENVIRONMENTAL STATISTICS TECHNICAL ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This Charter authorizes the Agency's utilization of the Environmental Statistics Technical Advisory Committee (ESTAC) of the American Statistical Association in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. II § 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.

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 U.S. 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 representatives of non-Federal interests. Members shall be paid travel expenses and compensation for special projects. The Chairperson 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 $75,000 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 and 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 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 Section 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 Technical Advisory Committee shall be needed on a continuing basis and may be renewed beyond its initial 2-year period, as authorized in accordance with Section 14 of the Federal Advisory Committee Act.

December 6, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

January 15, 1992
GSA Consultation Date

April 10, 1992
Date Filed with Congress

Designated Federal Officer

Dr. C. Richard Cothern, PM-223
Center For Environmental Statistics
U. S. Environmental Protection Agency
Washington, D.C. 20460
(202) 260-2734

No Members Selected Yet

RECENT ACCOMPLISHMENTS

The Environmental Statistics Technical Advisory Committee is currently being constituted. This committee will utilize a soon to be organized committee of the American Statistical Association. It is planned to organize and meet for the first time in 1992. This committee is one of three advisory committees envisioned to support the Center For Environmental Statistics. One of the other committees is presently meeting as the Environmental Statistics Subcommittee of the National Advisory Council For Environmental Policy and Technology's (NACEPT) Environmental Measurements and Chemical Accident Prevention Committee.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

EPA BORDER ENVIRONMENTAL PLAN PUBLIC ADVISORY COMMITTEE

1. ESTABLISHMENT. The Administrator of the U.S. Environmental Protection Agency (EPA), having determined that it is in the public interest in connection with the performance of duties imposed on the Agency by law and its responsibilities under the Integrated Environmental Plan for the Mexican-U.S. Border Area (First Stage, 1992-1994), hereby establishes the EPA Border Environmental Plan Public Advisory Committee pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. II § 9(c).

2. OBJECTIVES AND DUTIES. The Committee will advise the Administrator, or his designee, on matters pertinent to the Agency's responsibilities for the protection and enhancement of the environment in the U.S.-Mexico Border Area (defined by the 1983 Agreement between the United States and Mexico on Cooperation for the Protection and Improvement of the Environment in the Border Area as a 100 kilometer-wide area on either side of the U.S.-Mexico border). The Committee will report to the Administrator through the Assistant Administrator for International Activities.

The Committee will draw on the expertise of its members and other sources in order to provide advice and make recommendations to the Administrator. The Committee will address such specific Border Area environmental needs and issues as:

(1) promoting cooperative and mutually-supportive relationships aimed at establishing more effective Border Area environmental management at the Federal, state and local levels;

(2) increasing and institutionalizing communication among all levels of government, the business community, labor, the academic community, and the binational environmental community;

(3) providing recommendations on the implementation of the Border Plan;

(4) serving as a forum for the exchange of ideas and discussion on Border Area environmental problems;

(5) assisting in the promotion of information and technology transfer among industry and non-governmental organizations;

(6) serving as a conduit for the public dissemination of information concerning specific projects and programs under the Border Plan;

(7) serving as a clearinghouse for receiving public comments from Border Area residents and others related to the Border Plan and its implementation;

(8) promoting community relations activities and right-to-know policies;

(9) reviewing EPA reports describing the Agency's progress in implementing the Border Plan;

(10) assessing alternative approaches for measuring the environmental benefits of the Border Plan; and

(11) maintaining a positive institutional climate within EPA with respect to Border Area environmental issues.

The Committee will function solely as an advisory body, and will comply fully with the provisions of the Federal Advisory Committee Act.

3. COMPOSITION. The Committee shall consist of up to thirty members to be appointed by the Administrator to assure a balanced representation among industry and business, Border area community leaders, non-governmental organizations (including labor groups), local, state, national and binational Environmental agencies, academia and the general public. The Chairperson will be appointed by the Administrator.

There will be a Steering Committee that will consist of up to ten members to be voted upon by the full Committee. The Steering Committee will act as a liaison with the Border Environmental Plan Public Advisory Committee that will be established by SEDUE, the Mexican environmental agency. The Committee is authorized to form subcommittees for any purpose consistent with this charter. Such subcommittees shall report back to the full Committee.

Members will be appointed for three-year terms and serve at the discretion of the Administrator. Vacancy appointments shall be for the remainder of the unexpired term of the vacancy. The initial appointments will be distributed between one, two and three-year terms to permit future appointment of one-third of the Committee each year. Most members will be appointed as representatives of non-Federal interests. Members of the Committee will not be compensated for their services but will, upon request, be allowed travel and per diem expenses as authorized by 5 U.S.C. section 5701 et seq.

4. MEETINGS. The Committee will meet officially at least once a year, or as necessary as determined by the Administrator or his designee. 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.

Support for the Committee shall be provided by the EPA Office of the International Activities. The annual cost of operating the Committee is estimated at $14,000 which includes .25 personyear for staff support.

5. DURATION. The Committee shall terminate two years from the date of this Charter unless earlier terminated or renewed, as authorized in accordance with section 14 of the Federal Advisory Committee Act.

February 14, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

March 11, 1992
GSA Consultation Date

March 28, 1992
Date Filed with Congress

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NOTE: Terms expire on December 31

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

FEDERAL FACILITIES ENVIRONMENTAL RESTORATION DIALOGUE COMMITTEE

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1. PURPOSE. This charter establishes the Federal Facilities Environmental Restoration Dialogue Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. II § 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

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 workgroups for any purpose consistent with this Charter. Such workgroups shall report back to the full Committee. Workgroups have no authority to make decisions on behalf of the full Committee nor can they report directly to the Agency.

Under the Federal Advisory Committee Act, EPA may pay travel and per diem expenses when necessary and appropriate. The Committee's estimated annual operating cost is approximately $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

FEDERAL FACILITIES ENVIRONMENTAL RESTORATION POLICY DIALOGUE COMMITTEE

Chairperson

Mr. Thomas L. McCall, Jr.
Acting Deputy Assistant Administrato
for Federal Facilities Enforcement
LE-133
Environmental Protection Agency
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NOTE: All terms expire on June 30, 1993

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT
SCIENTIFIC ADVISORY PANEL

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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. II § 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:

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

- 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;

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

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

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

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

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

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

The Panel's comments will be submitted in writing to the Assistant Administrator for Pesticides and Toxic Substances. Such comments will be published in the Federal Register, together with the Environmental Protection Agency's response at the time that such notices of intent of 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 l978.

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 ensure multidisciplinary representation, the Panel membership shall include representation from the disciplines of toxicology, pathology, environmental biology, and

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

Panel members are subject to the provisions of 40 CFR Part 3, Subpart F -- Standards of Conduct for Special Government Employees, which includes rules regarding conflict 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 3l20-l), 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 $l03,000 which includes an allowance for l.25 work year of staff support. The Office of Pesticide Programs provides the necessary staff and support for the Panel.

6. MEETINGS. The Panel will meet either at the request of the Assistant Administrator for Pesticides and Toxic Substances, or his/her designee, or at the request of the Chairperson with the concurrence of the Assistant Administrator for Pesticides and Toxic Substances, or his/her designee. Panel meetings will be called, announced, and held in accordance with the Environmental Protection Agency's Manual on Committee Management. In compliance with FACA, Panel meetings shall be open to the public (an exception to this is provided for in 4l CFR Part l0l-6, which gives guidance for closing all or part of a meeting); interested persons shall be permitted to file written statements before or after meetings and provide oral statements to the extent that time permits. Any such written or oral statements will be taken into consideration by the Panel in formulating its comments or in deciding whether to waive comment. All documents pertaining to each Panel meeting are available to the public (unless exempted by the Freedom of Information Act, such as Confidential Business Information).

The Assistant Administrator for Pesticides and Toxic Substances or his/her designee, will serve as the Designated Federal 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 Pesticides and Toxic Substances or the Chairperson of the Panel to review and discuss specific projects. Such subpanels will consist of ad hoc consultants with particular expertise in matters presented to the subpanel, but will always be chaired by a member of the Scientific Advisory Panel.

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

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

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

October 24, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

October 25, 1990
Date Filed with Congress

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

SCIENTIFIC ADVISORY PANEL

Chairperson

Dr. Edward Bresnick (9/30/92)
Professor and Chairman
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Designated Federal Officer

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NOTE: Dates following names indicate term expiration

RECENT ACCOMPLISHMENTS

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

The Panel held two meetings during the calendar year of 1991. The Panel addressed the following topics:

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

Scientific Issues Being Considered by the Agency in Connection with the Agency Peer Review Committee Classification of prodiamine, metolachlor, and triphenyltin hydroxide (TPTH).

B. The Agency asked the Panel to review the scientific issues being considered by the Agency in connection with the Agency Peer Review Committee's review of a dose-response risk assessment for the carcinogenic effects of Ethylene Thiourea (ETU) in rats and mice.

C. There was a Subpanel meeting of the FIFRA SAP which reviewed scientific issues being considered by the Agency in connection with the antimicrobial test methodology research and protocol review process.

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

1. Packaging Requirements for Pesticides and Devices - Child-Resistance Packaging (5/27/91) -- no new scientific issues.

2. Submission of Information Under 6(a)(2) of FIFRA (5/27/91) -- no new scientific issues.

3. Final Policy Statement for FIFRA Section 17(a) and FIFRA Section 17(b) (11/23/91) --no new scientific issues.

4. Water Purifier Labeling Claims (12/17/91) -- no new scientific issues.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

GULF OF MEXICO PROGRAM POLICY REVIEW BOARD

1. PURPOSE. This is issued to revise Section 5 of the Charter for the Gulf of Mexico Program Policy Review Board in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. II § 9(c). The Board was originally established on September 21, 1989.

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

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

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

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

5. COMPOSITION. The Board consists of approximately twenty-five (25) members, including two co-chairs representing the Gulf States and EPA. These members are the Executive Directors or Administrators of Federal or State Agencies with regulatory or management mandates in the Gulf of Mexico. It includes two private citizen representatives who are the Chair and Vice-Chair of the Citizens Advisory Committee of the Gulf of Mexico Program. 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 Program's Executive Director (serving as Chair of the Technical Steering Committee) will also be a member of the Policy Review Board. 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 1992 allocation of approximately $6.0 million. The estimated annual operating cost totals approximately $53,174, which includes 0.30 workyears of staff support. All travel and per diem expenses will be covered by the participant's organization, indicative of their support for the Gulf of Mexico Program.

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

August 8, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

August 27, 1991
GSA Consultation Date

September 20, 1991
Date Filed with Congress

GULF OF MEXICO PROGRAM
POLICY REVIEW BOARD

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GULF OF MEXICO PROGRAM
POLICY REVIEW BOARD

RECENT ACCOMPLISHMENTS

o Establishment of an action plan process and development of a first draft action plan for Marine Debris. This process has brought focus to needed actions regarding the issues identified in this consensus process. It links technical expertise with management and administrative commitment. This is the core of our Program and has the enthusiastic support and involvement of all sectors - governmental, public and private.

o The Gulf of Mexico Program's efforts were instrumental in initiating activities for the United Nations Caribbean Environmental Programme on Marine Pollution (CEPPOL) for the establishment of a Protocol for Land-Based Sources of Pollution for the Wider Caribbean. The Gulf Program serves as a focal point for the U.S. Gulf of Mexico. We guided the development of workshops on Water Quality Criteria and Effluent Guidelines (Puerto Rico, November 1990) and a Seminar on Bathing Beach and Shellfish Growing Waters Criteria. We also represented EPA interests in Oil Pollution and Marine Debris in CEPPOL Program Development.

o Recognition of the Gulf of Mexico issues and Program by the U.S. Congress (the Sunbelt Caucus establishment of a Gulf of Mexico Task Force and the U.S. Senate drafting of legislation) has brought national attention to Gulf activities.

o Products accomplished this year are characterizations for (1) habitat, (2) nutrient sources, (3) freshwater inflow and (4) coastal erosion map. All have undergone extensive peer review. Several key workshops have been conducted to provide needed information gathering and focus - (1) contaminated sediments, (2) geographical information systems, (3) coastal and estuarine management areas, and (4) estuarine assessments. Also, workshops were funded for living aquatic resource issues in the Gulf of Mexico and the brown tide problem in Laguna Madre. Our electronic bulletin board system is on line for the Gulf Coast and the D.C. metropolitan area and is available to all Gulf Program constituents via an 800 number.

o Year-of-the-Gulf of Mexico is a concept which originated with the Gulf of Mexico Program and has met with acceptance by EPA, the Congress and the President of the United States.

o Demonstration projects are underway for habitat loss (Mobile Bay, Seagrass in Laguna Madre, Texas); nutrients (constructed wetland in Newton County, MS., rice irrigation/fertilization project in the Colorado River Basin of Texas and catfish pond water recirculation project in Hattiesburg, MS., Rock Reed Filter System in Brookville, FL. These and other demonstrations show the Gulf of Mexico Program moving ahead with the "Action Now Agenda," as well as a long-term, broad-based, interagency approach.

GULF OF MEXICO PROGRAM
POLICY REVIEW BOARD

RECENT ACCOMPLISHMENTS

o The Gulf Program provided extensive coordination, leadership and logistical support for the President's initiative entitled "Coastal America." This initiative developed by the President's Council on Environmental Quality (CEQ), is designed to ensure that stewardship of coastal living marine resources is well coordinated with Federal, state and local partners. The Gulf Program served as a focal point for coordinating the Gulf of Mexico Regional Implementation Team (RIT) formed under the Coastal America Program effort.

o The Gulf of Mexico Program is also assisting with implementation of EPA's Environmental Monitoring and Assessment Program (EMAP) for the Louisianian Province (Gulf of Mexico). Our participation in peer review and continual facilitation with state and Federal agency users has provided more effective transfer of information.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

LAWN CARE PESTICIDE ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This Charter establishes the Lawn Care Pesticide Advisory Committee (LCPAC) in accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. II § 9(c).

The purpose of LCPAC is to foster communication and exchange among the parties represented on the Committee and between them and EPA and to provide advice to EPA and other governmental bodies on policy and technical issues associated with reducing risks associated with use of pesticides in lawn care. With the participation of knowledgeable affected parties, EPA expects to develop practical, protective approaches to addressing lawn care issues.

2. SCOPE OF ACTIVITY. The lawn care industry has grown to the point where use of pesticides to control outdoor pests in residential areas is now a large industry encompassing application by both professional applicators as well as by individual consumers. Such use of pesticide chemicals in residential areas has given rise to considerable concern about risks such pesticides pose to human health and to the environment.

LCPAC will provide EPA with advice and foster communication and exchange among its members regarding lawn care pesticide issues. The Advisory Committee may be consulted on environmental, technical, scientific, policy, and economic matters.

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

3. OBJECTIVES. The Advisory Committee is assigned the role of formulating recommendations for EPA and other governmental bodies on lawn care issues. Responsibilities consistent with this role include the following:

- Provide advice to EPA on issues concerning lawn care pesticide use;

- Discuss, analyze, and compile information regarding lawn care pesticide issues and foster communication among relevant parties concerning these issues; and

- Develop concise reports ("white papers") and/or voluntary guidelines on

critical lawn care pesticide use issues. The critical issues expected to be addressed in the short term include: 1) the operation of registries of people who are sensitive to, or may be affected by, lawn care pesticide use; 2) posting and notification schemes concerning lawn care pesticide use; 3) communications, education, and training regarding lawn care pesticide use; and 4) advertising of lawn care pesticide services and products. Other issues being considered include: 5) research aimed at developing improved guidance for monitoring and assessing post-application exposure; 6) development of improved methodology for assessing the benefits of lawn care pesticides; and 7) developing improved labeling for consumer use lawn care pesticides.

4. COMPOSITION AND MEETINGS. LCPAC shall be composed of approximately 25 members selected by the Deputy Assistant Administrator of the Office of Prevention, Pesticides, and Toxic Substances. Members shall be selected based on their relevant expertise and diversity of perspectives on lawn care pesticide issues and will be appointed for a one-year term. Most members will be appointed as representatives of non-Federal interests. EPA may pay travel and per diem expenses when necessary and appropriate.

Advisory Committee members shall be appointed in a balanced representation from the following sectors: industry and business; Federal and State government; and consumer and environmental groups. 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. Establishment of subcommittees is authorized for any purpose consistent with this charter. Such subcommittees shall report back to the full committee.

Meetings shall be held as necessary, at the call of the Deputy Assistant Administrator. Meetings will be open to the public and will be announced in the Federal Register.

5. OPERATING BUDGET. The committees' annual operating budget is estimated to be approximately $100,000, and would require about 0.2 FTEs of staff support. The Office of Prevention, Pesticides and Toxic Substances will provide administrative and process support to the committee.

6. DURATION. The Committee will terminate by May 31, 1993. If the Deputy Administrator determines that the Committee will finish its work by June 30, 1993, the termination date can be extended without consultation with GSA. In the event that more

time is needed, EPA may seek an extension beyond its initial one-year period in accordance with section 14 of the Federal Advisory Committee Act.

April 20, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

April 22, 1992
GSA Consultation Date

May 11, 1992
Date Filed with Congress

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NOTE: Terms expire on May 31, 1993

RECENT ACCOMPLISHMENTS

LCPAC is an outgrowth of an effort by the Office of Prevention, Pesticides and Toxic Substances (OPPTS) to obtain insight into the views and experiences of a wide range of organizations on lawn and garden care pesticide issues. A meeting held February 19-20, 1992, at Solomon's Island, MD. This meeting, announced in the Federal Register, included a balanced group of participants from the lawn service industry, chemical manufacturers and formulators, environmental and consumer advocates, congressional staff, and public sector representatives including State health, legal and pesticide regulatory officials, and Federal Government officials. LCPAC membership is very closely modeled on the focus group's participants list.

Based in part on information obtained at the Focus Group, a list of critical lawn care pesticide issues was identified by the agency. A FACA charter was sought so that the EPA could obtain consensus recommendations on these issues, including:

1) registries of people who are sensitive to, or may be affected by, lawn care pesticide use;

2) posting and notification schemes concerning lawn care pesticide use;

3) communications, education, and training regarding lawn care pesticide use;

4) advertising of lawn care pesticide services and products;

5) research aimed at developing improved guidance for monitoring and assessing post-application exposure;

6) development of improved methodology for assessing the benefits of lawn care pesticides; and

7) developing improved labeling for consumer use lawn care pesticides.

The first LCPAC meeting, scheduled for May 12-13, 1992, at Annapolis, MD, will explore the first four issues in detail. A summer meeting is anticipated to discuss the issue concerning exposure research.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

MANAGEMENT ADVISORY GROUP TO THE ASSISTANT ADMINISTRATOR FOR WATER

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

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

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

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

5. COMPOSITION AND MEETINGS. The Management Advisory Group consists of approximately 20 members appointed by the Deputy Administrator, EPA, for two-year

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

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

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

October 9, 1990
Agency approval Date

F. Henry Habicht II
Deputy Administrator

October 11, 1990
GSA Consultation Date

November 6, 1990
Date Filed with Congress

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NOTE: Terms expire November 30, 1992
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MANAGEMENT ADVISORY GROUP TO THE
ASSISTANT ADMINISTRATOR FOR WATER

RECENT ACCOMPLISHMENTS

In the past year, Management Advisory Group (MAG) met four times to develop recommendations for the Assistant Administrator for Water. The MAG has established four workgroups addressing combined sewer overflows, nonpoint pollution and stormwater run-off, ecosystem protection, and environmental education. The results of three efforts are highlighted below.

- Combined Sewer Overflows The MAG has concentrated early efforts on the development of recommendations to control pollution from combined sewer overflows. Their recommended approach specifies minimum technologies to reduce both human health and environmental risks and comply with water quality standards. MAG workgroup members participated in a national meeting in Washington, D.C. sponsored by the Office of Wastewater Compliance to hear directly from representatives from 11 States that have combined sewer overflows (CSO). Working sessions on CSOs will be included in both the June and September meetings in 1992.

- Nonpoint Source Pollution MAG members conducted a detailed review and evaluation of the Nonpoint Source Management Measures Guidance proposed jointly by EPA and the National Oceanic and Atmospheric Administration (NOAA), Office of Coastal Zone Management. The group is now reviewing and evaluating EPA guidance Nonpoint Sources, Agenda for the Future (January 1989) to make recommendations on strategic directions for the program.

- 90-Day Moratorium The March meeting of the MAG provided opportunity for public comment on three topics under the moratorium: Drinking Water Primacy, Stormwater Control, and point/nonpoint discharge trading. Summary recommendations or observations included:

  - Current regulations should be revised to provide states with more flexibility to develop their own programs; states should not be required to administer "boiler-plate national programs" when programs tailored to local needs are more effective.

  - In economic hard times, many states are not being allowed to fill vacancies even when positions and funds are available. As a result, most states are having difficulty implementing new programs regardless of the availability of federal funds.

RECENT ACCOMPLISHMENTS

- The concept of point/nonpoint source trading -- wasteload allocations and total maximum daily loads is supported. However, implementation must ensure that: 1) acute local impacts from toxics do not occur, 2) sound monitoring is conducted, 3) a reduction in total loadings is achieved, 4) violations of technology based standards are not allowed, and 5) anti-backsliding does not occur.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL
POLICY AND TECHNOLOGY

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1. PURPOSE AND AUTHORITY. This Charter is to renew 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. II § 9 (c). The purpose of NACEPT is to provide advice and counsel to the Administrator of EPA on issues associated with the management of environmental problems. NACEPT provides independent advice and counsel to the Administrator on such specific acitivities, issues and needs as: indentifying the barriers impeding technology innovation and transfer and developing approaches for reducing these barriers, creating a positive institutional climate within EPA with respect to pollution prevention and trade and the environment, promoting cooperative, mutually-supportive EPA-State relationships aimed at establishing more effective environmental management at Federal, State and local levels; increasing and institutionalizing communication among all levels of government, the business community, the academic, educational and training community and the international community, with the aim of increasing non-Federal resources and improving the effectiveness of Federal and non-Federal resources directed at solving environmental problems, and establishing direct links between these resources and those who need assistance to solve environmental problems; implementing related legislation, executive orders and regulations previously enacted or which may be enacted in the future; reviewing any periodic EPA reports describing the Agency's progress in implementing statutes, executive orders and regulations; and assessing alternative approaches for measuring the environmental benefits of technology transfer and related activities.

2. SCOPE OF THE ACTIVITY. The Advisory Council advises, consults with and makes recommendations on a continuing basis to the Administrator on issues associated with management of environmental problems generally and on matters relating to activities, functions and policies under the federal environmental statutes, executive orders and regulations and policies affecting environmental management activities with EPA. The Advisory Council will analyze problems, present findings, make recommendations, conduct meetings and perform other activities 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. Pollution prevention and trade and the environment are two examples of issues currently under review. The Council will also provide external input to Assistant Administrators on selected topics where appropriate. NACEPT, working with other EPA organizations, advises the Administrator on broad, cross-cutting environmental policy and technology issues for NACEPT consideration, identifying annual priorities.

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3. COMPOSITION. The Advisory Council consists of a group of independent experts drawn from industry and business; academic, educational and training institutions; Federal, State and local government agencies; international organizations; environmental groups and non-profit entities. The group shall be of sufficient size and diversity to provide the range of perspective required to evaluate environmental management activities. Approximately 50 experts shall constitute the Advisory Council at any one time. Most members will be appointed as representatives of non-federal interests. The Advisory Council may constitute itself into such specialized committees on an ad hoc or standing basis as it finds necessary to carry out its responsibilities. Such subgroups will report back to the Council.

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

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

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

June 7, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

June 12, 1990
GSA Consultation Date

June 28, 1990
Date Filed with Congress

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NOTE: Terms expire September 30
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NATIONAL ADVISORY COUNCIL FOR
ENVIRONMENTAL POLICY AND TECHNOLOGY

RECENT ACCOMPLISHMENTS

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

The Council currently operates primarily through five standing Committees: Pollution Prevention Education, State and Local Environmental Programs, Technology Innovation and Economics, and Environmental Measurements and Chemical Accident Prevention. The Council also has an Executive Committee, consisting of the Chair, Vice Chair, and the Chair and Vice Chair of each standing Committee, to coordinate annual priorities and cross-committee management issues.

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

The Trade and Environment Committee in response to EPA Administrator William Reilly's November 1990 request that NACEPT address the intersection of Trade and Environment, the International Environment Committee was reconstituted as the Trade and Environment Committee. The Committee has formed three working groups--the GATT Working Group; the Western Hemisphere Working Group; and the Industrialized Countries/OECD Working Group--made up of several senior trade policymakers, past and present, as well as leaders in the business, academic and environmental communities. While each working group has addressed trade and environment issues specific to their geo-institutional focus (e.g., the Western Hemisphere Working Group has sought to lend advice on the NAFTA negotiation process), each has also sought to put the issue into a broad, overarching framework. All three working groups stressed the extensive complementarity between the objectives of trade and environmental policy in their first set of recommendations to the Administrator. Other issues that the groups addressed in their

recommendations to the Administrator and that they will continue to pursue include: international environmental agreements and the use of trade measures; frictions between international trade agreements, multilateral and bilateral, and environmental agreements and measures, international and national; dispute resolution; transparency and public participation in trade policy; sustainable development; internalization of natural resource and pollution costs; harmonization of standards; competitiveness; and investment.

The Pollution Prevention Education Committee holds the promotion of an environmentally conscious and responsible public as a fundamental goal. It looks beyond traditional environmental management methods of command and control towards educating the public in environmentally responsible actions. The working groups of the Committee address this goal through a variety of paradigms: pollution prevention decision-making is made on the job in business and industry, the diffusion of environmental education must be throughout Academia, and an environmental ethic needs to be societally incorporated. The Committee's Academic working group has developed several draft recommendations for the EPA Administrator involving a strategy to incorporate pollution prevention education into the agenda and curricula of higher education. The Industry Focus group has generated a list of draft recommendations suggesting policies designed to incorporate pollution prevention into business management and practices. The Committee collaborates with environmental responsibility and education initiatives and participated in laying the groundwork for a conference on mobilizing health care professionals to become community advocates for environmental health issues. The Committee has also developed pollution prevention materials, including an overview of pollution prevention principles and issues.

The State and Local Environment Committee seeks to improve the capacity of State and local governments in carrying out their environmental management responsibilities. The Committee's objectives are to promote allocation of environmental management responsibilities among Federal, State, and local governments that takes best advantage of the unique capabilities of each; assure consideration of State and local implementation issues in the design of national environmental programs; identify trends and obstacles to progress in State and local environmental management programs and their implications for national environmental policy; create a positive institutional climate for innovative approaches to environmental management; foster diffusion of successful solutions to a range of environmental management issues; provide a forum where unaddressed needs and concerns of State and local governments can be aired and considered; and provide a formal mechanism through which State and local governments can bring issues and recommendations to the Administrator. Committee recommendations have urged clarification of roles and responsibilities, accelerated use of risk-based priority setting, improved delivery of information to State and local governments. The Committee has also urged EPA to expand State participation in the

Agency's risk-based strategic planning process and provide the flexibility needed in management and budget systems to implement strategies based on assessment of environmental problems and suggested ways that EPA could assist local governments named as potentially responsible parties at Superfund sites and recommended that EPA expand opportunities for interested and qualified local governments to take an active part in response actions. In response the Administrator's request for advice on how to further implementation of pollution prevention, the Committee is now developing recommendations for building State and local pollution prevention programs. Based on its examination of the status and trends of existing efforts and the results of a national workshop held in January, 1992, the Committee's recommendations will address such matters as roles of the various governmental levels and agencies, making the transition within existing regulatory and organizational structures, funding, linking economic and environmental interests, assessing progress, and transferring successful approaches.

The Technology Innovation and Economics Committee recognizes that the nation's potential to improve the environment is directly related to our ability to produce and apply environmentally beneficial technologies. Establishing a partnership between the government and private sector on behalf of improved technology is thus seen as crucial.

The TIE Committee's purpose is to help EPA understand the relationships needed to build and maintain this partnership, and to suggest how to expand the effectiveness of the environmental management system in encouraging environmentally beneficial innovation.

The TIE Committee has found that the regulation-based environmental management system, with its current uncertainties and unpredictability, poses major barriers to technology innovation and the widespread use of innovative solutions, including pollution prevention. It is seeking to suggest how to create the incentives necessary to encourage risk taking and experimentation and to provide a constant incentive to innovate and to apply innovative solutions to environmental problems. To accomplish this, the TIE Committee is (1) investigating how to apply economic incentives and other alternatives to conventional regulation and when these options are most appropriate, (2) examining the relationship between permitting and compliance policies and technology innovation and use, including that for pollution prevention approaches, (3) considering why much of the best environmentally-helpful technology is not being transferred, (4) exploring how to encourage pollution prevention through the effluent guidelines program, and (5) determining how to foster wider use of advanced remediation technologies.

The Committee will produce two important reports and recommendations in 1992. In its first set of recommendations, the Committee advised EPA to become a leader in fostering technology innovation and to evaluate its programs to determine their

effectiveness in stimulating technology innovation; it proposed several specific steps the Agency should take, including developing (a) a policy favoring environmentally beneficial technology innovation and (b) a strategy for accomplishing this policy objective. The Committee's second set of recommendations is the first document to propose how to encourage technology innovation and the use of innovative technologies through environmental permitting and compliance policy. In 1992, the Committee will submit recommendations addressing the improvement of the nation's capacity for widespread diffusion of environmentally beneficial technologies, and addressing how to encourage pollution prevention through permitting and compliance policy. These recommendations for enhancing technology innovation are receiving considerable EPA attention and are raising awareness of the need to foster technology innovation.

The Environmental Measurements and Chemical Accident Prevention Committee added two important subcommittees during the past year, and currently is focused on issues related to Environmental Statistics, Pollution Prevention Measurements, and Chemical Accident Prevention. The Committee was established within NACEPT to examine policy alternatives and primarily, but not exclusively, to make recommendations related to measuring and tracking environmental progress, and to recommend ways to measure program success. During the past year the Committee examined issues related to a portion of the Report to Congress that is required by the Pollution Prevention Act, and issues related to requirements of SARA section (104) in examining Capacity Assurance Plans submitted by the States. In addition, the Committee has been concerned with the establishment of the proposed Center for Environmental Statistics, with an identification of the information needs of decision makers, with monitoring systems and data collection and management technology, and with ways for disseminating environmental information. Finally, a report has been prepared that recommends ways the Agency can measure progress in its Chemical Accident Prevention Program.

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. II § 9(c).

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

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

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

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

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

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

October 9, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

October 11, 1990
GSA Consultation Date

November 1, 1990
Date Filed with Congress

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NOTE: Terms expire on June 30

RECENT ACCOMPLISHMENTS

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

At its November 19-21, 1991 meeting, the Committee was given status reports on the NESHAP projects for general provisions, hazardous organic NESHAP (HON), coke ovens, dry cleaning, and chromium electroplating. Status reports were also provided on the development of: guidance for new, modified, and reconstructed sources under Section 112(g); a prioritized agenda for source category emission standards promulgation; the proposed NESHAP for industrial process cooling towers; and the proposed standards and emission guidelines for medical waste incinerators under Title III of the Clean Air Act Amendments.

An overview of the control techniques guidelines (CTG) program under Title I of the Clean Air Act Amendments was also provided. Presentations and discussion of the following CTG documents also transpired: plastic parts coating, offset lithography, wood furniture coating, autobody refinishing, batch processes, and volatile organic liquid storage.

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

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. II § 9(c).

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

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

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

5. COMPOSITION AND MEETINGS. The Council consists of fifteen members including a Chairperson, appointed by the Deputy Administrator after consultation with the Secretary, Department of Health and Human Services. Five members shall be appointed from the general public, five members shall be appointed from appropriate State and local agencies concerned with water hygiene and public water supply; and five members shall be appointed from representatives of private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply. 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.

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 Agency official. 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 $69,000, which includes .50 work-year of staff support. The Office of Water will provide the necessary staff and support for the Council.

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

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

November 29, 1990
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

December 13, 1990
Date Filed with Congress

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NOTE: Terms expire on December 15

RECENT ACCOMPLISHMENTS

The National Drinking Water Advisory Council held two meetings during Fiscal Year 1991. The Council reviewed, in various stages, the following regulatory packages: (1) Final Phase V National Primary Drinking Water Regulations for 24 Organic and Inorganic Chemicals; (2) Proposed Primary Drinking Water Regulations for Radionuclides; (3) the Disinfection/Disinfection By-Products Rule; and (4) the Final Lead and Copper Rule.

The Council recommended changes to the Unreasonable Risk to Health (URTH) standard be considered by the Agency. It was felt that a limit should be enforced when a system applies for a variance or exemption that specifies how much time a constituent can be present before becoming "unreasonable" and that the term "Unreasonable Risk to Health (URTH)" connotes "no risk to health." The Agency agreed to ask the States to reevaluate the potential health risks if a variance or exemption goes beyond a seven year period. The Agency also agreed to change the risk levels to "Short-Term Risk Levels," and at the suggestion of the Council, introduced time as a factor.

After extensive discussion and specific recommendations from the Council concerning a major Safe Drinking Water Act Reauthorization issue, the development of standards and the priority contaminants list for regulation under the Act, the Agency is currently developing a full discussion on the basis for standard setting, one which will include consideration of when a constituent should be included in the regulatory program, as well as the research needed to support such regulation.

The Council also discussed the Proposed Regulation of Class V Wells under the Safe Drinking Water Act to further protect ground-water resources. This particular class of wells has not been regulated, but at the urging of the Council, proposed rules are being considered by another Advisory Committee specifically formed to handle this issue. The Council continues to make recommendations and provide guidance to the Wellhead Protection Program and the Agency's Ground Water Protection Strategy.

ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL EMISSION STANDARDS FOR COKE OVEN BATTERIES ADVISORY COMMITTEE

1. PURPOSE. This charter extends for six months the National Emission Standards for Coke Oven Batteries Advisory Committee for developing recommendations with respect to regulations concerning emissions standards and work practices for coke ovens in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. II § 14 and 9(c).

2. AUTHORITY. It is determined that extending this Committee is in the public interest and supports EPA in performing its duties and responsibilities under Section 112(d)(8) and (i)(8) of the Clean Air Act Amendments of 1990.

3. OBJECTIVE AND SCOPE OF ACTIVITY. The Committee will serve as an integral part of EPA's development of regulations concerning emissions standards and work practices for coke ovens pursuant to the Clean Air Act Amendments of 1990. The Committee will attempt, via face-to-face meetings, to reach consensus on new regulations for coke ovens under Section 112 of the Clean Air Act Amendments of 1990.

4. FUNCTIONS. The Committee's function is to assist the Agency directly in the development of the national emission standards for coke oven batteries under the Clean Air Act, as amended. With the participation of knowledgeable, affected parties, EPA expects to develop a new, practical, yet protective approach to regulating coke ovens at less cost than if the Agency did not use the advisory committee. In addition, the Committee's success or lack thereof will help EPA assess the procedures and circumstances which best foster successful Advisory Committees such as this.

5. COMPOSITION. The Committee will consist of approximately 20 members, plus a facilitator who serves as Chair. Members represent the following segments of the population in appropriate mix and balance:

- Integrated steel industry,
- Independent coke producers,
- Labor unions,
- State and local regulatory agencies,
- National and local environmental organizations,

- U.S. Environmental Protection Agency, and
- Other appropriate interested and affected parties.

Appropriate members shall be selected and appointed for the duration of the Committee. 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. The Committee is authorized to form workgroups for any purpose consistent with this Charter. Such workgroups shall report to the full Committee and have no authority to make decisions on behalf of the full Committee nor to report directly to the Agency.

Most members will serve as representatives of non-Federal interests. EPA may pay travel and per diem expenses when necessary and appropriate. The Committee's estimated annual operating cost is approximately $10,000, which includes 0.25 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 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 comments before or after meetings or to make statements during meetings to the extent that time permits.

7. DURATION. The Committee will terminate by December 1, 1992, 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 28, 1992
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

May 28, 1992
GSA Consultation Date

June 1, 1992
Date Filed with Congress

NATIONAL EMISSION STANDARDS FOR COKE OVEN BATTERIES ADVISORY COMMITTEE

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NOTE: Terms expire on December 1, 1992

RECENT ACCOMPLISHMENTS

The Committee met a total of eleven times and reached closure on many of the major issues. On the assumption it will consense on the numerical standards, we are extending the Charter to give the Committee time to forge language reflecting the consensus agreed upon on the other issues.

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. COMPOSITION. 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.

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. 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.

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. 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

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NOTE: Terms expire on November 18

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

POLICY DIALOGUE COMMITTEE FOR EPA'S MINING PROGRAM

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1. PURPOSE. This charter is reissued to renew the Policy Dialogue Committee for EPA's Mining Program in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. II § 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 8002 of the Resource Conservation and Recovery Act (RCRA).

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

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

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

Categories of Members:

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

Appropriate members shall be selected and appointed for the duration of the Policy Dialogue Committee. Most members will be appointed as representatives of non-federal interests. A full-time salaried official or regular employee of the Agency will serve as the Designated Federal 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.

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

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

March 26, 1992
Approval date

F. Henry Habicht II
Deputy Administrator

March 27, 1992
GSA Consultation Date

March 31, 1992
Date filed with Congress

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NOTE: Terms expire May 15, 1993

POLICY DIALOGUE COMMITTEE FOR EPA'S MINING PROGRAM

RECENT ACCOMPLISHMENTS

During the course of the past year, the EPA Mine Waste Policy Dialogue Committee (PDC) met six times at various sites around the United States (Washington, D.C., Denver, CO, San Francisco, CA, Charleston, SC, Tucson, AZ, and Orlando, FL). Many of the different meeting locations were determined by proximity to mining facilities which the group toured to further their understanding of mine waste issues.

Over the past year, the PDC explored many of the issues associated with the establishment of a federal mine waste program (technical standards, enforcement, public participation, etc.). An initial draft of a white paper was prepared. Further effort on the paper has been delayed due to creation of a parallel process to address mine waste issues by the Swift Subcommittee.

Despite the uncertainty over legislative action and its impact on the work of the PDC, at the last meeting, the PDC membership recommended that EPA renew the charter for the PDC. This has been completed. At the advice of the PDC members, meetings of the PDC are currently on hold until the direction of congressional activity on RCRA and specifically mine waste is determined.

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. II § 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; and November 8, 1989.

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;

- 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.

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 salaried officer or employee of the Agency will be present at all meetings and is authorized to adjourn any such meeting whenever this official determines it to be in the public interest.

Support for the Board's activities will be provided by the Office of the Administrator, EPA. The estimated total annual operating cost will be approximately $1,689,000 and the estimated Federal permanent staff support will be 14.6 workyears.

6. DURATION. The Board shall be needed on a continuing basis. This charter will be effective until November 8, 1993, at which time the Board charter may be renewed for another two-year period.

7. SUPERSESSION. The former charter for the Science Advisory Board, signed by the Deputy Administrator on November 8, 1989 is hereby superseded.

October 4, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

November 8, 1991
Date Filed with Congress

SCIENCE ADVISORY BOARD
EXECUTIVE COMMITTEE

Chairperson

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NOTE: Terms expire on September 30

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NOTE: Terms expire on September 30

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NOTE: Terms expire on September 30

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NOTE: Terms expire on September 30

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NOTE: Terms expire on September 30

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NOTE: Terms expire on September 30

SCIENCE ADVISORY BOARD
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NOTE: Terms expire on September 30

RECENT ACCOMPLISHMENTS

Like last year, FY 91 was a busy and varied year for the Science Advisory Board (SAB). The number of meetings held and the number of issues addressed during the year continued at a high level. The Board again examined several new topics whose ramifications for Agency planning, policy and practice are far-reaching. In the past year over 50 meetings were conducted; 16 separate full reports and 6 letter reports. The SAB was involved in some way with nearly every program office of the Agency. As a result, the Board affected the Agency very broadly. The SAB both responded to requests for reviews from the Agency and took the initiative in delving into new areas and new approaches to providing the kind of scientific and engineering advice that makes a difference in the Agency's operations.

The Executive Committee (EC) continued to conduct its business of overseeing activities of the Board and reviewing Committee reports for transmittal to the Administrator. The EC also hosted an Annual Meeting of the entire membership in conjunction with its first meeting of the year. During this year, the EC has continued to take a much larger role in the planning and prioritizing of the Board's activities and in the review of its Committee-prepared reports. This has helped to provide consistency in SAB products, and worked toward broadening the Board's activities. In addition, for the first time, the EC conducted a consultation in conjunction with one of its meetings. The topic was the Agency's efforts to update its l986 Cancer Risk Assessment Guidelines.

The Drinking Water Committee (DWC) held five full Committee meetings and three conference calls during the year. They addressed issues on: arsenic research plan; chlorinated acids; colilert; corrosion research; cyanogen chloride; and trihalomethanes criteria document.

The Ecological Processes and Effects Committee (EPEC) held nine Committee meetings this year. The Committee reviewed topics on: wetlands research (with the EEC); EMAP; ecoregion concept; proposed Center for Marine and Estuarine Disease Research; ecorisk assessment research program; predicted fate and effects of chemicals; national estuary program monitoring guidance; and a consultation on biological criteria for water quality.

The Environmental Engineering Committee (EEC) conducted eight meetings; and three teleconferences during this year. The topics under discussion were: potential hazards of municipal waste recycling; task force on computer modeling; municipal solid waste research program; ground-water monitoring; usage of computer models in the hazardous waste/superfund programs and proposed pilot study; and constructed wetlands research.

RECENT ACCOMPLISHMENTS

The Environmental Health Committee (EHC) conducted four full Committee meetings during the year. The following issues were addressed: chemical mixtures exposure; formaldehyde; perchloroethylene; rat kidney tumors; RfC inhalation toxicology; occupational exposure limits for reference concentrations; drinking water criteria for nickel; and RfD for essential metals in drinking water.

Indoor Air Quality/Total Human Exposure Committee (IAQC) held two meetings this year, addressing environmental tobacco smoke risk assessment and policy guide and exposure assessment guidelines.

Radiation Advisory Committee (RAC) conducted seven public Committee and Subcommittee meetings, and three writing sessions, two of which were conducted by conference calls. The following topics were addressed at these meetings: radionuclides in drinking water; residual radioactivity and contaminated sites; transport models for radionuclides in the environment; short-term and long-term tests for radon; national radon survey; radon risks to smokers, non-smokers, and children; revised radon risk estimates; research strategy for electric and magnetic fields; citizens guide to radon; potential carcinogenicity of electromagnetic fields; and Idaho radionuclide study.

Research Strategies Advisory Committee (RSAC) held three Committee and Subcommittee meetings. The issues addressed were: new approaches to research planning; ORD budget review; and scientific and technical achievement awards.

Environmental Economics Advisory Committee (EEAC) was created during FY 91 at the request from the Administrator who was responding to a recommendation in the Board's Reducing Risk report. The Committee's mission will include reviewing the quality and relevance of particular economic analyses; reviewing generic regulatory economic approaches; reviewing research programs; reviewing the economic bases of various applied programs; advising on emergency and other short-notice problems; and advising on broad strategic matters.

The Council on Clean Air Act Compliance Analysis (CCACA) is a statutory advisory group that is being formed under the administrative umbrella of the SAB. Like CASAC, it will report directly to the Administrator. A separate charter has been approved. The CCACA and the EEAC will have complementary responsibilities and some overlap in membership. A major activity of the CCACA will be a review of the costs and benefits of the Clean Air Act.

SAB is embarking on a journey of self-improvement through quality enhancements (Total Quality Management (TQM)).

RECENT ACCOMPLISHMENTS

The SAB is entering a new era of activity and involvement in the Agency. It is clear that the Board is now taking a more proactive stance in its advisory role. Both the current Administrator, Bill Reilly, and the Deputy Administrator, Hank Habicht, are supporting this effort to find new ways to bring outside expertise to bear on a wider variety of scientific and engineering issues facing the Agency.

FY 92 will find the Board and the SAB Staff moving ahead at a more rapid pace, taking on greater responsibilities and providing the Agency and the public with focused and timely scientific advice to help protect human health and the environment.

U.S. ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

STRATOSPHERIC OZONE PROTECTION ADVISORY COMMITTEE

1. PURPOSE AND AUTHORITY. This charter is reissued to renew the Stratospheric Ozone Protection Advisory Committee in accordance with requirements of the Federal Advisory Committee Act, 5 U.S.C. App. II § 9(c). The Committee was originally established on October 2, 1989.

The purpose of the Advisory Committee is to provide advice and counsel to the Agency on policy and technical issues related to protection of the stratospheric ozone layer. The Advisory Committee provides independent advise and counsel to the Agency on specific issues affecting international negotiations related to the Montreal Protocol on Substances that Deplete the Ozone Layer, domestic implementation of the Clean Air Act Amendments of 1990 and related matters. The Advisory Committee provides a mechanism for discussions and consultation of a wide range of views and expertise concerning efforts to address this global environmental problem.

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

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

3. OBJECTIVES. The Advisory Committee is assigned the role of assessing and advising EPA concerning implementation of plans to protect the stratospheric ozone as required by the Clean Air Act Amendments of 1990. The committee will also advise the Agency on other matters related to protection of the ozone layer. Responsibilities consistent with this role include advising the Agency on the following:

- Assessment of domestic implementation of the Clean Air Act Amentments of 1990 and its impact on industry, consumers, public health and the environment;

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

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

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

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

4. COMPOSITION. The Advisory Committee shall be composed of approximately 27 members, including the Chairperson, and shall be selected and appointed by the Deputy Administrator for two-year terms. Members of the committee shall be selected on the basis of their professional qualifications and diversity of perspectives that will enable them to provide advice and guidance to the Agency regarding implementation of the 1990 Clean Air Act Amendments, the Montreal Protocol and protection of the stratospheric ozone layer.

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

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

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

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

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

August 12, 1991
Agency Approval Date

F. Henry Habicht II
Deputy Administrator

August 27, 1991
GSA Consultation Date

October 1, 1991
Date Filed with Congress

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NOTE: Terms end on September 30

STRATOSPHERIC OZONE PROTECTION ADVISORY COMMITTEE

RECENT ACCOMPLISHMENTS

The Stratospheric Ozone Protection Advisory Committee (STOPAC), established October 2, 1989, provides advice and counsel to the Agency on policy and technical issues associated with activities related to the protection of the stratospheric ozone layer (both domestic and international issues).

The full committee met once in 1991. Committee input was instrumental in the adoption of the Administration's strategy for an accelerated phaseout of (most) ozone-depleting chemicals.

There were also STOPAC subcommittee meetings throughout 1991. These focused on providing input to the Agency in its efforts to implement Title VI of the Clean Air Act. Such activity by subcommittee included:

- Subcommittee on Section 608 (Recycling and Emissions Reduction) - the group and its various subcommittees met eight times; key issues of the refrigerant recycling regulations were dealt with, including: equipment certification, technician and reclaimer certification, and safe disposal.

- Subcommittee on Section 609 (Mobile Air Conditioning) - the subcommittee met three times; the group reviewed the regulatory options developed by the Agency and assisted in gathering information on the regulated community. The standard for recover-only equipment was devised with member input.

- Subcommittee on Section 612 (Significant New Alternatives Policy [SNAP]) - the subcommittee met twice; counsel was given on the development and evaluation of acceptable and unacceptable alternatives to ozone-harming substances, processes and equipment.

- Subcommittee on Section 610 (Ban of Non-Essential Uses) - the subcommittee met twice; members contributed valuable feedback regarding the availability of substitutes, clarifying product definitions and defining the criteria for "nonessentiality." Discussions on the methodology for non-essential products selection were also held.

- Subcommittee on Section 611 (Labeling) - the subcommittee met 12 times; specific product labeling requirements were clarified and the Agency came to closure with industry and environmental groups on the best method of rulemaking implementation.

APPENDICES

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE MAY 1, 1991

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
CEC	THE CHESAPEAKE BAY PROGRAM ... AN ACTION AGENDA (AUGUST 1991)		10/29/91
CEC	THE CHESAPEAKE BAY ... A PROGRESS REPORT (1990-1991)		10/29/91
.CONAEL	FEASIBILITY OF A NATIONAL ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM--FIRST INTERIM REPORT		05/31/91
EFAB	TWO ADVISORIES: INCENTIVES FOR ENVIRONMENTAL INVESTMENT AND SMALL COMMUNITY FINANCING STRATEGIES FOR ENVIRONMENTAL FACILITIES		08/09/91
EFAB	NARROWING THE GAP: ENVIRONMENTAL FINANCE FOR THE 1990'S		05/19/92
FIFRASAP	REVIEW OF ANTIMICROBIAL TEST METHODOLOGY RESEARCH AND PROTOCOL REVIEW PROCESS		05/03/91
FIFRASAP	SET OF SCIENTIFIC ISSUES REGARDING AGENCY PEER REVIEW COMMITTEE'S CLASSIFICATION OF PRODIAMINE AS A GROUP C CARCINOGEN-SEPTEMBER 18, 1991		10/03/91
FIFRASAP	SET OF SCIENTIFIC ISSUES REGARDING AGENCY PEER REVIEW COMMITTEE'S CLASSIFICATION OF METOLACHLOR AS A GROUP C CARCINOGEN-SEPTEMBER 18, 1991.		10/03/91
FIFRASAP	SET OF SCIENTIFIC ISSUES REGARDING AGENCY PEER REVIEW COMMITTEE'S CLASSIFICATION OF TRIPHENYLTIN HYDROXIDE (TPTH) AS A GROUP B2, PROBABLE HUMAN CARCI.		10/03/91
FIFRASAP	SET OF SCIENTIFIC ISSUES REGARDING AGENCY PEER REVIEW COMMITTEE'S REVIEW OF DOSE-RESPONSE RISK ASSMNT FOR CARCINOGENIC EFFECTS OF ETHYLENE THIOUREA...		10/03/91
FIFRASAP	EPA'S SCIENTIFIC ASSESSMENT OF THE MONSANTO APPLICATION FOR EXPERIMENTAL USE PERMIT TO FIELD TEST FORMS OF BACILLUS THURINGIENSIS VAR. KURSTAKI ...		03/11/92
IETTAB	FINAL REPORT TO ADMIN. OF EPA FROM IETTAB, DECEMBER 1990		01/15/91
NACEPT-S&LP	RECOMMENDATIONS OF THE STATE AND LOCAL PROGRAMS COMMITTEE, MARCH 1991		11/13/91

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE MAY 1, 1991

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
NACEPT-TIEC	PERMITTING AND COMPLIANCE POLICY: BARRIERS TO US ENVIRONMENTAL TECHNOLOGY INNOVATION, JANUARY 1991	101/N-91-001	11/13/91
NDWAC	RECOMMENDATIONS RESULTING FROM MEETING HELD DECEMBER 6-7, 1990, ARLINGTON, VA.		10/18/91
NDWAC	RECOMMENDATIONS RESULTING FROM MEETING HELD APRIL 11-12, 1991 RE REAUTHORIZATION OF SDWAC		10/18/91
SAB-CASAC	REVIEW OF ORD DRAFT RESEARCH PLAN "EFFECTS OF TROPOSHERIC OZONE ON FOREST TREES"	91-010	11/20/91
SAB-CASAC	REVIEW OF DRAFT AIR QUALITY CRITERIA FOR CARBON MONOXIDE	91-015	11/20/91
SAB-CASAC	SAB NOTIFICATION OF A CONSULTATION ON PRIORITIZING THE 189 HAZARDOUS AIR POLLUTANTS LISTED IN 1990 CLEAN AIR ACT AMENDMENTS	92-002	01/06/92
SAB-DWC	REVIEW OF ORD'S DRINKING WATER MICROBIOLOGY RESEARCH PLAN	91-004	04/29/91
SAB-DWC	REVIEW OF PROTOCOL FOR MICROBIOLOGICAL TESTING OF DRINKING WATER	91-014	11/20/91
SAB-DWC	REVIEW OF ISSUES RELATING TO DRINKING WATER HEALTH CRITERIA DOCUMENT FOR CHLORINATED ACIDS/ALCOHOLS/ALDEHYDES/KETONES	92-002	11/27/91
SAB-DWC	SAB REVIEW OF DRINKING WATER RESEARCH DIVISION'S CORROSION RESEARCH PROGRAM	92-010	01/06/92
SAB-DWC	REVIEW OF HEALTH CRITERIA DOCUMENT FOR TRIHALOMETHANES BY THE DRINKING WATER COMMITTEE OF THE SAB	92-011	01/30/92
SAB-DWC	REVIEW OF THE OFFICE OF RESEARCH AND DEVELOPMENT'S ARSENIC RESEARCH RECOMMENDATIONS	92-018	05/13/92
SAB-DWC	DRINKING WATER COMMITTEE COMMENTARY ON THE DISINFECTION BY-PRODUCT REGULATORY ANALYSIS MODEL	COM-92-004	04/30/92
SAB-DWC	REVIEW OF ODW'S REVISED CRITERIA DOCUMENT ON NITRATE/NITRITE	LTR-92-001	11/15/91

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE MAY 1, 1991

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-DWC	SAB REVIEW OF THE OFFICE OF DRINKING WATER ISSUE PAPER ON CYANOGEN CHLORIDE	LTR-92-002	01/06/92
SAB-EC	NATIONAL RESEARCH AND DEVELOPMENT SECTION ON ANTICIPATORY RESEARCH	COM-92-006	04/30/92
SAB-EEC	USAGE OF COMPUTER MODELS IN THE HAZARDOUS WASTE AND SUPERFUND PROGRAMS AND PROPOSED PILOT STUDY	91-016	11/20/91
SAB-EEC	NOTIFICATION OF CONSULTATION ON OSW'S MODELING APPROACHES, ASSUMPTIONS, AND DATA TO BE IN SUBSURFACE FATE AND TRANSPORT MODEL(S) FOR OILY WASTES	92-001	12/31/91
SAB-EEC	LEACHABILITY: RECOMMENDATIONS AND RATIONALE FOR ANALYSIS OF CONTAMINANT RELEASE	92-003	11/15/91
SAB-EEC	RESEARCH-IN-PROGRESS REVIEW OF ORD'S "CONSTRUCTED WETLANDS FOR WASTEWATER TREATMENT"	LTR-92-006	01/30/92
SAB-EEC	REVIEW OF ORD'S DRAFT "POPULATION PREVENTION RESEARCH STRATEGIC PLAN"	LTR-92-007	04/30/92
SAB-EHC	REVIEW OF ORD DRAFT DOC: RESPONSE TO ISSUES AND DATA SUBMISSIONS ON THE CARCINOGENICITY OF PERCHLOROETHYLENE BY THE EHC	91-013	11/20/91
SAB-EHC	OTS REVISION OF '87 DOCUMENT "ASSESSMENT OF HEALTH RISKS TO GARMENT WORKERS..."	CON 91-001	10/25/90
SAB-EHC	NOTIFICATION OF A CONSULTATION ON THE OSWER DRAFT STUDY ON SUPERFUND SITE POPULATIONS AT RISK	CON-92-004	04/30/92
SAB-EHC	ALPHA-2U GLOBULIN: ASSOC WITH CHEMICALLY INDUCED RENAL TOXICITY AND NEOPLASIA IN THE MALE RAT	LTR-91-006	11/20/91
SAB-EPEC	EVALUATION OF THE ECOREGION CONCEPT	91-003	04/29/91
SAB-EPEC	EVALUATION OF THE PROGRAM PLAN FOR EMAP	91-011	11/20/91
SAB-EPEC	EVALUATION OF THE PROPOSED CENTER FOR MARINE AND ESTUARINE DISEASE RESEARCH	91-012	11/20/91

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE MAY 1, 1991

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-EPEC	EVALUATION OF THE PROGRAM PLAN FOR EMAP	91-XXX	01/23/92
SAB-EPEC	SAB'S EVALUATION OF EPA'S RESEARCH ON EXPERT SYSTEMS TO PREDICT THE FATE AND EFFECTS OF CHEMICALS	92-004	11/21/91
SAB-EPEC	NATIONAL ESTUARY PROGRAM MONITORING GUIDANCE	92-005	11/26/91
SAB-EPEC	SAB REVIEW OF EPA'S WETLAND RESEARCH PROGRAM	92-007	11/21/91
SAB-EPEC	REVIEW OF A TESTING MANUAL FOR EVALUATION OF DREDGED MATERIAL PROPOSED FOR OCEAN DISPOSAL	92-014	01/10/92
SAB-EPEC	REVIEW OF THE EMAP PROGRAM PLAN AND CONCEPTS FOR INTEGRATION AND ASSESSMENT	LTR-92-008	05/07/92
SAB-IAQTHE	REVIEW OF DRAFT FINAL EXPOSURE ASSESSMENT GUIDELINES (SAB FINAL REVIEW DRAFT DATED AUG. 8, 1991)	92-015	01/15/92
SAB-IAQTHE	SINCE ADVISORY BOARD COMMENTARY ON THE AGENCY'S ASBESTOS PROGRAM	COM-92-005	04/30/92
SAB-IAQTHE	NOTIFICATION OF A CONSULTATION ON THE OFFICE OF HEALTH RESEARCH NATIONAL HUMAN EXPOSURE ASSESSMENT SURVEY (NHEXAS)	CON-92-003	05/01/92
SAB-RAC	STATUS OF EPA RADIONUCLIDE MODELS	92-001	01/10/92
SAB-RAC	COMMENTARY ON RESIDUAL RADIOACTIVITY	92-002	01/10/92
SAB-RAC	REVIEW OF THE "CORRELATION OF SHORT-TERM AND LONG-TERM TESTS FOR INDOOR RADON"	92-008	12/31/91
SAB-RAC	REVIEW OF DRAFT CRITERIA DOCUMENTS FOR RADIONUCLIDES IN DRINKING WATER	92-009	01/10/92
SAB-RAC	A NATIONAL SURVEY FOR RADON IN SCHOOLS	92-012	01/10/92
SAB-RAC	REDUCING RISKS FROM RADON DRINKING WATER CRITERIA DOCUMENTS	COM-92-003	04/30/92
SAB-RAC	REVISED RADON RISK ESTIMATES AND ASSOCIATED UNCERTAINTIES	LTR-92-003	01/10/92

EPA ADVISORY COMMITTEE REPORTS FILED WITH THE
LIBRARY OF CONGRESS SINCE MAY 1, 1991

COMMITTEE ABBREVIATION	REPORT TITLE	REPORT CODE	DATE REPORT FILED BY
SAB-RAC	IDAHO RADIONUCLIDE STUDY	LTR-92-004	02/07/92
SAB-RAC	REVIEW OF DRAFT REVISED CITIZEN'S GUIDE TO RADON	LTR-92-005	01/30/92
SAB-RAC	REVIEW OF A RESEARCH STRATEGY FOR ELECTRIC AND MAGNETIC FIELDS: RESEARCH NEEDS AND PRIORITIES (EPA/600/9-91-016A)	LTR-92-009	05/13/92
SAB-RAC	REVIEW OF THE DRAFT REVISED HOMEBUYER'S AND SELLER'S GUIDE TO RADON	LTR-92-010	06/03/92
SAB-RSAC	AWARD RECOMMENDATIONS FOR THE 1991 SCIENTIFIC AND TECHNOLOGICAL ACHIEVEMENT AWARDS PROGRAM	92-019	05/07/92

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

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.

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

Federal Advisory Committee Act.

FINDINGS AND PURPOSES

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

(b) The Congress further finds and declares that—

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

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

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

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

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

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

DEFINITIONS

SEC. 3. For the purpose of this Act—

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

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

(A) established by statute or reorganization plan, or

(B) established or utilized by the President, or

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

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

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

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

APPLICABILITY

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

Restrictions.

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

(1) the Central Intelligence Agency; or

(2) the Federal Reserve System.

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

RESPONSIBILITIES OF CONGRESSIONAL COMMITTEES

Review.

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

Guidelines.

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

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

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

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

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

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

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

RESPONSIBILITIES OF THE PRESIDENT

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

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

PL 97-375 (by effective 7-1-83)

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

RESPONSIBILITIES OF THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

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

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

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

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

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

(4) whether is should be abolished.

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

Performance guidelines.

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

Uniform pay guidelines.

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

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

Travel expenses.

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

80 Stat. 499; 83 Stat. 190.

(2) Nothing in this subsection shall prevent—

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

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

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

Expense recommendations.

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

RESPONSIBILITIES OF AGENCY HEADS

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

Advisory Committee Management Control Officer, designation.

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

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

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

81 Stat. 54.

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

ESTABLISHMENT AND PURPOSE OF ADVISORY COMMITTEES

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

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

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

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

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

(A) the committee's official designation;

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

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

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

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

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

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

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

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

(J) the date the charter is filed.

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

ADVISORY COMMITTEE PROCEDURES

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

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

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

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

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

Certification.

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

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

81 Stat. 54.

Annual report.

Federal officer or employee, attendance.

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

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

AVAILABILITY OF TRANSCRIPTS

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

"Agency proceeding."
80 Stat. 382.

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

FISCAL AND ADMINISTRATIVE PROVISIONS

Recordkeeping.

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

Audit.

Agency support services.

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

RESPONSIBILITIES OF LIBRARY OF CONGRESS

Reports and background papers.

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

Depository.

TERMINATION OF ADVISORY COMMITTEES

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

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

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

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

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

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

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

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

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

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

EFFECTIVE DATE

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

Approved October 6, 1972.

LEGISLATIVE HISTORY:

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

GPO 83-139

SUBPART 101-6.10 -- FEDERAL ADVISORY COMMITTEE MANAGEMENT

§ 101-6.1001 Scope.

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

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

§ 101-6.1002 Policy.

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

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

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

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

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

§ 101-6.1003 Definitions.

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

"Administrator" means the Administrator of General Services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) The Advisory Committee on Intergovernmental Relations;

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

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

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

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

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

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

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

§ 101-6.1005 Authorities for establishment of advisory committees.

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

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

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

(c) By the President by Executive Order; or

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

the procedures provided in § 101-6.1007.

§ 101-6.1006 (Reserved)

§ 101-6.1007 Agency procedures for establishing advisory committees.

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 101-6.1008 The role of GSA.

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

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

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

request formal or informal comments from agency Committee Management Officers.

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

§ 101-6.1009 Responsibilities of an agency head.

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

(a) Compliance with the Act and this subpart;

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

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

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

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

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

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

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

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

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

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

§ 101-6.1010 (Reserved)

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

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

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

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

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

§ 101-6.1012 (Reserved)

§ 101-6.1013 Charter filing requirements.

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

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

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

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

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

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

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

(1) The charter with the Secretariat;

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

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

§ 101-6.1014 (Reserved)

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

(a) Committee establishment, reestablishment, or renewal.

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

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

(b) Committee meetings.

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

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

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

(iii) A summary of the agenda; and

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

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

§ 101-6.1016 (Reserved)

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

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

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

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

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

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

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

§ 101-6.1018 (Reserved)

§ 101-6.1019 Duties of the Designated Federal Officer.

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

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

(b) Must approve the agenda;

(c) Must attend the meetings;

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

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

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

§ 101-6.1020 (Reserved)

§ 101-6.1021 Public participation in advisory committee meetings.

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

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

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

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

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

§ 101-6.1022 (Reserved)

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

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

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

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

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

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

§ 101-6.1024 (Reserved)

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

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

§ 101-6.1026 (Reserved)

§ 101-6.1027 Termination of advisory committees.

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

§ 101-6.1028 (Reserved)

§ 101-6.1029 Renewal and rechartering of advisory committees.

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

§ 101-6.1030 (Reserved)

§ 101-6.1031 Amendments to advisory committee charters.

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

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

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

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

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

(i) Amend the charter language as necessary, and

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

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

(i) Amend the charter language as necessary,

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

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

§ 101-6.1032 (Reserved)

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

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

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

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

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

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

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

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

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

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

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

(g) Exclusions.

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

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

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

§ 101-6.1034 (Reserved)

§ 101-6.1035 Reports required for advisory committees.

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

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

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

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

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