

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

NATIONAL DRINKING WATER ADVISORY COUNCIL

1. Committee's Official Designation (Title):

National Drinking Water Advisory Council

2. Authority:

This charter renews the National Drinking Water Advisory Council (NDWAC or Council) in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2. NDWAC is in the public interest and supports EPA in performing its duties and responsibilities. The Council was created by Congress on December 16, 1974, as part of the Safe Drinking Water Act of 1974, P.L. 93-523, 42 U.S.C. 300j-5.

3. Objectives and Scope of Activities:

NDWAC will provide advice, information, and recommendations on matters related to activities, functions, policies, and regulations of the Environmental Protection Agency (EPA) under the Safe Drinking Water Act.

The major objectives are to provide advice and recommendations on:

- a. Providing practical and independent advice on matters and policies related to drinking water quality and public health protection.
- b. Maintaining an awareness of developing issues and problems in the drinking water area and advising EPA on emerging issues.
- c. Advising on regulations and guidance as required by the Safe Drinking Water Act.
- d. Recommending policies with respect to the promulgation of drinking water standards.
- e. Recommending special studies and research.
- f. Assisting in identifying emerging environmental or health problems related to potentially hazardous constituents in drinking water.
- g. Proposing actions to encourage cooperation and communication between EPA and other governmental agencies, interest groups, the general public, and technical associations and organizations on drinking water quality.

- h. Analyzing sustainable infrastructure issues with special emphasis on the security of the nation's drinking water systems.

4. Description of Committees Duties:

The duties of NDWAC are solely advisory in nature.

5. Official(s) to Whom the Committee Reports:

The NDWAC will report its advice and recommendations to the EPA Administrator.

6. Agency Responsible for Providing the Necessary Support:

EPA will be responsible for financial and administrative support. Within EPA, this support will be provided by the Office of Water.

7. Estimated Annual Operating Costs and Work Years:

The estimated annual operating cost of NDWAC is \$170,000 which includes 1.0 person-years of support.

8. Estimated Number and Frequency of Meetings:

NDWAC expects to meet two (2) times a year. Meetings are expected to occur approximately once every six (6) months or as needed and approved by the Designated Federal Officer (DFO). As required by the Safe Drinking Water Act, EPA will pay members' travel and per diem expenses when members are "away from their homes or regular places of business in the performance of services for the Council." 42 U.S.C. § 300j-5(c). A full-time or permanent part-time employee of EPA will be appointed as the DFO. The DFO or a designee will be present at all meetings and each meeting will be conducted in accordance with an agenda approved in advance by the DFO. The DFO is authorized to adjourn any meeting when he/she determines it is in the public interest to do so.

As required by FACA, the Council will hold open meetings unless the EPA Administrator determines that a meeting or a portion of a meeting may be closed to the public in accordance with subsection c of the Government in the Sunshine Act, 5 U.S.C. § 552b. Interested persons may attend meetings, appear before the committee as time permits, and file comments with the NDWAC.

9. Duration and Termination:

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." 42 U.S.C. § 30j-5(d). 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.

10. Member Composition:

NDWAC will be composed of fifteen (15) members who will serve as Special Government Employees (SGE). Members will be appointed by EPA's Deputy Administrator after consultation with the Secretary of the Department of Health and Human Services. As required by the Safe Drinking Water Act, five (5) members will be appointed from each of the following areas: 1) appropriate State and local agencies concerned with public water supply and public health protection; 2) private water-related or other organizations and groups having an active interest in public water supply/public health protection; and 3) the general public. 42 U.S.C. section 300j-5(a). Two (2) of the 15 members will represent small, rural public water systems.

In addition, up to five Federal employees will be appointed as technical advisors to the Council. The technical advisors may include individuals representing the EPA's Science Advisory Board (SAB), the Centers for Disease Control and Prevention's (CDC) National Center for Environmental Health and National Center for Infectious Diseases, and such additional Federal officials as the Deputy Administrator deems necessary for the NDWAC to carry out its function. Technical advisors may participate in Council discussions, but not Council deliberations.

11. Subgroups:

EPA, or NDWAC with EPA's approval, may form NDWAC subcommittees or working groups for any purpose consistent with this charter. Such subcommittees or working groups may not work independently of the chartered committee and must report their recommendations and advice to the entire Council for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the chartered Council nor can they report directly to the Agency.

December 4, 2008
Agency Approval Date

December 16, 2008
Date Filed with Congress