# 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 the Environmental Protection Agency (EPA or Agency) 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 EPA under the Safe Drinking Water Act, including:

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 to provide advice to EPA.

## 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 $252,000 which includes approximately 1.0 personyears of support.

## 8. Designated Federal Officer:

A full-time or permanent part-time employee of EPA will be appointed as the Designated Federal Official (DFO). The DFO or a designee will be present at all meetings of the advisory committee and subcommittees. 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 or she determines it is in the public interest to do so and will chair meetings when directed to do so by the official to whom the committee reports.

## 9. 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).

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 5 U.S.C. 552b(c). Interested persons may attend meetings, appear before the committee as time permits, and file comments with the NDWAC.

## 10. 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. § 300j-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.

## 11. 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 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 appropriate State and local agencies concerned with public water supply and public health protection; five (5) members will be appointed from private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply, of which two (2) members will represent small, rural public water systems; and five (5) members will be appointed from the general public. 42 U.S.C. § 300j-5(a). .

In addition, up to five (5) 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 EPA deems necessary for the NDWAC to carry out its function. Technical advisors may participate in Council discussions, but not Council deliberations.

## 12. 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 chartered Council for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the chartered Council and they cannot report directly to the Agency.

**13. Recordkeeping:**

The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with NARA General Records Schedule 26, Section 2 and EPA Records Schedule 181 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, these records will be available for public inspection and copying, in accordance with the Federal Advisory Committee Act.

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Agency Approval Date

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