

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

CLEAN AIR ACT ADVISORY COMMITTEE

1. Committee's Official Designation (Title):

Clean Air Act Advisory Committee

2. Authority:

This charter renews the Clean Air Act Advisory Committee (CAAAC) established on September 10, 1980, in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. 10. The CAAAC is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities under the Clean Air Act Amendments of 1990.

3. Objectives and Scope of Activities:

The CAAAC provides advice, information and recommendations on policy and technical issues associated with implementation of the Clean Air Act (the Act) as requested by EPA. These issues include the development, implementation, and enforcement of programs required by the Act. The CAAAC may advise on issues that cut across several program areas.

4. Description of Duties:

The duties of the CAAAC are solely to provide advice to EPA. The committee will provide advice and recommendations on:

- a. Approaches for new and expanded programs, including those using innovative technologies and policy mechanisms to achieve environmental improvements.
- b. The potential health, environmental, and economic effects of Clean Air Act programs on the public, the regulated community, state and local governments, and other federal agencies.
- c. The policy and technical contents of proposed major EPA rulemaking and guidance required by the Act to help effectively incorporate appropriate outside advice and information.
- d. The integration of existing policies, regulations, standards, guidelines, and procedures into programs for implementing requirements of the Act.

5. Agency or Official to Whom the Committee Reports:

The CAAAC will submit advice and recommendations and report to the EPA Administrator, through the Office of Air and Radiation.

6. Support:

The EPA will be responsible for financial and administrative support. Within the EPA, this support will be provided by the Office of Air and Radiation. EPA may pay travel and per diem expenses when determined necessary and appropriate.

7. Estimated Annual Operating Costs and Staff Years:

The estimated annual operating cost of the CAAAC is \$350,000, which includes 2.0 person-years of support.

8. Designated Federal Officer:

The agency head must designate a federal officer or employee who must be either full-time or permanent part-time, to be the designated federal officer for each advisory committee and its subcommittees, and the DFO must:

- A. Ensure their advisory committee activities comply with the Act, FACA Final Rule, their agency administrative procedures, and any other applicable laws and regulations;
- B. Approve or call all meetings of the advisory committee or subcommittee;
- C. Approve the agenda, except that this requirement does not apply to a Presidential advisory committee;
- D. Attend all advisory committee and subcommittee meetings for their duration;
- E. Fulfill the requirements under § 10(b) of the Act (codified at 5 U.S.C. 1009(b));
- F. Adjourn any meeting when the DFO determines it to be in the public interest;
- G. Chair any meeting when so directed by the agency head
- H. Maintain information on advisory committee activities and provide such information to the public, as applicable; and
- I. Ensure advisory committee members and subcommittee members, as applicable, receive the appropriate training (e.g., FACA overview, ethics training) for efficient operation and compliance with the Act and FACA Final Rule

Also, the DFO should ensure a public facing website is created and maintained for the advisory committee to which they are assigned according to 41 CFR § 102-3.120(b).

9. Estimated Number and Frequency of Meetings:

The CAAAC expects to meet approximately two times per year. Meetings may occur approximately once every four to six months or as needed and approved by the DFO.

As required by FACA, the committee 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 CAAAC.

10. Duration:

The need for this committee is continuing, subject to termination section below.

11. Termination:

The CAAAC will be examined annually and will exist until the EPA determines the committee is no longer needed. This charter will be in effect for two years from the date it is filed with Congress. After this period, the charter may be renewed as authorized in accordance with Section 14 of FACA.

12. Membership and Designation:

The CAAAC will be composed of approximately forty (40) members who will generally serve as representative members of non-federal interests. If needed, members may be appointed to serve as regular government employees (RGEs), or special government employees (SGEs).

Representative members are selected to represent the points of view held by organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from business and industry, academic institutions, state, local and tribal governments, EPA officials, unions, public interest groups, environmental organizations, and service groups. The Assistant Administrator for the Office of Air and Radiation or designee will serve as the chair.

In accordance with Executive Order 14035 (June 25, 2021), and consistent with law, EPA values and welcomes opportunities to increase diversity, equity, inclusion, and accessibility on its federal advisory committees. EPA's federal advisory committees have a workforce that reflects the diversity of the American people.

13. Subcommittees:

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

14. 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 6.2 and EPA Records Schedule 1024 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.

15. Filing:

September 12, 2024
Agency Approval Date

August 29, 2024
GSA Consultation Completion Date

September 30, 2024
Date Filed with Congress