

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

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### NATIONAL DRINKING WATER ADVISORY COUNCIL

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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), as amended, 5 U.S.C. 10. The council was created by Congress on December 16, 1974, as part of the Safe Drinking Water Act of 1974, Public Law 93-523, 42 U.S.C. § 300j-5.

3. **Objectives and Scope of Activities:**

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

4. **Description of Duties:**

The duties of the NDWAC are to provide advice to EPA on Safe Drinking Water Act matters, including the following functions:

- 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 such as the security and resiliency of the nation's drinking water systems.

**5. Agency or Official to Whom the Committee Reports:**

The NDWAC will report the council's advice and recommendations to the EPA Administrator.

**6. Support:**

EPA will be responsible for financial and administrative support. Within EPA, this support will be provided by the Office of Water. 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 NDWAC is \$252,000, which includes approximately 1.0 staff 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 DFO 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.

**9. Estimated Number and Frequency of Meetings:**

The NDWAC expects to meet approximately two (2) times a year. Meetings are expected to occur approximately once every six (6) months or as needed and approved by the 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 the 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:**

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

**11. 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.

**12. Membership and Designation:**

The NDWAC will be composed of 15 members who will serve as special government employees (SGEs). 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 shall be appointed from the general public; five (5) members shall be appointed from appropriate State and local agencies concerned with water hygiene and public water supply; and five (5) 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, of which two (2) such members shall be associated with small, rural public water systems. 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 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 EPA deems necessary for the NDWAC to carry out the council's functions. Technical advisors may participate in council discussions, but not council deliberations.

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 NDWAC with EPA's approval, may form the council's 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 EPA.

**14. Recordkeeping:**

The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with the National Archives and Records Administration 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 5, 2024  
Agency Approval Date

July 17, 2024  
GSA Consultation Completion Date

October 1, 2024  
Date Filed with Congress