

Clean Air Act Advisory Committee

FACA Update

CAAAC Changes

- New DFO
- New EPA Policy to Comply with
- New members
- New Subcommittee
- New budget restraints

FACA Background

- Federal Advisory Committee Act of 1972
 - “establish uniform administrative guidelines and management controls for advisory committees established by that agency”
- GSA – Final Rule on FACA Committee Management (41-CFR. Part 102-3)
- EPA - Federal Advisory Committee Management Handbook (October 9, 2003)
 - CAAAC was recently audited for compliance with Act and Guidance

FACA Membership

- EPA's policy is that members be appointed for terms no longer than six years in order to provide fresh perspectives on the committee.
- Under the EPA policy, the Deputy Administrator may grant reappointments beyond the six-year limit if the program/DFO provides adequate justification as to why an appropriate replacement cannot be found.

Membership Decision Factors

- Participation
- Tenure
- Balanced Representation
- Ability to adequately backfill
- Geographic location

Category of EPA Federal Advisory Committees:

- **Tier 1 Committee** – refers to principal chartered federal advisory committee, that provides advice directly to EPA. Tier 1 committees are subject to all the requirements of FACA and the GSA rule on federal advisory committee management. Tier 1 committees are also referred to as a “parent” or “chartered” committee.

Category of EPA Federal Advisory Committees:

- **Tier 2 Committee** - refers to a subcommittee that is directly subordinate to a Tier 1 (parent) committee. Subcommittee are established formally and members are appointed by the Administrator. Subcommittee are not chartered. *Tier 2 committees can not function independently of their parent committee or give advice directly to EPA.*
- It is EPA policy that Tier 2 committees comply with requirements established by FACA and the GSA rule, except chartering requirements.

Active Subcommittees

- Economic Incentives and Regulatory Innovation
- Permits, New Source Reviews, and Toxics
- Linking Land Use, Transportation and Air Quality
- Mobile Sources Technical Review
 - Meets separate from full committee

Category of EPA Federal Advisory Committees:

- **Tier 3 Committee** – Refers to a work group that is made up of a few committee, or subcommittee, members which gathers information or draft documents for a Tier 1 or Tier 2 committee. Work groups are not subject to FACA or GSA requirements.

Active CAAAC Workgroups/Efforts

- Air Quality Management (being promoted to a Tier 2 subcommittee)
- Title V Workgroup (expected completion 2005)
- Radon Workgroup (expected completion 2005)
- Clean Diesel and Retrofit Working Group
- Rapid Response Team

Next Steps

- Subcommittee changes
 - Create AQM subcommittee
 - Place Land Use Subcommittee on Inactive status temporarily
 - Assign new members to subcommittees
 - Use Mobile Source Subcommittee as a model
 - portion of subcommittee members unique from full committee

Potential Next Steps

- **Full Committee Changes**
 - Come into compliance with EPA tenure policy
 - Key recommendation from recent audit of CAAAC
 - Reduce number of full committee members to create unique subcommittee members
- **Meeting Changes**
 - Panel discussions vs talking head presentations at meeting
 - Fewer topics
 - Subcommittee Chairs involved in developing full committee agenda
 - Subcommittee/Workgroup report outs more in depth to formalize recommendations at full committee level

Keeping it Interesting

- Having themes/Key Topics to meeting:
 - Possible topics suggested by subcommittee members
 - Attainment areas
 - Border Issues
 - Children's Health
 - Fuels
 - Specific AQM recommendations
 - ??????

Next Meetings

Week of July 25 - Washington, DC

Week of November 1 - Texas

Further Information

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