

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

**NATIONAL ADVISORY COMMITTEE TO THE
UNITED STATES REPRESENTATIVE TO THE
NORTH AMERICAN COMMISSION FOR ENVIRONMENTAL COOPERATION**

1. Committee's Official Designation (Title):

National Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation.

2. Authority:

This charter renews the National Advisory Committee (NAC) to the United States Representative to the Council of the Commission for Environmental Cooperation (CEC) in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2 § 9 (c). NAC is in the public interest and advises the U.S. Representative on implementation and elaboration of the North American Agreement on Environmental Cooperation (NAAEC). Establishment of the committee is authorized under article 17 of the NAAEC and by the North American Free Trade Agreement Implementation Act, P.L. 103-182, which authorizes U.S. participation in the CEC. Federal government responsibilities relating to the committee are set forth in Executive Order 12915, entitled Federal Implementation of the North American Agreement on Environmental Cooperation.

3. Objectives and Scope of Activities:

NAC will provide advice, information and recommendations on a broad range of environment-related strategic, scientific, technological, regulatory and economic issues to be addressed in implementation and elaboration of the NAAEC.

4. Description of Committee s Duties:

The duties of NAC are solely advisory in nature.

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

NAC will submit advice and recommendations and report to the Environmental Protection Agency (EPA), Administrator, who serves as the United States Representative to the Council of the CEC under the authority of Executive Order 12915.

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 Cooperative Environmental Management, within the Office of the Administrator.

7. Estimated Annual Operating Costs and Work Years:

The estimated annual operating cost of NAC is \$160,000 which includes 0.7 person-years of support.

8. Estimated Number and Frequency of Meetings:

The committee expects to meet approximately three (3) times a year. Meetings may occur approximately once every four (4) months or as needed and approved by the Designated Federal Officer (DFO). EPA may pay travel and per diem expenses when determined necessary and appropriate. 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 or she determines it is in the public interest to do so.

As required by FACA, NAC 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 Section 522(b) of Title 5, United States Code. Interested persons may attend meetings, appear before the committee as time permits, and file comments with the NAC.

9. Duration and Termination:

_____ This charter will be in effect for two years from the date it is filed with Congress. After this two-year period, the charter may be renewed as authorized in accordance with Section 14 of FACA (5 U.S.C. App.2 § 14).

10. Member Composition:

NAC will be composed of approximately twelve (12) members. Members will serve as representatives of non-Federal interests. Members will be selected from among, but are not limited to, environmental groups and non-profit entities, business and industry, and educational institutions.

11. Subgroups:

EPA, or NAC with EPA's approval, may form NAC 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 NAC 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 U.S. Representative to the Council of the CEC.

August 18, 2004
Agency Approval Date

September 3, 2004
Date Filed with Congress