
Savannah River Site Citizens Advisory Board (CAB)



Standard Operating Procedures

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MISSION STATEMENT

In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Federal Advisory Committee Management regulations (41 C.F.R. § 101-6 *et seq.*), the Department of Energy (DOE) Advisory Committee Management Program Manual (DOE M 515.1-1, 10-22-07), and the Environmental Management Site Specific Advisory Committee (EM SSAB) Charter, the Savannah River Site (SRS) Citizens Advisory Board will provide the Assistant Secretary for Environmental Management (EM), the appropriate Department of Energy (DOE) Savannah River Operations Office Manager or Deputy Manager or Assistant Managers for EM activities, and any other DOE official the Assistant Secretary shall designate, with information, advice, and recommendations concerning issues affecting the EM program at SRS. At the request of the Assistant Secretary or the SRS Manager, the Board may provide advice and recommendations concerning the following EM site-specific issues: clean-up standards and environmental restoration; waste management and disposition; stabilization and disposition of non-stockpile nuclear materials; excess facilities; future land use and long term stewardship; risk assessment and management; and clean-up science and technology activities. The CAB may also ask, subject to EM approval, or be asked by EM to provide advice and recommendations on any other EM project or issue.

**Standard Operating Procedures
of the Savannah River Site
Citizens Advisory Board**

**Article I
Name and Offices**

This organization shall be known as the Savannah River Site Citizens Advisory Board hereinafter referred to as the “Board.” The principal office shall be located at the Savannah River Site in Aiken, South Carolina.

**Article II
Purpose, Objectives, Authority and Duty**

Section 2.1 Purpose

The purpose of the Savannah River Site (SRS) Citizens Advisory Board is to provide independent advice and recommendations to the U. S. Department of Energy’s (DOE) Assistant Secretary for Environmental Management (EM) or the Manager at the Savannah River Operations Office. The SRS CAB draws on diverse community viewpoints to provide its advice and recommendations, with a goal of directly involving stakeholders in EM planning and decision-making processes on the SRS cleanup. The Board will provide advice and recommendations in response to charges issued by EM or the Savannah River Site Manager.

Section 2.2 Objectives

To promote the aforementioned purpose of the Board, the Board shall have the following objectives:

- a. Prioritize key and timely issues pertaining to environmental restoration, waste management, technology development and other related activities at SRS. Provide written recommendations to the SRS Manager on these issues.
- b. Work with the Environmental Protection Agency (EPA), the South Carolina Department of Health and Environmental Control (SCDHEC), and the Georgia Department of Natural Resources (GDNR) to identify and request information, as needed.
- c. Seek and receive information sufficiently early in the decision-making process to ensure that the Board's recommendations can actually influence the decision-making process.
- d. Provide for public involvement in the Board's advisory process by making information available to the public, holding open meetings, communicating efforts and results and creating opportunities for the public to participate in the process.
- e. Draw on subject experts and other knowledgeable sources, as needed, to obtain information in areas of interest. The Board shall make a good faith effort to balance information sources and obtain information on all sides of an issue.
- f. Serve as an interface with other boards and groups dealing with SRS issues to share information and avoid unwanted duplication of effort.

Section 2.3 Authority and Duty

In order to carry out its purpose and objectives, the Board shall have the authority and duty to provide DOE with:

- a. Input and recommendations concerning the process, content, public participation and other policy aspects of EM's environmental restoration, waste management, technology development and other related EM activities at SRS;
- b. Options to resolve difficult issues faced by the DOE's EM Program, including, but not limited to, contamination, site-specific cleanup criteria, risk management, budget prioritization, management effectiveness, cost versus benefit analysis, environmental acceptability, economic development, and future land use; and strategies for site waste management, disposal facilities and nuclear materials.
- c. Advice on any other environmental restoration and waste management projects assigned to the Board for review by DOE.

Article III Membership of the Board

Section 3.1 Membership

The Board is a broadly constituted organization consisting of a diverse group of people representing the interests and concerns of communities in South Carolina and Georgia affected by the Savannah River Site.

The number of Board members will be approximately twenty-five (25).

Board members will represent the stakeholder categories within which DOE appointed them. Membership may include, but is not limited to, interested stakeholders from local government, Tribal nations, environmental, civic, and religious groups, labor organizations, ethnic minorities, academia, women's groups, and other interested individuals.

Pursuant to delegated authority, the Assistant Secretary for EM is authorized to appoint and remove EM Site-Specific Advisory Board (SSAB) members. Members serve at the pleasure of the Assistant Secretary and may be removed at any time during their tenure.

The Assistant Secretary or Assistant Managers for EM may request that other Federal, State or local agencies or Tribal organizations name liaisons to the local Board to provide information and represent their agency's interests at local Board meetings.

Section 3.2 Membership Responsibilities

- Attend regular meetings and receive information and training
- Review and comment on EM documents within their purview that come before the Board, and submit timely recommendations to EM.
- Be available for Committee work between Board meetings, and participate fully in the affairs of the Board.
- Work collaboratively and respectfully with other Board members and liaisons in the best interests of both the Board and the public.
- Accurately represent all matters before the Board.

- Handle, in a responsible manner, information and materials provided by the agencies, particularly drafts developed for an agency's in-house use, that might have significant future revisions as part of the agency's working practices.
- Share any written communication about Board activities with the Board as a whole and with the Deputy Designated Federal Officer (DDFO).
- Act for the Board or as its representative only with approval by the majority vote of the Board.
- Serve on at least one Committee or Task Force during any given six month period.
- Abide by the terms and conditions of the EM SSAB Charter and these operating procedures.

Section 3.3 Terms of Appointment

Board membership follows a rotating schedule that will encourage new individuals to participate and will maintain a diversity inherent in the makeup of the Board.

Terms of membership will be two years

Members may serve three terms for a total of six years.

If, after significant recruitment efforts, it is found that the applicant pool is limited, a request for an exception from term limits may be made by the SRS Manager to the Assistant Secretary.

Section 3.4 Vacancies

As soon as a vacancy exists following completion of a Board member's term, resignation, or removal, Board members, members from the affected communities in South Carolina and Georgia, or individuals who work in these communities may nominate someone or themselves to fill the vacancy. Nominations should meet, as far as possible, the Board's existing stakeholder balance, diversity, and geographical distribution. The DDFO shall interview nominees and forward recommendations to the Office of Environmental Management in DOE Headquarters for approval.

When a vacancy exists due to resignation or removal of a Board member, the vacancy shall be filled by interim appointment for the remainder of the unexpired term by the SRS Manager in accordance with the EM Site-Specific Advisory Board Guidance.

Section 3.5 Agency Liaisons

DOE, the Environmental Protection Agency (EPA), the South Carolina Department of Health and Environmental Control (SCDHEC) and the Georgia Department of Natural Resources (GNDR) may each appoint no more than two liaisons and one alternate from within each agency to attend Board meetings. Liaisons may participate in discussion but shall not have voting privileges.

SRS contractors and subcontractors may attend any meeting of the Board but shall not participate in discussions unless specifically requested to do so by a Board member or agency liaison or during the public comment period.

Section 3.6 Liaison Responsibilities

- Define and communicate clearly to the Board the respective decision-making processes of the agency they represent.

- Provide timely access to pertinent information related to EM and associated environmental issues and decision-making.
- Inform the Board in a timely and proactive manner of agency processes, programs, projects, and activities relevant to the Board’s mission and purpose.

**Article IV
Officers of the Board**

Section 4.1 Number of Officers

There shall be two officers of the Board: chairperson and vice chairperson. However, the Board may create other positions of office, as it deems necessary.

Section 4.2 Duties of Officers

a) Chairperson: The Chairperson shall preside over all meetings and shall have primary responsibility for the Board's relations with the Agencies. The Chairperson shall be the official public spokesperson for the Board with regard to issues and policy recommendations. The Chairperson may serve as a Member of a committee of the Board but shall not chair an issues-based committee.

Other duties of the Chairperson include:

- Develop draft agendas to be approved by the DDFO. The DDFO will ensure that detailed minutes of meetings are reported and duly certified by the Chair within 90 calendar days.
- The Chair certifies the accuracy of all minutes within 90 calendar days.
- The Chair signs the certification of a recommendation that the Board passes.
- The Chair assures necessary administrative support for the committees and task forces, and requests support through the DDFO.
- The Chair shall recommend candidates to the DDFO for positions on task forces and ensure that the membership of the committees and task forces reflects the diversity of the Board to the extent practicable.
- The Chair serves between regular meetings of the Board as contact for DOE.
- The Chair will have other duties as assigned by the Board.

b) Vice Chairperson: The Vice Chairperson shall have full authority to act for the Chairperson in his or her absence or incapacity and thereby assumes all duties of the chairperson.

Section 4.3 Election of Officers

The Board will elect, by majority vote, the chair and vice-chair to serve for a term of two years. An officer may serve a maximum of two consecutive terms in the same office, but may not run for or hold more than one Board position, at a time. A vacancy in any office shall be filled by the Board for the unexpired portion of the term of the position. Elections of officers shall be held every two years.

**Article V
Conflicts of Interest**

Section 5.1 Definition

Board members are prohibited from personally and substantially participating as a Board member in any matter in which the Board member or the Board member's spouse, minor child, general partner, or employee has a financial interest. This restriction also applies if the Board member is negotiating or has any arrangement concerning prospective employment with any person or organization that has a financial interest in any particular matter before the Board.

Section 5.2 Principles of Conduct

Board members shall abide by the following conflict of interest principles:

- Members shall refrain from any use of their membership, which is, or gives the appearance of being, motivated by the desire for private gain.
- Members shall not use, either directly or indirectly for private gain, any inside information obtained as a result of Board or Committee service.
- Members shall not use their positions in any way to coerce, or give the appearance of coercing, another person to provide a financial benefit to the member or any person with whom the member has family, business, or financial ties.
- Members shall not knowingly receive or solicit from persons having business with DOE anything of value as a gift, gratuity, loan, or favor while serving on the Board or in connection with such service.

Exceptions: Members may receive an unsolicited gift from persons having business with or an interest in DOE if:

- The gift has an aggregate market value of \$20 or less per occasion, provided that the aggregate market value of the individual gifts received from any one source under the authority of this paragraph shall not exceed \$50 in a calendar year;
- The gift is motivated by a family relationship or personal friendship rather than a member's position; or
- The gift results from the business or employment relationship of a member's spouse or the outside business or employment activities of a member when it is clear that such gifts are not enhanced because of the member's position.

Section 5.3 Recusal

If a Board member is aware of a conflict of interest, as defined above, the member shall immediately inform the DDFO and the Board of the conflict of interest and shall refrain from participating in discussions and recommendations in which a conflict or potential for conflict of interest exists.

Section 5.4 Enforcement of Conflict of Interest Policy

Questions concerning conflicts of interest shall be referred to the DDFO, who will seek the advice of legal counsel, for resolution.

Article VI Committees

Section 6.1 Creation of Committees

In addition to the committees mandated by these *Standard Operating Procedures*, the Board may establish committees to reflect the Board's approved work plan for that year. Each committee so established will submit an annual work plan for approval by the Board and DOE.

The authority, duties and powers of the various committees may be limited or increased by the Board, as necessary.

Section 6.2 Other Committees and Task Forces

The Board may establish ad hoc committees or task forces, as it deems necessary.

Section 6.3 Structures of Committees, Ad-hoc Committees and Task Forces

Board members must volunteer to serve on at least one committee.

Committees may not directly submit recommendations to DOE. They are solely responsible for producing draft recommendations for the full Board. Before presenting a recommendation to the Board, the committee should have adopted the recommendation by majority vote of the members attending the meeting.

Non-Board members shall be allowed to participate in committee meetings, but shall not vote or hold committee leadership positions. The DDFO shall concur in all recommendations for participation by non-Board members.

The committees will meet independently of the Board. The meetings shall be open to the public, shall have appropriate public notices, and must be held in public locations.

A written summary of committee meetings shall be prepared, approved by the chair of the committee and provided to the Board.

Ad hoc committees and task forces shall be established by the Board for the purpose of investigating special topics. Guidelines, membership, and reporting requirements of the ad hoc committees and task forces shall be determined by the Board and approved by the DDFO.

Section 6.4 Committee Chairpersons

The Chairperson of each committee shall be a Board member elected annually to office by the Board. A Board member may not run for or hold more than one Board office at a time. Committee chairpersons shall report regularly to the Board on committee activities. A vacancy in any office shall be filled by the Board for the unexpired portion of the term of his or her predecessor in office. Elections of Committee chairpersons shall be held annually in January.

The chairperson of each committee shall name vice chairs or co-chairs, who shall have full authority to act for the Chairperson in his/her absence or incapacity.

The Board shall notify the DDFO of the selection, election, appointment, or removal of any standing committee Chairperson or Co-Chairperson.

Section 6.5 Ex-Officio Committee Members

The Chairperson and Vice Chairperson of the Board shall serve as ex-officio, non-voting members, of all committees on which they do not serve as regular members.

Section 6.6 Executive Committee

The Executive Committee membership shall be comprised of the chairpersons of all other committees, as well as the Officers (Board Chairperson and Vice Chairperson). The Board Chairperson shall function as the Executive Committee chairperson.

During the intervals between meetings of the Board, the decisions involving the daily business operations of the Board shall be made by a majority vote of the Executive Committee; however, this committee shall have no authority to set Board policy or to make any recommendations to DOE concerning issues that fall within the scope of the Board's authority.

The Executive Committee, pursuant to a request by the Board, shall provide the Board with information and training pertaining to issues that fall within the scope of the Board's authority, as set forth in Article II "Purpose, Objectives, Authority and Duty" of these *Standard Operating Procedures*.

The Executive Committee shall respond to requests for information by the Board in a timely manner with regard to any timeframes or deadlines which might give priority to certain issues in order to ensure that information is received by the Board early enough in the decision-making process to allow meaningful and timely recommendations by the Board to DOE. Any presentation of information to the Board by this committee, its members, or agents, whether written or oral, shall be made in an objective, unbiased manner. The DDFO shall serve as a non-voting participant of the Executive Committee.

Section 6.7 Administrative Committee:

This Committee shall consist of no less than three members of the Board. This committee shall advise the Board on any issue that arises pertaining to the substance or scope of these *Standard Operating Procedures*. Proposed amendments to the *Standard Operating Procedures* shall be submitted to the Administrative Committee for recommendation to the Board in accordance with the guidelines and procedure set forth in Section 9.2 "Procedure to Amend."

This committee shall also conduct membership replacement functions and shall preside over the election of all Board Offices pursuant to the guidelines set forth in Section 4.3, "Election of Officers" of these procedures. In addition, this committee shall oversee the election of committee chairpersons. The Administrative Committee shall send written notice to all Board Members at least two weeks prior to an election listing the offices to be filled and the time, place, method, and deadline for filing to run for office. Notice of an intention to run for election shall be made orally or in writing to the Chairperson of this committee and must be received no later than by noon three working days prior to a meeting at which the election is to be held.

Article VII Board Meetings

Section 7.1 Regular Meetings

Public notices will be printed in the Federal Register at least fifteen (15) days before the meeting. Announcements may be made on the radio and in local newspapers.

Regular meetings of the Board shall be held at least quarterly at such place and hour as may be determined from time to time by the Board Members. In order to afford broad public access to the Board, the locations of regular meetings shall be set in communities within Georgia and South Carolina that are affected by SRS with an effort to provide equal and reasonable access to these areas.

The Board will submit its agenda for the approval of the DDFO. In preparing the agenda, the Board reviews its work plan and, if appropriate, obtains additional input from its members and committees and the public.

Meetings will be open to the public; a section of the meeting room will be set aside for observers, and public comment is invited at appropriate times during a meeting.

There will be a fixed agenda time for public comment. A non-recused Board member may not address the Board during the time set aside for public comment. The public comment period may be extended by the Chairperson or by consensus of the Board members in attendance.

If required, at the discretion of the Chairperson, the fixed time will be divided equally among the members of the public who request to speak.

Before a decision on a recommendation is made, the Chairperson may invite members of the public to offer their input. The Board will determine in advance how much time they will allocate for public input.

Members of the public may offer their comments in writing and give them to the DDFO.

Time will be set aside for Board member comments during each meeting.

Any meeting will be set up in terms of both the physical arrangements and the agenda to facilitate hearing and discussions.

Minutes of the meetings will be recorded by designated support staff or by an individual designated by the Chairperson. Minutes will be approved by the Board Chairperson, distributed to the Board members for their review, and made available to the public. Each meeting agenda will include the opportunity for members to make revisions to the minutes of the previous meeting.

Section 7.2 Special Meetings

Special meetings of the Board may be called any time at the request of a majority of Members. All special meetings must have a fixed and specified agenda. All procedural requirements for a regular meeting shall apply to Special Meetings if the majority of Board members are present.

Section 7.3 Agenda

The Chairperson of the Board shall assist in the development of the agenda for Board meetings and submit to the DDFO for approval. Such agenda shall be finalized ten days prior to a regular meeting and seven days prior to a special meeting. A Board Member or Agency representative may request that a topic or issue be put on the agenda of a meeting provided that the request is made prior to the agenda being finalized and there is adequate space remaining on the agenda to accommodate the issue. Once finalized, the agenda of such meeting shall not be altered or amended. A reasonable amount of time shall be reserved on the agenda for public comment at each meeting of the Board.

Section 7.4 Conduct

The business of the Board shall be carried out in a dignified and professional manner at all times. Each Member of the Board shall make every effort to educate themselves on the issues that fall within the purview of the Board including reviewing information provided to the Board prior to a meeting. During all meetings relating to the Board, Members shall conduct themselves in a dignified and respectful.

Section 7.5 Attendance

A Board Member with two consecutive or three total unexcused absences from full Board meetings in a calendar year shall be considered for dismissal, upon recommendation by the Administrative Committee.

Section 7.6 Minutes

A written record of Board meetings, both regular and special, shall be recorded to document all activities at each meeting including the public comment period. These records shall be maintained in repositories available to the public within 30 days of their approval by the Board.

Section 7.7 Quorum

At any meeting of the Board, the presence of fifty percent plus one of the Members then serving shall be necessary to constitute a quorum for the transaction of business.

Section 7.8 Voting

- a) Voting during Elections: All elections shall be held and decided by a majority vote of the voting Members. Each member of the Board shall be entitled to one vote; however, Agency Liaisons to the Board shall have no voting privileges.
- b) Absentee Ballots: During any election, each voting Member shall be entitled to vote in person or by official absentee ballot, signed and dated by such Member. Such official ballot shall be delivered to the Board Administrator prior to the meeting and shall remain sealed until the time of the election. Absentee ballots are not permitted on board recommendations to DOE during regular meetings of the Board.
- c) Minority Reports: In the event that a Board recommendation or report to DOE is approved by less than a unanimous vote, those Board Members representing the dissenting minority may voice their dissent collectively or individually by a minority statement(s) that shall be included in the text of the minority report

Section 7.9 Resignation

Any Member or officer of the Board or committee of the Board may resign at any time. Such resignation shall be made in writing and be submitted to the Chairperson or Vice Chairperson of the Board. Unless stated otherwise, the resignation will be effective upon delivery.

Section 7.10 Removal

Any Member or officer of the Board or a committee of the Board may be recommended for removed from membership at a regular or special meeting called for that purpose by the affirmative vote of two-thirds of the Board Members then serving. A Board Member or officer whose conduct is detrimental to the Board or who refuses to render reasonable assistance in carrying out the purpose of the Board may be considered for removal. Any such Member or officer proposed to be removed shall be entitled to at least five days notice in writing of the meeting at which such removal is to be voted upon and shall be entitled to appear before and be heard at such meeting. An officer of the Board or an officer of a committee of the Board may be removed from their office for misconduct or neglect of duty by an affirmative vote of two-thirds of the Board Members.

Article VIII Board Meeting Procedures

Section 8.1 General Provisions

The relaxed parliamentary process outlined below will be used by the SRS CAB. Robert's Rules of Order Newly Revised, 1993, shall apply on all questions of procedures and parliamentary law not specified in these operating procedures or in the Federal Advisory Committee Act. It is recognized that rules for small committees and board meetings differ from the rules which apply to large meetings of assemblies or plenary

bodies. Members may remain seated for speaking and making motions and informal discussion of a subject is permitted while no motion is pending. The chair can speak in discussion, make motions and vote on all questions.

All members will have equal rights, privileges and obligations.

Majority rule will prevail with the exceptions noted herein.

The minority has a right to free expression of dissent.

Full and free discussion of every motion is considered a basic right.

Members have the right to know at all times what the immediately pending question is and the potential consequences of the debate or voting. Members also have the right to have the motion restated before a vote is taken. A request for information will not be ignored.

Members can speak when recognized by the Chair/Facilitator. All members are offered the opportunity to contribute to open discussion with no one member dominating discussion.

During full Board meetings, the following process will be used in reaching Board decisions:

- a. The Recommendation Manager will present a final draft motion to the Board from committee.
- b. Board members who cannot participate in discussion of the motion due to conflict of interest must state so at this time.
- c. Before a motion is made and before the Chair states the motion, any member may informally offer modifying suggestions to the Recommendation Manager.
- d. A Board member makes a motion to accept the committee's recommendation.
- e. A Board member seconds the motion (a second does not mean one is in favor of the motion, but that the motion should be discussed)
- f. The Chairperson will state the motion made and ask for discussion. Members may debate the motion at this time.
- g. Any member may propose changes to the motion before it is voted upon. However, after the Chairperson has stated the motion, a motion to amend and a second will be required.
- h. The Chairperson will ask for the affirmative votes and then the negative votes by a show of hands.
- i. Members may abstain and state the reason for the record.
- j. The Chairperson declares that a motion is adopted or declined.

Article IX

Requirements for Recommendations to DOE

Recommendations shall be adopted by the majority of members at a Board meeting. If a majority cannot be reached, a majority and a minority report(s) shall be written. These reports may be submitted to DOE, but must be clearly marked as representing two (or more) points of view.

When an issue comes before the Board, the Chair may refer the issue to the appropriate Committee or create an Ad-hoc Committee or Task Force for that issue. The Committee, ad-hoc Committee or Task Force will report progress to the Board at the next meeting.

Section 9.1 Recommendations Procedure

Recommendations to be considered by the Board shall be processed in the following manner:

- a. The Board member, Committee, Ad-hoc Committee, or Task Force desiring to propose a recommendation to the Board shall send the draft recommendation to Board members within a reasonable period of time. The draft recommendation shall be accompanied by a brief statement of

the issue to be considered, the background of the issue as it affects the Savannah River Site and surrounding counties, and the purpose and effect of the recommendation.

- b. Board members may comment on the draft recommendation to the Committee. Such comments should be sent within a reasonable amount of time. The Committee Chairperson should immediately send each comment to the Board member, Committee, Ad-hoc Committee, or Task Force proposing the recommendation.
- c. The Board member, Committee, Ad-hoc Committee, or Task Force proposing the recommendation should try to resolve comments prior to the next Board meeting, and present a revised draft recommendation to the Board at the next Board meeting.
- d. The Board shall consider and may approve the recommendation at the next Board meeting.
- e. Upon passage by the Board, all recommendations will be signed by the Chair and conveyed to DOE in writing within fifteen (15) calendar days.
- f. The Board requests that DOE provide timely response to the Board recommendations with an explanation of the basis for DOE's decision and how it will implement any recommendations that are accepted.

Consideration of recommendations from other SSABs or conferences will be handled in the manner described above.

Article X Budget

Section 10.1 Authority

The Board will provide a proposal to the DDFO. Funding amounts will be determined annually based on the Board's approved work plan and availability of funds. The DDFO retains the fiscal responsibility for the Board but may assign a fiscal agent acceptable to DOE.

Section 10.2 Compensation

Board Members will serve without compensation but may receive reimbursement for direct expenses related to the work of the Board and meeting attendance.

Section 10.3 Travel Expenses

Board, committee, and task force members are required to follow applicable travel regulations. All travel expenses must be submitted to the DDFO for reimbursement and must adhere to Federal travel guidelines.

Article XI Amendments

Section 11.1 Authority

The Board shall have the power to alter, amend, and repeal these operating procedures in ways consistent with the Amended Charter of the Environmental Management Site Specific Advisory Board, and other applicable laws, regulations and guidelines. Any member of the public, the Board, or one of the Agencies may propose an amendment. However, to be considered by this Board the proposed amendment must be sponsored by a Board member. The Board may consider and take action on the amendment to the operating procedures at the meeting following the introduction of the proposed amendment. Amendments require the affirmative vote of three-fourths majority of the membership of the Board.

All amendments to these operating procedures must be approved by the DFO in consultation with the DOE-Headquarters Office of the General Counsel.

Section 11.2 Procedure to Amend

Amendments shall be made in accordance with the following procedure:

- a. Proposed amendments to the bylaws shall be submitted to the Administrative Committee by the sponsoring Board Member in the form of a written resolution which shall provide documentation as to why the change is needed.
- b. The Administrative Committee shall give notice to all Board Members, Agency representatives, and the public at least 10 days prior to any Board meeting where a Bylaws amendment will be considered. Notification shall include a written copy of the proposed amendment and supporting documentation as well as a request for comments on the proposed amendment.
- c. The Membership of the Board shall have the power to alter, amend or repeal the bylaws of the Board by an affirmative vote of three-fourths of the membership of the full Board provided that the action is proposed at a regular or special meeting of the Board and adopted at a subsequent regular monthly meeting. In decisions involving amendments to the Bylaws, proxy votes shall not be accepted.

Article XII Adoption of the Operating Procedures

These operating procedures will be effective:

- a. upon the affirmative vote of the majority of the Board membership;
- b. execution by the Chairperson
- c. review and approval by the DOE Office of the General Counsel; and
- d. approval of the EM SSAB DFO

All previous bylaws or procedures are hereby rescinded.

Article XIII Subordination and Severability

If a conflict arises with respect to any provision of these procedures and federal statutes, the laws of the states of South Carolina or Georgia, or federal or state regulatory authority, the superseding law or regulation shall control. In the event that any provision of these operating procedures is invalid, such invalidity shall not affect the remaining provision, which shall continue in full force and effect.