

**U. S. Department Of Energy (DOE)
Office Of Environmental Management (EM)
Standing Operating Policies and Procedures (SOPP)**

Title: Environmental Management Site-Specific Advisory Board

EM ORG: EM-10 SOPP #: 8

Revision #: 1

Effective Date: Sept. 30, 2009

1. POLICY:

- a. In accordance with the Federal Advisory Committee Act of 1972 (FACA), the Federal Advisory Committee Management Regulations (CFR), the Department of Energy (DOE) Advisory Management Program Manual, DOE M 515.1-1 (Manual), the Environmental Management Site-Specific Advisory Board (EM SSAB or Board) Charter, and at the request of the Assistant Secretary for Environmental Management (EM-1), the EM SSAB provides advice, information, and recommendations on issues facing the EM program.
- b. The Board's scope, schedule, costs, and operations are managed by the EM SSAB Designated Federal Officer (DFO) in the Office of Public and Intergovernmental Accountability (EM-13).

2. OBJECTIVES:

- a. To develop and institutionalize a process for planning, execution and control of a system that assures proper definition, coordination, evaluation and disposition of EM SSAB guidance activities.
- b. The EM SSAB will deliberate in open public meetings; gather information related to the Board's work; engage Federal officials; and craft findings and resolutions in order to provide EM-1 with independent advice, information, and recommendations on site-specific and cross-complex issues pertaining to the EM program.
- c. The DFO will adhere to FACA, the CFR, the Manual, the EM SSAB Charter, and the responsibilities and operations defined in this directive in order to ensure proper maintenance of the Board's membership, activities, and products.

3. CANCELLATIONS: This SOPP does not cancel any previous SOPPs.

4. APPLICABILITY: The provisions of this procedure will apply to all HQ EM and Field personnel responsible for the execution of the EM SSAB Program.

5. REFERENCES:

- a. Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2 (1997) (original version at Pub. L. No. 92-463, 86 Stat. 770 (1972))
http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9149&channelId=13174&oid=9761&contentId=11635&pageTypeId=8203&contentType=GSA_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MC
- b. General Services Administration, 41 CFR Parts 101-6 and 102-3 Federal Advisory Committee Management; Final Rule, 2001
http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/FACAFinalRule_R2E-cNZ_0Z5RDZ-i34K-pR.pdf
- c. Office of Management, U.S. Department of Energy (DOE), Pub. No. DOE M 515.1-1, *Advisory Committee Management Program* (2007) (Manual)
<http://www.directives.doe.gov/pdfs/doe/doetext/neword/515/m5151-1.pdf>
- d. Office of Environmental Management, Office of Public and Intergovernmental Accountability, U.S. Department of Energy *Amended Charter: Environmental Management Site-Specific Advisory Board* (2008)
<http://www.em.doe.gov/pdfs/2008%20EM%20SSAB%20Charter%20Final%20041108.pdf>

- e. Department of Energy Delegation Order No. 00-002.03B to the Under Secretary for Energy, Science and Environment (January 29, 2007)
http://www.directives.doe.gov/pdfs/sdoa/00-002_03B.pdf.
- f. Department of Energy Re-delegation Order No. 00-002.03B to the Assistant Secretary for Environmental Management (January 29, 2007)
http://www.directives.doe.gov/pdfs/sdoa/00-002_03B.pdf
- g. Department of Energy Public Participation and Community Relations Policy (DOE P 141.2) (May 2, 2003)
<http://www.directives.doe.gov/pdfs/doe/doetext/neword/141/p1412.pdf>
- h. Office of Environmental Management, U.S. Department of Energy Site-Specific Advisory Board Guidance (November 2008)
http://www.em.doe.gov/pdfs/EMSSABGuidanceNovember2008_110408.pdf
- i. The General Services Administration (GSA) FACA Database:
<https://fido.gov/facadatabase/logon.asp>

6. CONTACT:

Catherine Alexander Brennan, Office of Public and Intergovernmental Accountability, EM-13, Designated Federal Officer for the Environmental Management Site-Specific Advisory Board, (202) 586-7711, catherine.brennan@em.doe.gov

7. DEFINITIONS:

- a. Advisory Committee: Any committee, board, council, etc. established by statute, or established or utilized by the President or Federal agency in order to obtain advice for the President, agencies or officers of the Federal Government.
- b. Chair: A membership position that presides over Board deliberations.
- c. Designated Federal Officer (DFO): A Federal officer appointed by the President or agency head in compliance with FACA Section 10(e).
- d. Environmental Management Site-Specific Advisory Board (EM SSAB): A Federal advisory committee established in 1994 that provides advice and recommendations to EM-1 on site-specific and cross-complex issues.
- e. EM SSAB Charter: The governing document for the EM SSAB, including all local boards, which is renewed biannually and approved by the Committee Management Officer (MA-70).
- f. Field: DOE area, field, and site offices, and business centers.
- g. Liaisons: The Assistant Secretary or DOE Field Managers may request that other Federal, State, or Tribal organizations name liaisons to the EM SSAB to provide information and represent their agency's interests at local meetings. Liaisons may participate in discussions, but can not vote and are not included in a quorum.
- h. Representative: A membership designation that applies to individuals selected to represent the point of view of a particular group or interest.

8. REQUIREMENTS:

- a. Monitoring
 - i. The DFO will conduct and/or oversee periodic reviews to evaluate these procedures to ensure compliance with established/approved policy.
- b. Records
 - i. The DFO and/or support staff will maintain a copy of the files generated by this procedure for a minimum of three (3) years.
 - ii. After three (3) years, files may be sent to the EM Central Records Facility for life-cycle records management.

- iii. Upon termination of the Board, records will be transferred to the National Archives and Records Administration (NARA) for life-cycle records management.
- c. Training
 - i. The DFO is required to attend the FACA training course administered by the GSA.

9. ROLES & RESPONSIBILITIES:

- a. The Office of the Secretary of Energy
 - i. Officially appoints a DFO to the Board.
 - ii. Delegates responsibility to EM-1 to appoint, reappoint, and remove members from the Board.
 - iii. Renews or terminates the EM SSAB charter as appropriate. Annually, review the need to continue the EM SSAB and, if appropriate, renew the charter within two years as the Board will automatically terminate otherwise. FACA § 14(a); CFR 102-3.55(a).
- b. Assistant Secretary for Environmental Management, EM-1
 - i. Ensures compliance with FACA.
 - ii. Issues administrative guidelines and management controls.
 - iii. Recommends a DFO for appointment by the Secretary.
 - iv. Officially appoints and removes Board members. EM SSAB Charter, Sec. 11. The Secretary has delegated the authority to appoint members to the EM SSAB to the Assistant Secretary. iv. Officially appoints and removes Board members. (EM SSAB Charter, Sec. 11)
The Secretary has delegated the authority to appoint and remove members to the EM SSAB to the Assistant Secretary. In limited cases and when coordinated with the EM Office of Public and Intergovernmental Accountability and the DOE Office of General Counsel, the authority to appoint has been delegated to the Field. (see Section III.c.3 of the U.S. Dept. of Energy Environmental Management Site-Specific Advisory Board Guidance)
 - v. Ensures that the interests and affiliations of advisory committee members are reviewed for conformance with applicable conflict of interest statutes. CFR § 102-3.105(h).
 - vi. Identifies issues or topics for the EM SSAB's attention and respond to recommendations and reports produced by its deliberations.
- c. Office of the Executive Secretariat - Committee Management Officer (CMO), MA-70
 - i. Ensures compliance with FACA. FACA § 8(b)(1); CFR § 102-3.115.
 - ii. Ensures that the interests and affiliations of advisory committee members are reviewed for conformance with applicable conflict of interest statutes. FACA § 8(b)(1); CFR § 102-3.115.
 - iii. Processes *Federal Register* notices for EM SSAB public meetings.
- d. Office of the Assistant General Counsel for General Law, GC-77
 - i. Provides legal support for EM SSAB Charter renewal, Charter termination, appointment of Board members, conflicts of interest, and policy issues. Manual § I.6.g.
- e. Office of Public and Intergovernmental Accountability, EM-13
 - i. Provides guidance to the Field for the management of the Board.
 - ii. Manages and maintains a public reading room and library of EM SSAB documentation, including EM SSAB annual reports, work plans, recommendations and responses, meeting minutes, and membership information. FACA § 10(b) and 12(a).

- iii. Prepares, processes, and obtains approval of EM SSAB new/renewal membership packages. Manual § IV.5
 - iv. Prepares and coordinates *Federal Register* notices for EM SSAB public meetings. Manual § V.3.d.
 - v. Prepares, processes, and obtains approval of EM SSAB Charter renewal. Manual § III.3.
- f. EM Program Offices
- i. Responds in a timely fashion to EM SSAB recommendations, as appropriate.
- g. Office of Management and Analysis, EM-6
- i. Tracks formal responses to all EM SSAB Chairs' recommendations on behalf of the Assistant Secretary.
 - (1) Confirms receipt of recommendations.
 - (2) Provides status reports and/or plans of action for the implementation of EM SSAB recommendations.
 - (3) Concurs on all correspondence to the EM SSAB Chairs regarding recommendations.
- h. Designated Federal Officer (DFO)
- Under FACA § 10(e) and CFR § 102-3.120, each Federal advisory board is required to have a DFO who works closely with the board. The EM SSAB DFO is located in the Office of Public & Intergovernmental Accountability, and delegates the responsibility to serve as Deputy Designated Federal Officers (DDFOs) to DOE employees in the Field.*
- i. Calls for or approves in advance and attends Board meetings. FACA § 10(e) & (f); CFR § 102-3.120(a) & (c).
 - (1) Approves agendas. FACA § 10(f); CFR § 102-3.120(b).
 - (2) Ensures that Board meetings are held at a reasonable time and in a manner or place reasonably accessible to the public. Facilitate the attendance of Departmental officials. Manual § V.3
 - (3) Chairs the meeting if determined necessary by the DFO. FACA § 10(e); CFR § 102-3.120(e).
 - (4) Adjourns Board meetings if it is in the public interest. FACA § 10(e); CFR § 102-3.120(d).
 - (5) Ensures that detailed minutes of meetings containing items in CFR § 102-3.165, are prepared and duly certified. FACA § 10(c); CFR § 102-3.165.
 - (6) Serve as the Technical Monitor for management tasks related to the EM SSAB Chairs meeting, when it is held in the Washington, DC area.
 - ii. Ensures that notices announcing Board business appear in the *Federal Register* 15 days prior to charter renewals and EM SSAB meetings. CFR § 102-3.65(a) and 102-3.150(a).
 - iii. Ensures required records on Board costs and membership are maintained, as each agency needs to keep records that will fully disclose the disposition of any funds at the disposal of the Board. FACA § 12(a); CFR § 102-3.175(b).
 - iv. Ensures that conflict of interest regulations are followed. Manual § IV.6.
 - v. Arranges for the reimbursement of travel expenses as necessary. Manual § VI.3.
 - vi. In addition, the EM SSAB DFO/DDFO will:

- (1) Act as the Board's central administrative and informational coordinator.
 - (2) Coordinate with other public involvement activities, such as with the intergovernmental groups and the Environmental Management Advisory Board.
 - (3) Oversee support staff.
- i. DOE Operations, Field and Area Offices – Although DOE Headquarters (HQ), through EM-1 and the CMO, is responsible for the management of the EM SSAB, DOE Field offices are accountable to DOE-HQ for local Board activities and act in its stead at the local level.
- i. Ensure required records on Board costs and membership are maintained, as each agency needs to keep records that will fully disclose the disposition of any funds at the disposal of the Board. FACA § 12(a); CFR § 102-3.175(b); Manual § VII.2 and VII.3.
 - ii. Make records available to interested members of the public. CFR § 102-3.170; Manual § VII.4.
 - iii. Nominate, to the DFO, a senior DOE-EM official (or officials) to serve as the Deputy Designated Federal Officer (DDFO) for the local Board. FACA § 10 (e); CFR § 102-3.120.
 - iv. Provide advice, assistance, and guidance to the EM SSAB regarding its annual scope of work and work plan to improve its performance.
 - v. Recruit, assess, and nominate potential EM SSAB members to EM-1. In the case of a member's mid-term resignation, the EM field may appoint a member to serve the remainder of the term, when coordinated with the EM Office of Public and Intergovernmental Accountability and the DOE Office of General Counsel. The EM field also may recommend to the Assistant Secretary and the Designated Federal Officer removal of a member from a local board.
 - vi. Ensure that DOE diversity goals are met through adequate outreach efforts for membership. Board membership should reflect a diverse cross-section of those directly affected by and interested in the community from which the Board draws its members. CFR § 102-3.60(b)(3); Manual § IV.3; EM SSAB Charter § 11(a).
 - vii. Provide adequate resources to enable the Board to carry out its functions as written in FACA § 12(b); CFR § 102-3.95(a); Manual § I.6.h and Charter §§ 5 and 7.
- j. EM SSAB Members – The success and effectiveness of the EM SSAB depends largely upon the interest, commitment, input and integrity of its members. To assist the members in understanding their responsibilities, a list of expectations follows. Notice: FACA does not assign any specific responsibilities to members of advisory committees. CFR § 102-3.125. In general though, local Board members are expected to:
- i. Attend meetings and participate in an open, constructive, and respectful manner.
 - ii. Provide advice and recommendations to DOE decision-makers at the Field and DOE-HQ levels on relevant EM issues.
 - iii. Act as a conduit for the exchange of information among the community, DOE, and environmental oversight agencies on relevant issues.
 - iv. Review, evaluate, and comment on EM documents and other materials.

10. **PROCEDURES:** The procedures for the EM SSAB program are contained in the EM SSAB Guidance, cited federal regulations, EM SSAB Charter, and DOE Manual.

11. **APPENDICES:**

- a. Current Charter – The Environmental Management Site-Specific Advisory Board
- b. Sample *Federal Register* Notice – Notice of Open Meeting (EM SSAB Chairs)
- c. Sample *Federal Register* Notice – Notice of Open Meeting (Local EM SSAB)
- d. Office of Environmental Management, U.S. Department of Energy Site-Specific Advisory Board Guidance (November 2008)
http://www.em.doe.gov/pdfs/EMSSABGuidanceNovember2008_110408.pdf

Approved by: Inés R. Triay
Signature: Inés Triay
Name & Title: EM-1
Date: 9/17/09

**Department of Energy
Charter for the Environmental Management
Site-Specific Advisory Board**

1. Official Designation:

Environmental Management Site-Specific Advisory Board (EM SSAB or Board)

2. Objective, Scope of Activity, and Duties:

In accordance with the Federal Advisory Committee Act, the EM SSAB will provide the Assistant Secretary for Environmental Management (EM), the appropriate Department of Energy (DOE) Field Managers 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 various sites. At the request of the Assistant Secretary or the Field Managers, 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 Board may also be asked to provide advice and recommendations on any other EM project or issue.

The EM SSAB will have the following duties:

- a. Advise on EM projects and issues; and
- b. Issue reports and recommendations as necessary.

3. Time Period Necessary for the Board to Fulfill its Purpose:

Because the Board exists to advise EM on a succession of projects and issues, the time period required to fulfill that purpose is continuing in nature.

4. Official(s) to whom the Board Reports:

The Board will report to the Assistant Secretary for Environmental Management, the appropriate DOE Field Managers or Assistant Managers for EM activities, and any other DOE official the Assistant Secretary shall designate.

5. Agency Responsible for Providing Necessary Support for the Board:

United States Department of Energy, Office of Environmental Management

6. Description of Duties for Which the Board is Responsible:

The duties of the Board are solely advisory and are fully stated in Paragraph 2 above.

7. Estimated Annual Operating Expenses in Dollars and Person-Years:

DOE will provide resources sufficient to conduct EM SSAB business as well as authorized travel and subsistence (per diem) expenses for eligible members. The approximate annual cost is \$3.8 million in direct federal and contractor costs, and approximately 8.5 FTEs.

8. Estimated Number and Frequency of Board Meetings:

The local Boards will meet approximately six to twelve times a year at each site represented on the EM SSAB. In addition, members from each local Board may be asked by DOE to participate in semi-annual meetings of the EM SSAB Chairs to discuss complex-wide EM issues.

9. Termination Date:

Continuing.

10. Local Boards and Subcommittees:

To facilitate the functioning of the Board and to promote its effectiveness, subcommittees (locally referred to as "committees") may be formed for each local EM SSAB by a local EM SSAB Chair with the approval of the Designated Federal Officer (DFO) or Deputy DFO. The objective of the subcommittees will be to make recommendations to the local EM SSAB.

11. Members:

Pursuant to delegated authority, the Assistant Secretary for Environmental Management is authorized to appoint and remove EM SSAB members.

- a. The standard term for Board members is two years, and members are to serve no more than three two-year terms for a total of six years.
- b. In areas where the member pool is limited or where the nominee represents a specific interest, (e.g. Tribal Nations), rather than an affected community, or where membership is defined by a Memorandum of Understanding, a request for an exception from term limits may be made by the affected Field Office Manager.
- c. Board member appointments are usually staggered so that one-half of the membership is retained for continuity.
- d. Board membership shall reflect a full diversity of viewpoints in the affected community and region and will be composed primarily of people who are directly affected by DOE site clean-up activities.

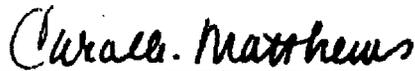
- e. Members shall be appointed as representatives of entities including, but not limited to, stakeholders from local government; tribal nations; environmental, civic and religious groups; labor organizations; or academia.
- f. Nomination and appointment of Board members shall be accomplished using procedures designed to ensure a diverse Board membership and a balance of representative viewpoints.
- g. Approximate number of members: 160. This number is based on each local EM SSAB having 10-31 Board members.

12. Liaisons:

The Assistant Secretary or DOE Field Managers may request that other Federal, State, or Tribal organizations name liaisons to the local Boards to provide information and represent their agency's interests at local Board meetings. These liaisons may participate in discussions, but shall have no voting privileges and shall not be included in the quorum count.

The Charter for the Advisory Board named above is hereby approved on:

Date: APR 11 2008



Carol A. Matthews
Acting Committee Management Officer

Date Filed: APR 11 2008

[6450-01-P]

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board Chairs

AGENCY: Department of Energy

ACTION: Notice of Open Meeting

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB) Chairs. The Federal Advisory Committee Act (Pub. L. No. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the *Federal Register*.

DATES: Wednesday, March 18, 2009 8:00 a.m. - 5:30 p.m.
Thursday, March 19, 2009 8:00 a.m. - 12:30 p.m.

ADDRESSES: Augusta Marriott Hotel & Suites
Two Tenth Street
Augusta, Georgia
Phone: (706) 722-8900
Fax: (706) 823-6513

FOR FURTHER INFORMATION CONTACT: Catherine Alexander Brennan, Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585; Phone: (202) 586-7711.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE-EM in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda Topics:

Wednesday, March 18, 2009

- EM Visions and Priorities – 2009 and Beyond Discussion
- Round Robin: Top Three Site-Specific Issues and EM SSAB Accomplishments
- EM Headquarters Update and Initiatives: EM Budget and Technology Issues
- Savannah River Site Presentations
- EM SSAB Chairs' Roundtable Discussion

Thursday, March 19, 2009

- Waste Disposition Presentation
- EM SSAB Chairs' Roundtable Discussion
- Savannah River Site E-Meeting Demonstration

Public Participation: The EM SSAB Chairs welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Catherine Alexander Brennan at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed either before or after the meeting with the Designated Federal Officer, Catherine Alexander Brennan, at the address or

telephone listed above. Individuals who wish to make oral statements pertaining to agenda items should also contact Catherine Alexander Brennan. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments.

Minutes: Minutes will be available by writing or calling Catherine Alexander Brennan at the address or phone number listed above. Minutes will also be available at the following website: <http://www.em.doe.gov/stakepages/ssabchairs.aspx>.

Issued at Washington, DC on February 19, 2009.

Rachel Samuel

Deputy Committee Management Officer

[6450-01-P]

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Idaho National Laboratory

AGENCY: Department of Energy

ACTION: Notice of Open Meeting

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Idaho National Laboratory. The Federal Advisory Committee Act (Pub. L. No. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the *Federal Register*.

DATES: Tuesday, April 7, 2009 8:00 a.m. - 5:00 p.m.

Opportunities for public participation will be held on Tuesday, April 7, 2009, from 1:30 p.m. to 1:45 p.m. and from 3:30 p.m. to 3:45 p.m.

These times are subject to change; please contact the Federal Coordinator (below) for confirmation of times prior to the meeting.

ADDRESSES: Red Lion Hotel Canyon Springs
1357 Blue Lakes Boulevard
Twin Falls, Idaho 83301

FOR FURTHER INFORMATION CONTACT: Robert L. Pence, Federal Coordinator, Department of Energy, Idaho Operations Office, 1955 Fremont Avenue, MS-1203, Idaho Falls, ID 83415. Phone (208) 526-6518; Fax (208) 526-8789 or e-mail: pencerl@id.doe.gov or visit the Board's Internet home page at: <http://www.inlemcab.org>.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE in the areas of environmental restoration, waste management, and related activities.

Tentative Topics (agenda topics may change up to the day of the meeting; please contact Robert L. Pence for the most current agenda):

- Progress to Cleanup
- Fiscal Year 2011 Budget
- Offsite Transuranic Waste
- New Buried Waste Approach
- March EM SSAB Chairs Meeting Report

Public Participation: The meeting is open to the public. The EM SSAB, Idaho National Laboratory, welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Robert L. Pence at least

seven days in advance of the meeting at the phone number listed above. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral presentations pertaining to agenda items should contact Robert L. Pence at the address or telephone number listed above. The request must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments. This notice is being published less than 15 days prior to the meeting date due to programmatic issues that had to be resolved prior to the meeting date.

Minutes: Minutes will be available by writing or calling Robert L. Pence, Federal Coordinator, at the address and phone number listed above. Minutes will also be available at the following website: <http://www.inlemcab.org/meetings.html>.

Issued at Washington, DC on March 24, 2009.

Rachel Samuel

Deputy Committee Management Officer