USDA United States Department of Agriculture

United States Department of Agriculture
Agricultural Air Quality Task Force

CHARTER

1. Committee's Official Designation

The official designation of this committee is the Agricultural Air Quality Task Force (AAQTF).

2. Authority

Section 391 of the Federal Agriculture Improvement and Reform Act of 1996 (FAIR Act), Public Law 104–127, 7 U.S.C. 5405, directs the Chief of the Natural Resource Conservation Service (NRCS) to establish a task force to address agricultural air quality issues. This regulation renews the AAQTF. This task force is being established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.

3. Objectives and Scope of Activities

The Clean Air Act, which was last amended in 1990, requires the Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. EPA established primary and secondary standards for particulates less than 10 micrometers in diameter. Many areas in the United States experience concentrations of these particulates which exceed the primary and secondary standards set by EPA.

In section 391 of the FAIR Act, the United States Congress reports that:

a. Various studies have alleged that agriculture is a source of "particulate matter" PM-10 emissions;

b. Many of these studies have often been based on erroneous data;

c. Federal research activities are currently being conducted by the Department of Agriculture (USDA) to determine the true extent to which agricultural activities contribute to air pollution and to determine cost-effective ways in which the agricultural industry can reduce air pollution; and

d. Any Federal policy recommendations may be issued by any Federal agency to address air pollution problems related to agriculture or any other industrial

activity should be based on sound scientific findings that are subject to adequate peer review and should take into account economic feasibility.

4. Description of Duties

The AAQTF will advise the Secretary on his role for providing oversight and coordination related to agricultural air quality. The AAQTF will also assist the Secretary of Agriculture by advising on efforts to:

a. Strengthen vital research efforts related to agricultural air quality;

b. Determine the extent to which agricultural activities contribute to air pollution;

c. Determine cost-effective ways in which the agricultural industry can improve air quality; and

d. Coordinate and ensure intergovernmental cooperation on research activities related to agricultural air quality issues to avoid duplication and ensure data quality and sound interpretation of data.

5. Agency or Official to Whom the Committee Reports

The AAQTF will advise the Secretary of Agriculture through the Chief of NRCS and the Designated Federal Official.

6. Support

NRCS will provide the necessary administrative and logistical support for AAQTF.

7. Estimated Annual Operating Costs and Staff Years

1. The annual operating costs for AAQTF are estimated to be $150,000.00. The estimated FTE is 0.5 staff years.

8. Designated Federal Official

NRCS will appoint a permanent full time Federal employee in accordance with agency procedures to serve as the Designated Federal Official. The Designated Federal Official will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend committee and subcommittee meetings, adjourn any meeting when the Designated Federal Official determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

The AAQTF is estimated to meet two to three times within a fiscal year.

10. Duration

The AAQTF is anticipated to exist for a continuing duration of time in order to carry out its purposes.

11. Termination

The AAQTF will terminate two years from the date of renewal by the Chief of NRCS unless it is renewed prior to that date in accordance with provisions of section 14 of Federal Advisory Committee Act. The AAQTF will not meet or take any action without a valid charter. The associated departmental regulation will expire two years from the filing date of the Charter. Departmental Regulation 1042-126, dated December 20, 2010, is superseded by this regulation.

12. Membership and Designation

a. The Chief of NRCS will serve as Chair of the AAQTF. The task force will report to the Chief of NRCS, who will present its recommendations to the Secretary of Agriculture.

b. The AAQTF will be composed of representatives from a wide range of groups with expertise and interest in agricultural air quality issues, including, but not limited to academia, agribusiness, regulatory organizations, environmental organizations, health disciplines, and "Special Government Employees" (SGEs). Additionally, several regular government employees will be appointed whose subject-matter expertise will be beneficial to the task force is completing its duties.

c. There are no legal limitations to the number of members who may serve on AAQTF.

d. Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the AAQTF. To ensure that the recommendations of the AAQTF have taken into account the needs of the diverse groups served by USDA, membership will include, to the extent possible, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

e. USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

f. AAQTF members will serve without compensation.

13. Ethics Statement

To maintain the highest levels of honesty, integrity, and ethical conduct, no AAQTF member will participate in any "specific party matters" (e.g., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for AAQTF members to immediately disclose to the Designated Federal Official any specific party matter in which the member's immediate family, relatives, business partners, or employer would be directly seeking to financially benefit from the AAQTF's recommendations. All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "Representatives" are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector, or segment of the public. Members appointed as SGEs are considered intermittent Federal employees and are subject to Federal ethics laws. SGEs are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards, USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

14. Subcommittees

NRCS has authority to create AAQTF subcommittees. Subcommittees must report to the parent committee (AAQTF) and must not provide advice or work products directly to NRCS or USDA.

15. Recordkeeping

The records of AAQTF and formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about the AAQTF is available online at: http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/air/taskforce

16. Filing Date
April 15, 2013