

Version #: 4

Date Revised: 07/25/2024

Update the version number and revision date with each iteration.

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Letter Heading:

To: Kelly Snyder, Brian Vance, Stephanie Schleif, and David Einan:

The CC list is separate and provided at the end of the template.

Subject: Advice on Role of Alternate HAB Members

Dear Ms. Snyder, Mr. Vance, Ms. Schleif, and Mr. Einan:

Background:

The Hanford Advisory Board (HAB or Board) was founded in 1994. Over the past 30 years, the Board has issued 316 pieces of advice to the Tri-Party Agreement (TPA) agencies. The HAB is an Environmental Site-Specific Advisory Board (EM SSAB) comprised of diverse regional interests, as specified in the Memorandum of Understanding¹. Primary and alternate members have served on the Board since its creation and have actively, and freely, participated in all Board and committee meetings.

Alternates have not and do not hinder the Board’s ability to conduct business or issue advice. Rather, the HAB is more informed and prepared because of its alternate members. Primary and alternate members fuel fruitful discussions and provide a rich variety of perspectives, knowledge, and expertise—which in turn produces strong, actionable advice. Alternates provide the breadth and depth of subject matter expertise on the Board and substantively increase the Board’s abilities. Alternate members who actively participate and ask questions during meetings are indispensable to the success of the Board.

The Department of Energy’s (DOE’s) changes regarding circumstances when alternate members may participate on the HAB can only be found in the appointment letters to the alternate members. The FY 2025 appointment letters to alternate members read, “When the primary member is not able to attend a Board meeting, the alternate member may participate in their stead.” This language is not included in any of the HAB’s operating documents—Federal Advisory Committee Act², EM SSAB Charter³, EM SSAB Policies Desk Reference⁴, DOE Manual 515.1-1⁵, 41 CFR Part 102-3⁶, or the HAB Operating Ground Rules⁷. Primary and alternate members, nominated by the interest they represent, follow the same membership approval process through DOE headquarters, and therefore are not to be considered members of the public.

Originating Committee: Executive Steering Committee

Issue Manager Team & Authors: Miya Burke, Susan Coleman, Tom Sicilia, Pam Larson, Rob Davis, Richard Bloom

The Board sees the role of an alternate member as a representative of their seat/constituency on the Board. During formal Board consensus decision-making, each seat/constituency represented on the HAB is counted once. The Board agrees with the following language about the role of primary and alternate members in the HAB's 2008 Operating Ground Rules⁷,

“It is the expectation of Board members and/or their alternates that their fellow members and/or alternates will:

- attend and participate actively in meetings, read and come to meetings prepared to comment on documents, and be available for work between formal meetings; and
- represent information, especially information contained in draft documents, accurately and appropriately, consult with their constituencies, and keep their constituencies well informed.”

Advice:

The Board believes that the full participation of alternate members is essential, as is reflected in the following advice to be effective in the membership packet with a term beginning October 1, 2025. The Board requests a point-by-point response to this advice from the Designated Federal Officer (DFO) and each of the TPA agencies.

- The Board advises that the DFO and DOE headquarters amend the appointment letters to alternate members to remove references to alternate members only being able to participate when the primary member is “not able to attend a Board meeting”. Instead, the alternate appointment letters should read, “one member from each organization/interest represented on the EM SSAB at Hanford is counted during formal Board consensus or voting actions. During full Board meetings, only one person, the primary or alternate, may represent a seat at any one time.”
- The Board advises that the DFO and TPA agencies **continue** to allow alternate members to fully and freely participate as Board members during HAB committee (aka EM SSAB subcommittee) meetings.
- The Board advises that the DFO and TPA agencies allow the Board to return to pre-pandemic operational norms, in which primary and alternate members physically swap seats if both are present at full Board meetings. This allows balanced participation from all primary and alternate members and increases the overall knowledge of the Board.
- The Board advises that the DFO and TPA agencies refer to alternate members as members of the Board, not members of the public, in all communications including the appointment letters to alternate members.
- The Board advises that the DFO and TPA agencies recognize that both primary and alternate members are appointed to the Board, and the Board elects members to leadership positions. As such, both primary and alternate members are eligible to run for elected leadership positions (e.g. HAB Chair and Vice Chair, National Liaison, and HAB Committee

Chairs and Vice Chairs) provided that only one member per interest serves in leadership at a given time.

If you have any questions or are interested in discussing the implementation of this advice in membership appointment letters, we welcome the opportunity to discuss this further.

Sincerely,

References:

1. Memorandum of Understanding Among the U.S. Department of Energy, the Environmental Protection Agency, and the Washington State Department of Ecology regarding the Hanford Advisory Board; June 20, 2008
Link: https://www.hanford.gov/files.cfm/HAB_MOU.pdf
2. Federal Advisory Committee Act
Link: <https://www.gsa.gov/system/files/FACA-Statute-2013.pdf>
3. Environmental Management Site-Specific Advisory Board Charter; April 8, 2022
Link: <https://www.hanford.gov/files.cfm/EM-SSAB-Charter-2022-Renewal-signed.pdf>
4. Environmental Management Site-Specific Advisory Board Policies Desk Reference; April 2023
Link: <https://www.hanford.gov/files.cfm/EM-SSAB-Policies-Desk-Reference-April-2023-FINAL.pdf>
5. Advisory Committee Management Program, DOE Manual 515.1-1; October 22, 2007
Link: <https://www.directives.doe.gov/directives-documents/500-series/0515.1-DManual-1/@@images/file>
6. Federal Advisory Committee Management, 41 CFR Part 102-3; July 19, 2001
Link: <https://www.ecfr.gov/current/title-41/subtitle-C/chapter-102/subchapter-A/part-102-3>
7. Operating Ground Rules Hanford Advisory Board; July 15, 2008
Link: https://www.hanford.gov/files.cfm/HAB_OpGroundRules.pdf

Originating Committee: Executive Steering Committee

Issue Manager Team & Authors: Miya Burke, Susan Coleman, Tom Sicilia, Pam Larson, Rob Davis, Richard Bloom

CC/BCC:

Mark all applicable names/organizations to be included as advice recipients.

TPA Agency Representatives

- Ike White, DOE-EM
- Todd Shrader, DOE-EM
- Brian Vance, DOE
- Stephanie Schleif, ECY
- David Einan, EPA
- Lindsay Somers, DOE
- Roberto Armijo, EPA
- Ryan Miller, ECY

Site-Specific Advisory Boards

- Savannah River Site Citizens Advisory Board
- Nevada Site Specific Advisory Board
- Northern New Mexico Citizens Advisory Board
- Paducah Citizens Advisory Board
- Oak Ridge Site Specific Advisory Board
- Idaho Cleanup Board
- Portsmouth Site Specific Advisory Board
- Kelly Snyder, DFO

OR/WA Congressional Delegations (to Chief of Staff)

- Sen. Patty Murray, WA
- Senator Maria Cantwell, WA
- Rep. Suzan DelBene, WA-01
- Rep. Rick Larsen, WA-02
- Rep. Jaime Herrera Beutler, WA-03
- Rep. Dan Newhouse, WA-04
- Rep. Cathy McMorris Rodgers, WA-05
- Rep. Derek Kilmer, WA-06
- Rep. Pramila Jayapal, WA-07
- Rep. Kim Schrier, WA-08

- Rep. Adam Smith, WA-09
- Rep. Marilyn Strickland, WA-10
- Sen. Ron Wyden, OR
- Sen. Jeff Merkley, OR
- Rep. Suzanne Bonamici, OR-01
- Rep. Cliff Bentz, OR-02
- Rep. Earl Blumenauer, OR-03
- Rep. Peter DeFazio, OR-04
- Rep. Kurt Schrader, OR-05

Write-in/Additional

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Requests to Receive Advice

- Jessica Keys, Staff to Sen. Merkley