



Department of Energy

Washington, DC 20585

August 19, 2003

Mr. Kenneth M. Reim, P.E.

Dear Mr. Reim:

Thank you for your June 26, 2003, letter concerning the Nevada Test Site Community Advisory Board (NTS CAB) program. You addressed a variety of issues related to day-to-day operations, but focused primarily on concerns that the NTS CAB is not operating within the guidelines established by the Federal Advisory Committee Act (FACA).

The FACA provides specific guidelines on establishing and operating a federal advisory committee, and defines the roles and responsibilities of committee members as well as federal and contractor support staff. Further, the December 2000 Environmental Management Site Specific Advisory Board Guidance clarifies roles and responsibilities of the Department of Energy (Department), its support contractors, and the local Boards.

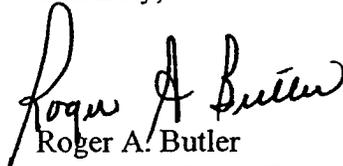
To address your concerns, the Department's legal counsel reviewed the FACA requirements as they apply to your specific issues and also the CAB's Charter and By-Laws to ensure that they meet FACA requirements.

Based on this review, it is clear that the NTS CAB is operating within the guidelines established by FACA, and that the NTS CAB by-laws and standard operating procedures effectively address each of your issues. However, to ensure that you fully understand our interpretation of FACA and Board requirements, please refer to Attachment 1, which summarizes your concerns, followed by details regarding our conclusions.



The key to the ongoing success of the Site Specific Advisory Boards is continued open communication between the public and the Department. In that context, I appreciate this opportunity to address your concerns about the NTS CAB. On behalf of the Department, I extend sincere appreciation to you for your six years of service on the NTS CAB and hope that you will continue to be involved as a stakeholder in future Board efforts.

Sincerely,

A handwritten signature in black ink that reads "Roger A. Butler". The signature is written in a cursive style with a large initial 'R'.

Roger A. Butler
Deputy Assistant Secretary for
Policy, Planning, and Budget

cc:
Carl Gertz, NTS
Phillip Claire, NTS