

Charter of the Interagency Executive Committee for the Study of Navajo Generating Station

Purpose

This Executive Committee (“Committee”) will comprise and jointly represent the Department of the Interior (“DOI”) and the Department of Energy (“DOE”), the two parties to the Interagency Agreement authorizing the National Renewable Energy Laboratory (“NREL”) to conduct a study of Navajo Generating Station (“Study”) as set forth in the Interagency Agreement, also the Department of Agriculture (“DOA”) represented by the Forest Service who also has a vested interest in the Study. The Committee will ensure that the Study Team has access to information from all three Departments and is adequately supported so that it can conduct its Study in an unbiased, methodologically sound, and timely manner. The Committee will also ensure that stakeholder input to the Study will be equitable, non-preferential, and without regard for any cost sharing that a stakeholder may have provided towards this Study.

Membership

Each agency shall designate its Members. Only Committee Members, or their designees, may participate in the formal business of the committee. A Member unable to attend a meeting or participate in other functions of the Committee may designate a proxy. Other federal agency staff may participate in Committee functions as observers, and will abide by the provisions of the Committee Charter.

Obligations

All Members commit to consider the public interest as a whole, with an open mind to the opinions of all concerned parties.

The Committee will operate on the principle of consensus.

Each Member will assist NREL in obtaining reports and data held by the Member’s Department which are pertinent to the Study.

No Member will use his or her position on the Committee to enable any stakeholder to enjoy a privileged position with respect to providing guidance to the Study.

All Members will comply with Committee protocols regarding the dissemination of information about Study drafts and work products. No Member will provide information about Study drafts and work products beyond the executive branch ,

including to stakeholders, outside any established Committee protocol except as agreed to by all Committee Members.

Role

The functions of the Committee include:

1. Memorializing a conflict of interest management plan that includes (a) a written description of any aspect of the Study that the Committee determines could be perceived by the public as a conflict of interest or a potential source of bias, and (b) a written plan for preventing such factors from influencing the Study's outcome;
2. Reviewing, commenting on, and endorsing NREL's plan for gathering information from interested parties;
3. Being an intermediary between NREL and interested parties for concerns those parties seek to communicate to NREL outside the established avenues for input, with such concerns coming to the Committee rather than directly to NREL, so that any perceived conflicts of interest or undue influence can be avoided;
4. Providing NREL with a forum to seek clarification with regard to questions that arise over the implementation or interpretation of the Statement of Work;
5. Providing advice to NREL on the composition of the independent peer review panel;
6. Receiving updates from NREL regarding the Study's progress;
7. Receiving from NREL the Final Draft Study;
8. Determining protocols for distributing the Final Draft Study to interested parties and to the Environmental Protection Agency; and
9. Deciding, along with the NREL Study Team, whether the Final Study will include written stakeholder comments along with the Final Draft Study, with the understanding that any interested party's comments would appear under that party's name as an addendum (that is, the Final Study would comprise the Final Draft Study that NREL delivers to the Committee, followed by written comments submitted by interested parties).
10. Ensures the Committee adheres to Departmental policies regarding scientific integrity:
 - a. Department of the Interior Secretarial Order No. 3305, "Ensuring Scientific Integrity within the Department of the Interior," dated September 29, 2010 (http://elips.doi.gov/app_so/act_getfiles.cfm?order_number=3305);

- b. Department of the Interior's January 28, 2011 policy regarding Integrity of Scientific and Scholarly Activities (<http://elips.doi.gov/elips/release/3889.htm>); and
- c. NREL's policy on "Conduct of Research and Analysis," NREL Policy 4-8, Subsection II(B)

Release of the Final Draft Study

NREL will distribute the Final Draft Study to the Committee only. NREL will not distribute the Final Study except as sanctioned by the Committee.

Operations

DOI and DOE agree to provide each Member with the individual staff support necessary to enable that Member's participation on the Committee.

The Committee will decide the timing, frequency and format of its meetings. NREL will arrange meeting venues, webinars, and teleconferences as decided by the Committee.

NREL will maintain contact information for all Members (and designated proxies), and will notify Members of meetings, webinars, teleconferences, and shared electronic documents.

NREL will establish a means for sharing electronic documents among all Members.

The Committee will designate a chair and a non-Member to take minutes of all meetings. All other Committee support will be provided by NREL.