

# **JOINT BASE McGUIRE – DIX – LAKEHURST**

## **RESTORATION ADVISORY BOARD**

### **OPERATING PROCEDURES**

#### **I. HISTORY, NAME AND REGULATORY AUTHORITY**

This organization shall be known as the Joint Base McGuire-Dix-Lakehurst (JB MDL) Environmental Restoration Program (ERP) Restoration Advisory Board (RAB). The JB MDL RAB will operate in accordance with the U.S. Department of Defense's (DoD) guidance (32 CFR Part 202, Department of Defense Restoration Advisory Boards, final rule May 13, 2006) and the Department of Defense Restoration Advisory Board Handbook, March 2007. A copy of the Restoration Advisory Board Handbook will be provided to each Board member.

On October 1, 2009, JB MDL was formed via the combination of McGuire Air Force Base, Fort Dix, and Naval Air Engineering Station Lakehurst. The base is host to diverse tenant missions where the U.S. Air Force is the host command for operations, including but not limited to: real property, planning, infrastructure maintenance, civil engineering, energy, environmental compliance, environmental restoration, and natural and cultural resources management.

Prior to becoming JB MDL, each base had a separate Restoration Advisory Board (RAB) and held separate meetings. In 2009, all three separate RAB's formed one joint RAB.

These operating procedures supersede all former charters and operating procedures and will be the sole operating procedures for the JB MDL RAB.

#### **II. PURPOSE**

The purpose of the JB MDL RAB is to improve public participation and community awareness of the Joint Base's environmental restoration program and process.

#### **III. FUNCTION OF THE RESTORATION ADVISORY BOARD**

The primary function of the RAB is to act as a forum for the discussion and exchange of environmental cleanup information between government agencies and the public. The RAB brings together members who reflect diverse community interests to facilitate the flow of information and concerns between the local community, JB MDL, the New Jersey Department of Environmental Protection (NJDEP) and the U.S. Environmental Protection Agency (EPA). The RAB's focus is on environmental restoration issues impacting human health and environment. The RAB will ensure all members and regulatory agencies have a voice and can actively participate in the review of cleanup documents, schedules, plans, investigations, and associated reports.

Community RAB members shall express their own viewpoints and recommendations on all matters considered by the RAB and bring to the RAB any concerns of the community. The intent is to obtain information or viewpoints from individual members and members representing organizations as opposed to advice, opinions or recommendations from the group acting in a collective mode. The RAB is not a decision-making body and is not considered a Technical Advisory Committee in the context of the Federal Advisory Committee Act.

#### **IV. AUTHORITY**

The basis and authority for these operating procedures are contained in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986, particularly sections 120 (a), 120 (f), 121 (f), and 10 USC 2705 enacted by Section 211 of CERCLA, and 32 CFR 202.

#### **V. MEMBERS**

A. The RAB shall consist of the following representatives:

- Air Force Members
  - Joint Base Mc-Guire-Dix-Lakehurst
- Regulatory Members
  - US Environmental Protection Agency (EPA), Region 2
  - New Jersey Department of Environmental Protection
  - New Jersey Pinelands Commission
- Community Members (up to approximately 10)

B. Community RAB members shall serve without compensation. All expenses incidental to travel and review inputs shall be borne by the respective member or their organization.

C. When a community RAB member resigns, that member shall be replaced by a representative of the same organization, if possible. When this is not possible, nominations to replace the former member will be solicited from local Congressional representatives, state government representatives, local or county governments, and community associations or groups. The opportunity for RAB membership also will be periodically announced in RAB meeting notices and at RAB meetings. When necessary, the Community Co-Chair will convene a membership selection panel. The panel will announce the vacancy(ies), evaluate the applications, and submit one or more nominees to the RAB. Community groups, citizens and interest groups reflecting the diverse interests of the community may be referred to the RAB membership selection panel. The selection panel will seek consultation from the Air Force Co-Chair on the diversity of the RAB.

Nominations are approved by a majority vote of the RAB community members present at the RAB meeting where the nomination was placed on the agenda, and if approved, forwarded to the JB MDL Deputy Commander for final approval.

The following criteria, at a minimum, will be used for selecting RAB community members:

- a. Live or work in the communities surrounding JB MDL;
- b. Ability and willingness to attend regularly scheduled meetings;
- c. Willing to work to meet the overall scope and function of the RAB;
- d. Ability to work effectively and cooperatively with other RAB members;
- e. Ability to make a positive contribution to the RAB by virtue of experience, education, community interest, or area of expertise;
- f. Willing to serve for a minimum of two years; and,
- g. No apparent conflict of interest.

## **VI. STRUCTURE**

- A. All members of the RAB will have equal status.
- B. The RAB will be co-chaired by an Air Force Co-Chair and Community Co-Chair. The responsibility of presiding over each meeting will be the joint responsibility of the Air Force and Community Co-Chairs. An Air Force RAB administrator will be responsible for the minutes and agenda.
- C. Meetings shall be held quarterly at a time, day and location acceptable to the RAB. Frequency of meetings may be more or less if determined necessary by the RAB. A specific meeting may be rescheduled or cancelled if deemed necessary by the RAB's Co-Chairs.
- D. All meetings of the RAB shall be open to the public, with occasional closed administrative meetings.
- E. An agenda shall be prepared for each RAB meeting and distributed to all members prior to the meeting. The Air Force will be responsible for coordinating and disseminating agendas. Meeting agendas will include:
  - Approval of prior meeting minutes; and,
  - Public comment and question/answer session.
- F. The Air Force will be responsible for recording and disseminating meeting minutes. Comments on the minutes may be provided to the Air Force Co-Chair or Air Force RAB administrator.
- G. RAB members are expected to attend all regularly scheduled RAB meetings. If a RAB member cannot attend a meeting due to a conflict, s/he shall notify the RAB Community Co-Chair or Air Force RAB Administrator that they will not be in attendance. Community RAB members unable to continue to fully participate in the RAB may submit or may be asked to submit their resignation in writing to the RAB. Inactive RAB community members may be retained at the discretion of the RAB Co-Chairs.

- H. Air Force and regulatory representatives are not voting RAB members where formal motions and votes are necessary. Regulatory representatives can provide comments and vote on meeting minutes.
- I. The RAB Community Co-Chair shall serve a term of two years from January 1 through December 31. The RAB will announce the availability of and conduct elections for the co-chair at the regular meeting prior to the expiration of the community co-chair term. Interested RAB members will have the opportunity to self-nominate or nominate a community member of the RAB for the Co-Chair position. The RAB community members shall then elect a co-chair from the nominated members by a plurality vote. The seated co-chair may be re-elected for another term. If the community co-chair resigns, a new co-chair will be elected and will finish out the term.

## **VII. ROLES AND RESPONSIBILITIES**

### AIR FORCE MEMBERS

- The JB MDL Deputy Commander or his designee shall serve as the Air Force Co-Chair.
- The JB MDL Deputy Commander or his designee shall have final approval of new RAB community members as nominated by the existing RAB community members to ensure community diversity.
- Air Force members may include staff from JB MDL Environmental Restoration Program, the 87<sup>th</sup> Civil Engineer Group, and other key positions as necessary.
- An Air Force member shall be designated as the RAB Administrator.
- Attend RAB meetings.
- Promotes participation in an open and constructive manner.
- Promotes the RAB's opportunity to participate in the JB MDL environmental restoration process.
- Coordinates with the Community Co-Chair to prepare and distribute an agenda prior to each RAB meeting.
- Provides educational presentations at RAB meetings, when possible, as requested by RAB community members on technical topics such as risk assessments, hydrogeology, environmental laws and processes, and technologies.
- Alerts the Community Co-Chair in a timely manner of the availability of documents for review and dissemination to RAB community members.
- Ensures final documents are made available to the general public through updates of the local and online Information Repository/Administrative Record.
- Ensures adequate administrative support is provided for the RAB.
- Maintains an accurate mailing list of all parties interested in environmental restoration at JB MDL and notifies such list of RAB meetings.
- Provides relevant policies and guidance documents to RAB members in order to enhance the RAB operation.
- Refers issues not related to environmental restoration to an appropriate JB MDL official.

### RAB COMMUNITY CO-CHAIR

- Serves a two-year term with the option to be re-elected for an additional term(s).
- Coordinates with the Air Force to prepare and distribute an agenda prior to each RAB meeting.
- Promotes participation in an open and constructive manner.
- Promotes the RAB's opportunity to participate in the JB MDL environmental restoration process.
- Facilitates the process for addressing community issues and concerns.
- Makes documents or lists of documents provided by the Air Force available to other RAB members for review.
- Serves as an information or referral source for the community and JB MDL.

### RAB COMMUNITY MEMBERS

- Attend RAB meetings.
- Provide input and comments on environmental restoration issues.
- Represent and communicate community interests and concerns to the RAB.
- Serve as an information or referral source for the community and JB MDL.
- Review and provide any comments on documents of their choice in a timely manner (similar to the timelines used by regulatory members for providing comments).
- Serve in a voluntary capacity.

### EPA, NJDEP, AND PINELANDS COMMISSION MEMBERS

- Attend RAB meetings.
- Serve as an information, referral and resource bank for community members, JB MDL, and other interested parties regarding the environmental restoration process.
- Review documents and other materials related to JB MDL environmental restoration.
- Assist the Air Force in providing educational presentations at RAB meetings, when possible, as requested by RAB community members on technical topics such as risk assessments, hydrogeology, environmental laws and processes, and technologies.
- Facilitate flexible and innovative resolutions of environmental issues and concerns.

## **VIII. ADJOURNING AND DISSOLVING THE RAB**

The RAB's work is complete when there are no longer any environmental restoration activities at the installation as a result of the installation either reaching remedy in place for all activities or response complete (as defined by regulatory requirements), or when it has been determined that the community is no longer interested in participating in the RAB. At that time, the RAB should complete the documentation of its activities and begin the process of adjournment as described in the RAB Rule referenced in Section I above. The RAB's existence may be terminated if one or more of the following events occur:

- Termination of the RAB program due to a change in the law or funding.
- A "response complete" determination, in accordance with regulatory requirements, has been made for all environmental restoration activities at the installation.
- As a result of a majority vote of all appointed community members.

- Failure of one-third of appointed community members to be present for three consecutive scheduled meetings and a lack of community interest.
- An early transfer of the entire property is completed to a non-DoD entity who assumes environmental restoration responsibilities.

The Installation Deputy Commander shall notify all RAB members and the public of the decision to dissolve or adjourn the RAB in writing and by publication of a notice in a local newspaper. Currently, RAB notifications are placed in the following local media outlets: Asbury Park Press and Burlington County Times. There shall be a 30-day comment period for members and the public. Comments shall be reviewed by the Installation Deputy Commander who has the final authority to dissolve or adjourn the RAB. Notification of the decision and rationale shall be forwarded to the Deputy Assistant Secretary and Office of the Deputy Under Secretary of Defense.

#### **IX. ADOPTION AND MODIFICATION**

These Operating Procedures were adopted by motion and approval of the community members of the RAB on November 12, 2015.

Modification of these Operating Procedures will be proposed to or by the community members of the RAB and voted upon at a RAB meeting.