

# **Restoration Advisory Board Guidelines**

## **Joint Base Cape Cod, Massachusetts**

**Draft - August 2022**

### **MISSION**

The Restoration Advisory Board (RAB) at Joint Base Cape Cod (JBCC) is also known as the Joint Base Cape Cod Cleanup Team (JBCCCT). The RAB is an organization composed of representatives of the Air Force and Army National Guard, regulatory and other agencies, and citizens of the surrounding Upper Cape Cod communities of Falmouth, Mashpee, Sandwich and Bourne. The RAB is one of many community involvement participation opportunities offered in AFCEC's Community Involvement Plan.

The RAB

- advises the Air Force Civil Engineer Center (AFCEC) Installation Restoration Program (IRP), the Army National Guard's Impact Area Groundwater Study Program (IAGWSP) and regulatory agencies in order to help achieve a more effective investigation and cleanup of JBCC under the Department of Defense's cleanup programs.
- provides input to the IRP, IAGWSP and regulatory agencies on matters such as plume clean-up alternatives and on recommendations/proposals that are technically feasible, cost-effective, provide for risk reduction, and obtain overall effectiveness.
- provides an opportunity for IRP and IAGWSP to present Proposed Plans, public hearings, or equivalent to the public, addresses questions and concerns, and obtains verbal and/or written comments.

The RAB will concern themselves with the investigations, proposed plans for cleanup, and helping to foster better community relations and communicating plans and progress to the general community.

### **BASIS AND AUTHORITY FOR THE RAB**

The basis and authority for this RAB are contained in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendment and Reauthorization Act (SARA) of 1986, particularly Sections 120(a), 120(f), 121(f) and 10 USC 2705, enacted by Section 211 of SARA. Although the Massachusetts Contingency Plan is not an ARAR under CERCLA, it is noted that the JBCCCT/RAB also satisfies the MCP Subpart N which is related to the public involvement regulations for remediation sites in Massachusetts.

### **CO-CHAIRS**

The co-chairs are Remediation Program Managers for the IRP and IAGWSP representing the military, and a community RAB member. The community co-chair shall rotate **yearly** with a new community member appointment made at the first meeting of the year. A simple majority of support by team members approves a citizen co-chair. The facilitator will ask for a volunteer to serve and the agencies (AFCEC, IAGSWP, EPA and DEP) will approve the appointment either at the meeting or a later date. The facilitator will be a planning group member and is tasked to ensure meeting effectiveness and following of team guidelines. The facilitator's role is to facilitate discussion and consensus building.

## **PLANNING GROUP**

The planning group consists of representatives from the IRP, IAGWSP, the U.S. Environmental Protection Agency (USEPA) Region 1 and the Massachusetts Department of Environmental Protection (MassDEP). The citizen co-chair will be consulted with the draft agenda before it goes to the full team and is announced publicly.

## **MEETING FREQUENCY**

The RAB meets two to four times per year and/or as necessary. Team members may suggest topics for future meetings.

## **SUMMARY**

General meeting minutes are reviewed by members for accuracy. If a correction is needed the minutes will be amended and reissued to the team and AFCEC's webpage. Action items identified during a meeting are noted and addressed. For meetings that have a Proposed Plan public hearing all comments submitted during the formal public hearing portion will be transcribed verbatim. RAB minutes that reflect decision-making will be added to the Administrative Record.

## **GROUND RULES**

### **Team Membership**

New team members will be recruited, evaluated, and appointed as follows:

- All paid advertisements for announcing team meetings will include contact information for joining the RAB.
- Interested parties can apply for membership by submitting an email request to join the team. Such emails should be sent to one of the planning group members listed in the paid advertisement.
- New membership will be discussed at the next team meeting as needed.
- Applicants will summarize their interest in joining the team at a meeting. Unless there is opposition to new membership by an existing member, then the applicant will be approved and will start serving immediately. Such discussions and decisions will be documented in the meeting minutes.
- If an applicant's membership is opposed by a member then the planning group (IRP, IAGWSP, USEPA and the MassDEP) will decide membership either at the meeting or at a later date based on input received. Such discussions and decisions will be documented in the meeting minutes.
- JBCC RAB membership as of August 2022:
  - Michael Bingham, East Falmouth, MA
  - Tom Cambereri, Centerville, MA
  - Michael Cusack, Mashpee, MA
  - Phil Goddard, Monument Beach, MA
  - Rose Forbes, AFCEC IRP
  - Douglas Karson, AFCEC IRP
  - Shawn Cody, IAGWSP
  - Lori Boghdan, IAGWSP
  - Bob Lim, EPA
  - Len Pinaud, MassDEP
  - Ellie Donovan, MassDEP
  - Steve Hurley, Mass. Division of Fisheries and Wildlife
  - Tim Pasarkanis, Cape Cod Commission

### **Responsibilities of Members**

- Members strive to maintain a balance between the four surrounding towns and the base community, affected neighborhoods, the kinds of organizations represented, and the interests of the members. The team will seek to have at least two members from each town, if possible. Where appropriate, the team will seek out members with particular technical or other kinds of expertise. Some members may represent a community, neighborhood, or organization.
- Make recommendations to the IRP and IAGWSP regarding investigation, remedial and community involvement activities.
- Attend all of the regularly scheduled meetings. Members will notify a planning group member if they cannot attend. Attendance will be noted in the minutes
- Present their own views and be willing to engage in respectful, constructive dialogue with other members of the group.
- Strive, throughout the process, to bridge gaps in understanding, to seek creative resolution of differences, and to commit to the goal of achieving consensus on topics under discussion.
- Team members are always welcome to offer their individual viewpoints verbally or in writing.
- Acknowledge that their service on the team is voluntary, and no compensation will be provided for participation by the IRP or IAGWSP.

### **Communication among Team Members**

In order to facilitate an open and collaborative discussion, team members will seek to abide by the following rules:

- Only one person will speak at a time and no one will interrupt when another person is speaking;
- Each person will express his or her own views rather than speaking for others at the table;
- No one will make personal attacks or issue statements blaming others for specific actions or outcomes. If a personal attack is made, the facilitator will ask the members to refrain from personal attacks. If personal attacks continue, the facilitator will ask the group to take a break to “cool off”;
- Each person will make every effort to stay on track with the agenda and avoid grandstanding and digressions in order to move the deliberations forward;
- Each person will strive to listen well and be open minded; and,
- The team will provide opportunities for the general public's questions and comments.
- For online meetings paid advertisements are placed just as for in-person meetings. Notices to AFCEC’s stakeholder email lists also occurs. Notice includes online link and other meeting information including use of a “chat box” and “raise your hand” options. Comments, questions, discussion provided during the meeting in the chat box will be included as part of the meeting minutes summary.

Although each JBCCCT meeting (virtual or in-person) will be managed by a facilitator, members are expected to communicate concerns, interests and ideas openly and to make the reasons for their disagreements clear. In the event that a member is unable to speak about a concern directly to another member, he or she can contact the facilitator by phone, mail, email, or in person. The facilitator will serve as a channel for such concerns. Upon request, all information or views shared during conversations with the facilitator will be kept confidential.

If a meeting or meetings generate a consensus on specific issues and/or recommendations, members agree to support and advocate for the agreement within their own organizations and stakeholder groups as well as with the public.

To the extent that the process does not reach a final consensus on some or all issues, members shall retain the right to comment negatively on those aspects of the agreement that are not based on a final consensus.

In order to keep on track, the facilitator may need to temporarily stop the proceedings and inquire if the members wish to continue past the planned time; and, if so, for how long.

### **Decision Making**

Members' general opinions are expressed and consensus on an issue may be achieved and noted. RAB members will have the opportunity to provide oral and written comments on proposed plans during the required public hearing that is normally conducted as part of a RAB meeting. AFCEC considers all comments that are received. All comments (written and oral) that are received are included in a "Responsiveness Summary" that is attached to the Record of Decision when issued. EPA signs decision documents with MassDEP concurrence.

### **Standard Agenda**

Standard agenda items include:

- Ground rules/agenda review, review of previous meeting minutes
- Any late breaking or recent news
- An IRP update of on-going investigation and cleanup activities
- An IAGWSP update of on-going investigation and cleanup activities
- A public health issue, if timely and newsworthy
- Presentations given as part of a required public comment period
- Required public hearing to solicit comments on proposed plans
- Community Involvement issues and activities when appropriate with a goal of helping maintain an effective exchange of information between the Upper Cape community and all agencies that are involved with the environmental cleanup at JBCC.
- Presentation by EPA or MassDEP on subjects that affect either AFCEC or IAGWSP programs.

### **Removal of A RAB Member**

The RAB may remove a RAB member under two conditions both of which must be met:

- With a majority of members stating they wish a member be removed.
- Concurrence from the Planning Group (IRP, IAGWSP, EPA and MassDEP).
- Removal must be justified by one of the following reasons:
  - Failure of the member to attend AT LEAST ONE meeting, without notification, in a calendar year will result in a planning group member contacting the non-attending member to ascertain their desire to remain on the team.
  - Any sustained personal activity or disruption that inhibits the RAB from achieving RAB goals and objectives.
  - Existence of a conflict of interest that inhibits the member's regular participation in RAB discussions.
  - Moving out of the jurisdiction or community the RAB member represents. The member may still participate as a private citizen as all meetings are open to the public.

### **RESOURCES**

IRP's and IAGWSP's staff are available to support planning, coordination and conductance of meetings. Contractors provide meeting minutes, presentations and presenters. A co-chair (IRP, IAGWSP or citizen

member) will typically facilitate the meeting, although MassDEP and USEPA may occasionally serve in that role. Meeting materials (agenda, past meeting summary, response to action items, new member requests), are emailed to team members approximately 10 days prior to the scheduled meeting. Notice is published in the local newspapers, on the IRP and IAGWSP web pages, and emails are sent to various stakeholder groups announcing each RAB meeting. Presentations are posted to both IRP and IAGWSP web pages no later than the day of the meeting.

### **AMMENDMENT TO GUIDELINES**

These RAB guidelines may be amended by a majority (more than 50%) of the RAB members present at a meeting if the proposed amendment language was provided to the team at the prior meeting or prior to the current scheduled meeting (materials normally sent out 10 days prior to a meeting).

### **RAB DISSOLUTION**

The Air Force and Army National Guard will consider the level of current team and general public interest in the JBCC cleanup programs; and, if it is determined that there is little or no future public interest expected then the planning group members can decide to move the RAB into an indefinite hiatus. Eventual dissolution is to be decided based on the continuance of non-interest. The RAB may be reactivated if significant new public interest is evidenced due to issues that may arise. A final decision for RAB dissolution will be made by the IRP and IAGWSP in consultation with the other planning group members (EPA and MassDEP) along with consideration of input from the RAB co-chair and other RAB members.