

NAVAL AIR FACILITY ADAK, ALASKA
RESTORATION ADVISORY BOARD
CHARTER AND BY-LAWS

MISSION STATEMENT

The mission of this Restoration Advisory Board (RAB) is to provide a forum communication in an open environment between all interested parties to provide recommendations to the United States Navy (Navy) regarding the former Naval Air Facility Adak environmental restoration program as part of the Comprehensive Environmental Response, Compensation and Liability Act.

I. NAME

This organization shall be known as the Naval Air Facility Adak Restoration Advisory Board (RAB). The Naval Air Facility (NAF) RAB will fulfill the requirements of title 10 United States Code (USC) Section 2705(c.) for Technical Review Committees at Department of Defense installations.

II. PURPOSE

The purpose of the RAB is to provide a forum to enhance communication and coordination between the Navy, the community, and the regulatory agencies in response to actions undertaken under the Installation Restoration Program (IRP). The IRP is part of the Defense Environmental Restoration Program (DERP) and is the Navy program to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Under CERCLA and Executive Order 12580, the Navy is conducting a comprehensive identification of contaminated sites, assessing the nature and magnitude of contamination, and taking corrective actions to protect human health and the environment.

Specifically, the RAB provides its members and the community an enhanced opportunity to review and comment on proposals for site cleanup actions.

The RAB considers and identifies community concerns relating to possible cleanup actions under the NAF Adak IRP.

Membership and procedures must facilitate open and effective communication, or as directed by co-chairs.

The RAB will advise the Navy and the BRAC (Base Realignment and Closure) Cleanup Team (BCT) but is not a decision-making body.

III. AUTHORITY

The basis and authority for this charter are CERCLA, DERP, and Department of Defense policies.

IV. COMPOSITION

Membership shall consist of a Community and Navy Co-Chair or alternates and representatives and alternates from the Environmental Protection Agency (EPA), the Alaska Department of Environmental Conservation (ADEC), and the community. If the community Co-Chair is unable to attend a meeting, the RAB will vote for an alternate from the present RAB members. A Community Co-Chair or alternative will be selected in accordance with Paragraph V.

Membership and representation on this advisory board shall not, by itself, be construed in any way as limiting the legal rights, obligations or authority of any of the individual representatives of the groups or agencies which they represent. The RAB is open to the public non-exclusively and anyone may attend and make comments and observations.

A. Requirements for Membership

1. General membership requirements and responsibilities are as follows:
 - a. Members of the RAB must be representatives from private citizens, community groups, and federal, state and local government organizations.
 - b. Members will participate in RAB meetings and activities for a minimum of one-year. By applying for membership, members agree to participate in most of the meetings. RAB community members may request an extension of service on the RAB.

For administrative purposes only, each extension for an additional term of one year must be approved by a quorum and a 2/3-majority vote of present RAB community members. A quorum shall consist of 1/3 of the community RAB members. There is no limit on the number of terms a RAB member may serve.

A RAB community member may be removed for cause (i.e., fails to adhere to the requirements for membership, lack of attendance, etc.) by 2/3-majority vote of the present RAB community members.

Any RAB community member who is absent from three consecutive RAB meetings (without an excused absence) may be removed for cause from the board. Excuses should be provided to the Community Co-Chair or by calling the Navy at 1 (866) 239 1219.

Additional members may be added to the RAB by a quorum present and a 2/3-majority vote of present RAB community members.

- c. Members will become familiar with environmental restoration issues related to the actions of the NAF Adak. Representatives from the Navy, the Environmental Protection Agency (EPA), the state, or other organizations will provide technical and regulatory information to the RAB. These representatives are not voting members of the RAB.
- d. One member will represent each government entity or community organization, except for the Navy, which may have two members. One of the Navy members will serve as the Navy Co-Chair. The other Co-Chair will be a private citizen or representative of a community organization. The Co-Chairs will ensure written comments are forwarded to the BRAC Cleanup Team in a timely manner.
- e. Members will review documents and provide comments on actions proposed by the Navy. Members will recommend priorities among sites and projects. Members will use applicable standards to evaluate cleanup actions.
- f. Members will report to the groups they represent and serve as a conduit of information between the community and the Navy.
- g. Members will serve without compensation from the RAB.

B. Guidelines for Membership:

- 1. Any individual or organization desiring membership will submit an application to the RAB or be present at a meeting for a verbal interview by the RAB community members. The RAB will approve or disapprove the membership.
- 2. Sub-committees and/or steering committees may be formed in the RAB to facilitate participation or to address specific issues or other items pertinent to the RAB. A committee may be formed and its members selected at the meeting the issue of committees is raised.

3. Each member will provide necessary information to a RAB Co-Chair in the event he/she cannot attend. All effort will be made to not fall behind in activities. Each member may provide technical or administrative support as necessary.
4. A voting member of the RAB may not substitute or designate an alternative as their representative to vote on issues before the RAB nor can an alternative bring new issues before the RAB as the voting member's representation.

V. STRUCTURE AND OPERATING PROCEDURES

- A. Meetings will be presided over by two Co-Chairs. One Co-Chair will be a representative of the Navy, and the Lead Co-Chair will be a private citizen or representative of a community organization.
- B. The Commanding Officer of Engineering Field Activity, Northwest, will appoint the Navy Co-Chair.
 1. The duties of the Navy Co-Chair include, but are not limited to: The Navy Co-Chair, along with BCT members of the RAB, will ensure that the BCT the official decision-making forum, considers and responds to comments from the public through procedures established and documented by the RAB; Coordinates with the Community Co-Chair to prepare and distribute an agenda prior to each RAB meeting; Advertises meetings; Provides administrative support for the RAB; Ensures that minutes at RAB meetings are taken; Prepares draft minutes and coordinates the review of the draft minutes with the Community Co-Chair and RAB members; and publishes the minutes of the meeting by placing them in the Information Repositories or Administrative Record.

The Navy Co-Chair will also: Refer issues other than environmental restoration to appropriate Navy officials for normal processing outside of the RAB; Work with the Community Co-Chair to establish a process for public review of documents, including submitting comments to the Navy for consideration during the planning and decision making process; Publish a public notice advertisement in a large circulation newspaper; Publish the operating procedures agreed upon by the RAB including the process established for public review and comment in the RAB minutes; Provide draft documents and, when necessary, summaries and presentations, to the RAB for review.
- C. The Community Co-Chair will be chosen by the members who are not representatives of federal or state organizations.

1. The duties of the Community Co-Chair include, but are not limited to: Ensuring that community issues and concerns related to the environmental restoration/cleanup program are brought to the table, Assist the Navy in communicating technical information to all RAB members in understandable terms, Assist in disseminating information to the public, Coordinate with the Navy Co-Chair to prepare and distribute an agenda prior to each RAB meeting, Be the lead Co-Chair with technical and administration support provided by the Navy Co-Chair, Ensure that RAB members are given adequate time to present their concerns and comments.
- D. Meetings to be held as required but at least twice per year on Adak at a location agreed to by the members. Members should submit agenda items to a Co-Chair at least 30 days in advance of the meeting. Comments on minutes will be provided to the Co-Chairs. The Community Co-Chair or the Navy Co-Chair will operate the meetings.
- E. The Co-Chairs will conduct meetings, informally, to maintain order. Approval of prior meeting minutes will be an agenda item for each meeting. Development of the next meeting agenda will be an agenda item for each meeting.
- F. As the RAB deems necessary, subcommittees may be formed to study and report on specialized topics. Subcommittee assignments will be included as action items on the RAB agenda.
- G. RAB Document Review and comment procedures are as follows:
 1. The Navy Co-Chair will ensure that copies of all pertinent documents are available at the Information Repositories for RAB and public review, sufficiently in advance of deadlines to provide reasonable opportunity for review and comment.
 2. The Navy Co-Chair will send summaries or fact sheets related to environmental restoration activities at NAF Adak to the members or notify the members of where they may review the entire document.
 3. Members may submit comments on the subject documents within the time frame specified. The Navy Co-Chair will periodically provide the RAB with schedules of upcoming documents and deliverables and deadlines for comment. The Navy Co-Chair will notify the RAB of changes to such schedules.
 4. The Navy Co-Chair will ensure that responses to comments are provided to members and the public in a timely manner.

5. Members are responsible for ensuring that their comments reflect the position of their constituency.
- H. A facilitator may be appointed by the Navy Co-Chair to enhance meeting effectiveness. The facilitator will not be a member of the RAB.
- I. Action items may be established at any RAB meeting. Responses to comments or requests for information will be in writing. All action items will be listed in the meeting minutes for the meeting at which they are assigned. Progress on each action item will be reviewed at each RAB meeting. When an action item is closed the written response will be included in the meeting minutes.
- J. A quorum to take action will consist of 1/3 of the community RAB members. Action items will be reviewed and approved by a 2/3 vote of RAB community members participating in the meeting.
- K. Final documents, RAB members' comments, response to action items and RAB meeting minutes will be placed in the information repositories. The information repository documents will be available for public review.

The RAB is not a decision-making body and its opinions and advice are not legally binding, but will be incorporated into all BRAC Cleanup Team decision-making processes.

VI. TERMINATION

The RAB shall continue in the above capacity as long as it serves its stated purpose. It shall be disbanded upon a 2/3-majority vote by the members present, provided a quorum is established.

VII. EFFECTIVE DATE AND MODIFICATION

The Charter and By-Laws are effective upon signature by the Co-Chairs, federal, and state agencies listed and 2/3 of the present RAB community members. This Charter and By-Laws may be amended by a 2/3 vote of the members present at a RAB meeting if a quorum exists. The revised Charter and/or By-Laws shall be published and distributed within 30 days of amendment.