



US Army Corps of Engineers

## HTRW Center of Expertise Information - Fact Sheets

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### HTRW Center of Expertise Fact Sheet FY 06-08

**Title:** Department of Defense Restoration Advisory Boards

**Date:** May 12, 2006

**SARS RIN #:** N/A

**Action Type:** Final rule

**Cite:** 71 FR 27610

**Applicability:** This applies to Defense Environmental Restoration Program (DERP) activities, including Military Munitions Response program activities at installations. Installations are defined in this rule to include active and closing DoD installations and formerly used defense sites.

**Summary:** This establishes regulations regarding the scope, characteristics, composition, funding, establishment, operation, adjournment, and dissolution of Restoration Advisory Boards and is codified in 32 CFR 202.

Under this rule, a RAB should be established where there is sufficient and sustained community interest and any of the following apply:

- Installation closure involves transfer of DoD property to the community.
- At least 50 local citizens petitions for creation of a RAB.
- Federal, state, tribal, or local government representatives request formation of a RAB.
- The installations determines a need for a RAB.

RAB membership shall at a minimum include representatives of DoD and the community. Community members should live and/or work in the affected community or be affected by the installation's environmental restoration program. They are nominated by a selection panel comprised of community members. The Installation Commander will accept or reject the list of RAB nominees on the basis of whether the list fairly represents the local community.

The RAB will be co-chaired by a DoD installation representative and a community representative. These co-chairs are responsible for directing and managing RAB operations. RAB meetings are to be open to the public, announced via a notice in a local newspaper of general circulation, held at a reasonable time, and at a place reasonably accessible. Interested persons shall be permitted to attend and have a designated time on the agenda to speak to the RAB committee. Meeting minutes are to be prepared, certified by the RAB co-chairs and kept in the information repository for the site. If the RAB minutes reflect decision-making, copies should also be placed in the Administrative Record.

The community co-chair and community RAB members serve voluntarily and will not be compensated by DoD for their participation. Subject to availability of funding, the installations can provide administrative support to establish and operate a RAB. Eligible expenses include costs of:

- RAB establishment;
- membership selection;
- relevant, site-specific training;
- meeting announcements;
- meeting facilities;
- meeting facilitators/translators;
- preparation of minutes; and
- mailing list maintenance and materials distribution.

The RAB may be adjourned by the Installation Commander when:

- a record of decision has been signed for all Defense Environmental Restoration Program sites on the installation,
- response complete has been achieved for all sites and no further restoration decisions are required,
- all remedies are in place,
- the RAB achieved the desired goal as defined by the RAB Operating Procedures,
- there is no longer sufficient, sustained community interest, or
- the installation has been transferred out of DoD control.

The rule also contains provisions for dissolution and reestablishment of the RAB when necessary.

For complete details, see the Federal Register referenced below.

**Contact:** Beverly VanCleaf, USACE HTRW CX, 402 697 2559, or by email at [Beverly.D.VanCleaf@USACE.Army.mil](mailto:Beverly.D.VanCleaf@USACE.Army.mil)

**Reference:**

<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/pdf/06-4246.pdf>