

# **APPENDIX E**

## **Membership Selection Processes**

### **DEPARTMENT OF THE AIR FORCE**

#### **RAB Membership**

The wing commander ensures the RAB member selection process is a cooperative effort with the regulatory agencies and affected community. The process will be conducted in an open, unbiased manner to ensure a diverse community and regulator representation. It is generally recommended the RAB be no larger than 20 individuals and no smaller than is necessary to adequately reflect the diverse interests of the community regarding the cleanup of the installation. If RAB membership significantly exceeds 20, efforts should be made to consolidate any duplicate representation of similar view points.

#### **Selecting Air Force Installation Members**

The wing commander appoints the installation co-chair. Additionally, other base functions may include, but not be limited to, the base environmental coordinator, and the BRAC Environmental Coordinator (at BRAC installations), or the public affairs officer, legal counsel, and the bio-environmental engineer providing support to the RAB.

#### **Selecting Regulatory Agency Members**

The wing commander will contact and request the participation of EPA and state regulatory agencies, and local government agencies. At installations with TRCs, representation by current regulatory members is strongly encouraged.

#### **Selecting Community Members**

The wing commander in consultation with the state and EPA identifies diverse community interests affected by the cleanup of the installation. Diverse community interests may include, but not limited to, local residents, the business community, homeowners associations, local environmental groups, environmental justice groups, local officials, and civic groups. At BRAC installations, a local reuse committee representative will be included.

A selection panel of community members representing the diverse interest groups is organized by the wing commander to nominate interested people to serve on the base RAB. The individuals should reflect a cross-section of the diverse interest groups.

The selection panel identifies 1) the diverse community interest groups which should be represented on the RAB, 2) selection criteria to achieve community diversity, and 3) a solicitation process to induce nominations from and the diverse community interest groups.

The Air Force, in concert with the selection panel solicits nominations for the RAB through a

series of public notifications which may include, but not be limited to, an initial formation meeting, community interviews, direct mailings, publication of fact sheets and community interest forms, posters displays in prominent locations (libraries, meeting halls, etc), advertisements in the local media (radio, television, and newspapers) and through telephone surveys. Nominations are accepted for a specified period as identified in the public notices.

The selection panel reviews the nominations and submits a proposed list of RAB members to the wing commander for approval. The selection panel should state their belief that the proposed RAB reflects the diverse interests of the community as identified in the selection criteria. The wing commander in consultation with the state and EPA either approves or rejects the proposed list based on a determination the proposed list represent the diverse interest of the community. A rejected list is returned to the selection committee for further consideration and the development of a new list.

Upon selection of the RAB members, the installation will notify the individuals of their selection and to the date of the first RAB meeting. Additionally, the installation will publish in local newspapers paid announcements of the RAB members names and the date of the first RAB meeting.

### **Reassessment of Community Interest**

The wing commander establishes a program for assessing community interest where sudden and/or evolving changes at the installation may affect the cleanup program. Installations where initially no sustained, sufficient interest was observed, will establish a program to regularly reassess community interest. Both programs will be identified in the installation's community relations plan.

### **RAB Training**

The wing commander ensures RAB members are provided the opportunity for additional training in areas which influence the cleanup program. Training may include, but not be limited to, the purpose and function of the RAB, the relative risk program, the DoD mechanism for planning, programming, and budgeting system of cleanup requirements, applicable federal and state laws and regulations, and mechanisms for assessing human/ecological health risk.

## **DEPARTMENT OF DEFENSE AND ENVIRONMENTAL PROTECTION AGENCY JOINT GUIDANCE**

### Ensuring Membership Diversity and Balance

RAB members should be identified by a selection panel, see "Selecting Community Members." The RAB should be comprised of members from the local community and representatives from DOD, the state, and EPA, as appropriate. Community members selected

for RAB membership should reflect the diverse interests within the local community. RAB members should live/work in the affected community or be impacted by the restoration program. The following list of potential interests should be considered for representation on the RAB. This list is illustrative and not all inclusive. Each RAB should be developed to reflect the unique mix of interests and concerns within the local community.

- local residents/community members (including minorities and low income)
- local reuse committees
- Technical Assistance Grant (TAG) recipient
- current TRC members
- local government officials/agencies
- business community
- school districts
- installation employees/residents
- local environmental groups/activists
- civic/public interest organizations
- religious community
- other regulatory agencies
- local homeowners organizations
- medical community
- Native American tribes

DOD, the state, and EPA, as appropriate, will generally have one member each on the RAB. While it is anticipated that other members of the installation and regulatory agencies will regularly attend and participate in RAB meetings as resources, the majority of RAB members should be from the local community.

### Soliciting Community Members

For an effective RAB to be established quickly, the DOD installation, in coordination with the EPA, as appropriate, and the state, needs to inform and educate the local community about the formulation of the RAB, its purpose, and the opportunities for membership. The public outreach effort should be tailored to the individual community at each installation and may include letters to local government officials and community members. This is especially important at installations where there has been limited community involvement opportunities or where there has been minimal community and media interest in the installation.

Every effort should be made to ensure that individuals or groups representing the community's interest are informed about the RAB and given the opportunity for RAB participation. Based on the results of member recruitment efforts, it may be necessary to directly solicit some groups or organizations. A sample RAB member recruiting letter is included as Enclosure 3 and may be useful in such efforts. For ease in tracking community interest, a community interest form, Enclosure 4, can be developed and distributed at the initial meeting, made available at local information repositories of other suitable locations, and mailed to persons who write or call.

## Determining the Size of RAB

The initial size of the RAB will be determined by the RAB selection panel. Once the RAB is operational, procedures should be developed to address the addition and removal of RAB members. The RAB may want to re-evaluate the current RAB size, diversity and balance and add members. To facilitate constructive dialogue, the RAB should generally be no larger than 20 individuals but no smaller than is necessary to adequately reflect the diversity of community interests regarding installation restoration. If RAB membership significantly exceeds 20, efforts should be made to consolidate and eliminate any duplicate representation of similar view points. If the RAB is larger than 20, the use of subcommittees should be considered.

## Selecting RAB Members

The transition period between the meeting to initiate RAB formulation and the implementation of a fully functioning RAB will likely be a busy, challenging period. Although the length of time required to complete the transition to a RAB will vary from installation to installation, most RABs should set a goal to be in full operation within six months from the meeting to initiate RAB formulation. During this period of time the following key activities should be completed to ensure successful development and implementation of the RAB.

## Selecting Community Members

**Selection Panel:** The installation Commanding Officer (CO) in consultation with the state and EPA, as appropriate, should identify community interests and solicit names of individuals who can represent these interests on the selection panel. Once the selection panel nominees have been provided, the CO in consultation with the state and EPA, as appropriate, should review the selection panel nominations to ensure balance and diversity. If nominations represent the diversity of the community, they will become the selection panel.

- procedures for nominating community RAB members
- process for reviewing community interest forms
- criteria for selecting community RAB members
- list of RAB nominees

**Final Selection:** RAB membership selection should be in an open and fair manner using the panel. The panel will evaluate interest forms and develop a nomination list for the CO. The CO, in consultation with the state and EPA, as appropriate, should review the list to ensure that nominees represent the diversity of the community. If the list lacks diversity, the CO will ask the selection panel to provide a revised list. A lack of diversity or balance is the only reason a list can be rejected.

The selection panel may want to contact those who expressed interest but not selected for RAB membership to thank them for their interest and willingness to participate in the RAB. A letter to them should explain selection criteria, why they were not chosen and should encourage them to attend and participate at the RAB meetings as members of the general public. Their interest forms should be kept on file for consideration when future membership openings occur.

Additions to and removals from the RAB can be made at any time the RAB deems necessary. Procedures for additions and resignations should be outlined in the operating procedures.

NOTE: DOD contractor personnel should not be RAB members. However, for community RAB members who have business interests, membership on the RAB should not limit ability to compete for contracts. All information provided the RAB members should also be made available to the general public.

#### Selecting Government Members:

The DOD installation, state and local governments, and EPA, as appropriate, should be represented on the RAB. Members may include the Remedial Project Manager (RPM) from the service, state, and EPA, as appropriate, and representatives from local agencies. Representatives should dedicate the time necessary and have sufficient authority to fulfill RAB responsibilities. Whenever, possible, each entity should be represented by one individual. Other government officials such as public health officials from the Agency for Toxic Substances and Disease Registry (ATSDR) may attend RAB meetings as their expertise may be needed.

In the case of closing military installations, the Base Realignment and Closure (BRAC) Cleanup Team (BCT) will be a member of the RAB. The BCT consists of representatives from the DOD service, EPA, and the state.

## **DEPARTMENT OF THE ARMY**

### **Selection of Members**

The installation commander/Army co-chairperson should ensure that the selection process is a cooperative effort with the regulators and affected community. Regardless of which process an installation chooses to use, it should be conducted in a fair and open manner.

This section describes a recommended process for selecting Army installation, regulatory agency and community members of the RAB. This guidance complies with the intent and direction of DOD policy while providing flexibility for different circumstances that may exist at individual installations.

It is recommended that RAB be no larger than 20 individuals but no smaller than is necessary to adequately reflect the diverse community interests regarding installation cleanup and

closure.

### Selection of Army Installation Members

In addition to the Army co-chairperson, the installation commander may select an additional installation representative to serve on the RAB. The additional installation representative could be the BRAC Environmental Coordinator (BEC), environmental coordinator, public affairs officer, base transition coordinator, legal counsel, etc. If not selected to be the installation's representative, these individuals may still be required to attend the RAB meetings and provide support.

### Selection of Regulatory Agency Members

The installation commander of Army co-chairperson will contact the EPA and state regulatory agencies to request that they appoint their respective members to the RAB. For installations where TRCs already exist, representation by current regulatory members should be strongly encouraged to preserve continuity.

### Selection of Community Members

Selection of the community members can be performed in a five-step process:

- Step One: The installation commander (in consultation with the EPA and state) identifies the diverse community interests, which may included, but are not limited to, local residents, the business community, homeowners associations, local environmental groups, environmental justice groups (low income and minority groups), local officials, civic groups, etc. For BRAC installations, a representative(s) of the local reuse committees should be included.
- Step Two: The installation commander (in consultation with the EPA and state) organizes a selection panel of community members from the diverse interest groups identified in Step One, to nominate RAB members who reflect a cross-section of the diverse interest groups. (See paragraph III.D. for options on forming a selection panel.)
- Step Three: The selection panel identifies the diverse community interest groups that need to be represented by the RAB. The panel then develops a solicitation process and establishes criteria for selection of RAB members.

Recommended Solicitation Process: The following process is designed to solicit for members from the diverse interest groups identified by the selection panel and to allow any other interested community members to be considered for RAB membership:

- announce participation opportunities through news releases and paid public notices (sample is at attachment 1);
- develop a community interest form to determine community concerns and participation interest (sample is at attachment 2);
- establish a time period for receipt of the community interest forms;
- mail letters of invitation (sample at attachment 3), fact sheets (sample at attachment 4) and community interest forms to those on the installation's existing mailing list as well as to the groups identified by the selection panel;
- place fact sheets and community interest forms in information repositories;
- hold an initial meeting about RABs to discuss purpose, member solicitation process, membership responsibilities; provide fact sheets and community interest forms.

After the designated solicitation period ends, the selection panel convenes to develop a list of suggested RAB members which reflect the diverse interests of the community. The community interest forms submitted will be used in developing this list. The selection panel submits the list of suggested RAB members to the installation commander for approval.

Step Four: The installation commander (in consultation with EPA and state) will review and accept the list unless he/she determines that it is not representative of the diverse community interests. If the list is not an accurate representation, the installation commander will specify the weaknesses to be corrected. The selection panel will be instructed to develop a new list for review/approval. Once the list is approved, the selection panel will disband.

Step Five: The installation should do the following to announce the RAB members:

- send letters to the selected RAB members to notify them of their

selection, the names of all the RAB members, and the date of the first RAB meeting;

- send letters to those who submitted community interest forms, announcing the names of the RAB members, thanking them for their interest, encouraging them to attend future RAB meetings;
- send news releases to the local newspapers and place paid public notices in the local newspapers announcing the names of the RAB members and date of the first RAB meeting.

### Options for Forming the Selection Panel

It is recommended that the selection panel be made up of community members and reflect the diverse interests identified in Step One of paragraph III.C. Options which can be used for forming the selection panel include the following:

- installation commander (in consultation with EPA and state) organizes a selection panel of community members to nominate RAB members;
- or
- installation commander (in consultation with EPA and state) has neutral facilitator establish the selection panel;
- or
- installation commander (in consultation with EPA and state) has community representatives choose the members of the selection panel;
- or
- installation commander (in consultation with EPA and state) places paid public notices in the local newspapers asking for volunteers to serve on the selection panel;
- or
- installation commander (in consultation with EPA and state) asks existing community members of the TRC to act as the selection panel;
- or
- installation commander, EPA and state representatives each nominate community members to serve on the selection panel.

### RAB Membership Additions and Resignations

Additions and resignations to the RAB can be made at any time the RAB deems necessary. Procedures for additions and resignations should be outlined in the operating procedures. It is recommended that once the RAB members have been selected, the Army co-chairperson should keep the remaining community interest forms on file for future reference. If selected RAB members resign in the future, the original community interest forms could be used as a potential source for new members.

## **DEPARTMENT OF THE NAVY**

### Membership of RAB

- (1) Shall include at least one representative of the installation on cognizant EFD, EPA, and appropriate state and local authorities and members of the local community. Whenever appropriate, natural resources trustees should be invited to have representatives on the RAB. EPA and the state should be encouraged to provide the RAB with representatives on who have the authority to make decisions concerning implementation of specific proposals. At Base Realignment Closure (BRAC) installations, the Navy's BRAC Transition Coordinator (BTC) and BRAC Environmental Coordinator (BEC) will be members of the RAB. BRAC Cleanup Team members from EPA and the State would be encouraged to participate
- (2) Shall include a diverse group of individuals representing a broad cross section of the community including established groups and interested individuals.

### Selecting Community Members

- (1) Determine the size of the RAB on a case by case basis and establish how many community members (3-12) need to be added to the correct TRC to accomplish RAB goals without limiting individuals or groups that would affect the diversity of the RAB. It may be necessary to set a limit on how many community representatives will be invited to join the RAB. All significant community groups and diverse interests should be represented, but the number of members should be kept to a minimum.
- (2) Announce responsibilities of RAB membership, selection procedure, and number of community members to be selected. (See sample RAB Fact Sheet and RAB Membership notice.)
- (3) Identify potential new members by asking members of the current TRC and/or BRAC Cleanup Team, at closing installations, to make recommendations. Potential members should want the job, be willing to participate on a voluntary basis, and live in the vicinity of the installation
- (4) Obtain nominations:
  - a) Re-contact citizens interviewed during the development of the Community

Relations Plan (CRP) and ask for recommendations. If the CRP is not yet completed, interviewees can be asked to recommend names of potential candidates during community relations interviews.

- b) Solicit nominations through announcements in newspapers and sent to parties on the mailing list. If this method is used to recruit members, it is important to describe the process which will be used in selection and to advertise the number of positions to be filled. (See sample RAB Membership Application.)
- (5) Create a slate of candidates and determine who should be asked to join the RAB. Individuals who represent a cross section of the community should be chosen for RAB membership by the current TRC. If there is no TRC, the installation and state and federal agencies with cognizance over the cleanup should choose the community members to the RAB.
  - (6) Announce new members upon their selection. Their names and phone numbers should be made available to the community to assure access and communication.

#### Selecting Co-Chairs:

- (1) Navy Co-Chair:
  - a) Appointed by the installation CO.
- (2) Community Co-Chair:
  - a) Selected by the community members.
  - b) Use a process established by the community members of RAB.
  - c) Have the community members establish the terms and conditions for the Community Co-Chair's service.

#### **DEPARTMENT OF ENERGY**

As stated in the EM SSAB FACA charter, all board members must be officially appointed by the Assistant Secretary for EM. Once a site has a complete list of nominations, this list and information on the individuals should be provided to and will be considered by EM-5. An example of the approved Idaho membership package is appended as Appendix A.

As stated in DOE Order 1130.6 "Advisory Council Committee Management," advisory board members will usually be appointed for a period of two years. Membership terms should be staggered so that at least one-third of the membership is retained for continuity.