

**U.S. ARMY**  
**RESTORATION ADVISORY BOARD**  
**and**  
**TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION**  
**GUIDANCE**

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# U.S. ARMY RESTORATION ADVISORY BOARD AND TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION GUIDANCE

## 1.0 INTRODUCTION

The Restoration Advisory Board (RAB) is a forum comprising representatives of the Department of Defense (DoD), the U.S. Environmental Protection Agency (EPA), state and local governments, tribal governments, and the affected community. RAB members advise installation decision makers concerning environmental restoration at military installations.

The RAB should reflect the diverse makeup of the community, give all stakeholders the opportunity to participate in the restoration process, monitor restoration progress, and offer the community the opportunity to make its views known to decision makers.

Technical Assistance for Public Participation (TAPP) is a DoD program aimed at giving community members of RABs and Technical Review Committees (TRCs) access to independent technical consultants using government-supported acquisitions. The TAPP program is designed to help community members understand scientific and engineering issues pertinent to the installation's environmental restoration activities.

## 2.0 PURPOSE

This document provides Army-specific guidance that supplements DoD guidance contained in the following documents and supersedes the October 2005 *Army RAB/TAPP Guidance for Active and BRAC Installations*:

- ◆ *“Department of Defense Restoration Advisory Boards and Technical Assistance for Public Participation (TAPP) in Defense Environmental Restoration Activities,” Code of Federal Regulations (CFR), title 32, parts 202 and 203, May 12, 2006*
- ◆ *Restoration Advisory Board Rule Handbook, Office of the Secretary of Defense, March 2007*
- ◆ *Handbook, Technical Assistance for Public Participation, Deputy Under Secretary of Defense for Environmental Security, February 2000.*

## 3.0 APPLICABILITY

This guidance applies to active, excess, Army Reserve, National Guard Bureau (NGB), and Base Realignment and Closure (BRAC) installations conducting environmental restoration activities under the Army Defense Environmental Restoration Program (DERP). Environmental restoration activities include the Installation Restoration Program (IRP) and Military Munitions Response Program (MMRP). On 29 December 2008, the Office of the Deputy Under Secretary of Defense for Installations and Environment, ODUSD(I&E), issued an interim policy for DERP eligibility that rescinded the 1986 eligibility date for the IRP and the 2002 eligibility date for the MMRP. This

made many sites previously addressed in the Army's Compliance-Related Cleanup (CC) Program eligible for the DERP. If the installation has no RAB and CC sites eligible for DERP are identified, the installation must evaluate community interest in forming a RAB.

Although the U.S. Army Corps of Engineers (USACE) executes and manages restoration programs at formerly used defense sites (FUDS), this guidance does not apply to FUDS. USACE published *Public Participation in the Defense Environmental Restoration Program (DERP) for Formerly Used Defense Sites (FUDS)*, EP 1110-3-8, to provide guidance for administration of FUDS RABs.

## **4.0 ARMY RESPONSIBILITIES IN SUPPORT OF RESTORATION ADVISORY BOARDS**

### **4.1 Headquarters, Department of the Army**

The Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health, DASA(ESOH), is the Army senior environmental official and has oversight and policy responsibility for the Army DERP. The DASA(ESOH) oversees the execution of the RAB and TAPP program and makes the final decisions on appeals from RAB members passed through the chain of command.

The Office of the Assistant Chief of Staff for Installation Management (OACSIM) has overall responsibility for the Army's DERP, and the Installation Services Directorate–Environmental Division (ISE) sets policy and provides guidance.

### **4.2 U.S. Army Environmental Command**

The U.S. Army Environmental Command (USAEC), a subcommand of the Installation Management Command (IMCOM), is the program manager for the Army's DERP active and non-BRAC excess installations. USAEC reviews installation RAB information for consistency with DoD policy and proposed RAB funding requirements for eligibility for reimbursement and consistency with approved obligation plans. USAEC reports installation-level RAB and TAPP data to other Headquarters, Department of the Army (HQDA), staff elements and to Deputy Undersecretary of Defense (Installations & Environment) DUSD(I&E).

Through the environmental restoration managers in its Cleanup Division, USAEC ensures that an IMCOM and non-BRAC excess installations evaluate community interest; document lack of such interest, if applicable; program funds for establishing and conducting a RAB or TAPP project; submit reports on RAB and TAPP activities, as appropriate; and monitors an installation's follow-on efforts to evaluate community interest. For ARNG installations, USAEC supports the NGB in performing these tasks. For IMCOM and non-BRAC excess installations, the installation chain of command is the first line of appeal for any differences between community RAB members and the installation, followed by USAEC.

### **4.3 National Guard Bureau and Army National Guard**

The National Guard Bureau is the designated lead agency for the DERP at federal facilities associated with ARNG installations, defined as the 54 States, Territories, and District where the National Guard operates. USAEC, in providing program execution and management activities, supports the ARNG directorate in this mission. The NGB Environmental Division (NGB-ARE) ensures that the installation evaluates community interest, documents the lack of such interest, and programs and reports on RAB and TAPP activities, as appropriate. NGB-ARE also ensures that funds for establishing and conducting a RAB or TAPP project are programmed and distributed. The State Adjutant General identifies a point of contact to help resolve any differences between RAB members and the installation. The Adjutant General is the first line of appeal for any differences between community RAB members and the ARNG project team, followed by NGB.

### **4.4 Army Installations**

#### **4.4.1 IMCOM Installations (DERP Active and Non-BRAC Excess Installations)**

##### **4.4.1.1 *Garrison Commander***

The garrison commander executes installation environmental restoration activities. Where there is no garrison commander, the installation commander executes garrison responsibilities. The garrison commander keeps the senior installation or mission commander apprised of significant RAB activities and issues and is responsible for encouraging and identifying sufficient and sustained community interest in a RAB. If the community expresses sufficient interest, the garrison commander is responsible for establishing a RAB. If community interest is insufficient, the garrison commander is responsible for documenting this assessment and for reassessing, every 2 years, community interest in establishing a RAB for as long as the installation has an active DERP. These activities are documented in the administrative record.

The garrison commander approves any applications for TAPP submitted by community members of the RAB or TRC.

##### **4.4.1.2 *Senior Installation or Mission Commander***

The senior installation or mission commander keeps abreast of significant RAB activities and issues, advising the garrison commander on significant decisions, such as whether the community is interested in RAB formation, adjournment or dissolution of the RAB, and any other potentially controversial decisions.

#### **4.4.2 *Army National Guard Installations***

The State Environmental Program Manager (EPM) executes the environmental restoration activities for State ARNG facilities. The EPM keeps the facility Garrison

Commander (if present), the Adjutant General, and NGB apprised of significant RAB activities and issues and is responsible for encouraging and identifying sufficient and sustained community interest in a RAB. If the community expresses enough interest, the EPM is responsible for establishing a RAB. If community interest is insufficient, the EPM is responsible for documenting this assessment and for reassessing, every 2 years, community interest in establishing a RAB for as long as the installation has an active DERP. These activities are documented in the administrative record.

#### ***4.4.3 BRAC Closing or Closed Installations***

The Operations Directorate–BRAC Division (ODB) is the Army’s program manager for the DERP at closing or closed installations. The ODB ensures that an installation evaluates community interest, documents the lack of such interest, programs and distributes funds for establishing and conducting a RAB or TAPP project, and reports on RAB and TAPP activities, as appropriate. The ODB identifies a point of contact to help resolve any differences between the RAB members and installation. The ODB is the first line of appeal for any differences between community RAB members and the installation.

#### ***4.4.4 Special Installations***

USAEC, in coordination with each Army command (ACOM), manages the cleanup program at special installations with DERP sites. Special installations refer, for the purposes of this document, to installations that receive mission funds or Army Working Capital Funds (AWCF) to conduct traditional garrison operations in support of their primary mission. Special Installations are those sites that are not under the Installation Command (IMCOM) and have a special mission such as ammunition production. USAEC and each ACOM ensure that a special installation evaluates community interest, documents lack of such interest, programs and distributes funds for establishing and conducting a RAB or TAPP project, and reports on RAB and TAPP activities, as appropriate. The ACOM identifies a point of contact to help resolve any differences between community RAB members and the installation. The ACOM is the first line of appeal for any differences between community RAB members and the installation.

### **5.0 ESTABLISHING AND OPERATING A RAB**

The Army strongly encourages local community involvement during the remedial investigation or feasibility study phase at all Army sites. Involving the public is essential in receiving stakeholder input and gaining community understanding and support for Army environmental restoration actions. Each Army installation with an active ER,A program must evaluate community interest in establishing and participating in a RAB.

If the community has no interest in establishing a RAB, the installation is required by the RAB rule to assess community interest every 2 years while environmental restoration activities are still ongoing



The RAB complements, but does not replace, other types of community outreach and participation activities required by law, regulation, or policy. Therefore, the installation still must complete all other public involvement requirements, including the community relations requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended by the Superfund Amendments and Reauthorization Act (SARA), Resource Conservation and Recovery Act (RCRA), National Environmental Policy Act (NEPA), and any state environmental regulation requirements.

## **5.1 Converting a Technical Review Committee**

A RAB complies with the 10 *U.S. Code* § 2705(c) requirements for a TRC. TRCs fulfill the same statutory requirements as a RAB, but RABs are the Army's preferred forum. Existing TRCs should be expanded or modified to become RABs.

If an installation with an existing TRC determines that the community is interested in establishing a RAB, it can convert the TRC to a RAB by:

- ◆ adding more representatives from the community, nominated and selected in coordination with regulators and affected community members;
- ◆ adding a community co-chair selected by representatives of the community;
- ◆ opening meetings to the public; and
- ◆ obtaining information and views from the public early in the decision-making process.

## **5.2 Evaluating and Documenting Community Interest**

If an installation has ongoing environmental restoration activities, it needs to evaluate community interest in establishing a RAB at least every 2 years. The *Restoration Advisory Board Rule Handbook* contains guidance on how an installation evaluates the community's interest. If an installation finds community interest insufficient to establish a RAB, it must document the efforts to evaluate the interest, with signature of the installation DERP Manager (garrison commander, State Environmental Program Manager, ODB POC or ACOM POC) or other program equivalent. The documentation should include a description of solicitation efforts, the results of that effort, the conclusion that community interest is lacking, and a description of follow-up procedures to monitor future community interest in a RAB. If a RAB is established, the installation DERP Manager follows the establishment procedures and documents the establishment. This documentation is recorded in the installation action plan (IAP) or BRAC installation action plan (BIAP), and is retained in the administrative record for the restoration program and the permanent cleanup document repository. Once all ER, A sites have achieved remedy-in-place (RIP) or response complete (RC), then establishing a RAB should no longer be pursued.

### 5.3 Announcing RAB Members

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

- ◆ Send letters to the selected RAB members to notify them of their selection, providing names of all the RAB members, date of the first RAB meeting, and agenda or topics for the meeting. (See [Attachment 1.](#))
- ◆ Send letters to those who submitted community interest forms announcing the names of the RAB members, thanking them for their interest, and encouraging them to attend future RAB meetings. (See [Attachment 2.](#))

### 5.4 Documenting Operating Procedures

Each RAB develops and formally documents its operating procedures, including the following:

- ◆ Conduct regular meetings, at intervals determined appropriate by the RAB and the installation (based on project complexity and site remediation maturity) which are open to the public in accordance with 32 CFR 202.7. Actively encourage public attendance and participation by holding the meetings in the community at convenient times and locations. Announce the meetings in appropriate local media, including the broadcast media, well in advance. Keep minutes of the meetings and make them available to the public through information repositories.
- ◆ Develop, maintain, and use a list of names and mailing addresses of parties interested in receiving information on the restoration process, and disseminate this information in a timely manner.
- ◆ Review, discuss, and evaluate a wide range of draft and final technical documents, status reports, and proposed and final plans related to the restoration. The RAB conducts these reviews within the periods specified for review by appropriate regulatory agencies.
- ◆ Identify potential project requirements and provide input on priorities among sites or projects. The installation co-chair, in consultation with the RAB members, determines and clearly defines goals and objectives for the RAB.
- ◆ Announce meetings, set the attendance requirements of members, develop and approve procedures for preparing and distributing minutes, set meeting frequency and location, and set rules of order.
- ◆ Establish the frequency of and procedures for training.
- ◆ Set the size of the RAB, periods of membership, and co-chair length of service.

- ◆ Prepare procedures for selecting and replacing co-chairs and selecting, replacing, and adding RAB members.
- ◆ Establish methods for resolving disputes.
- ◆ Establish a process for reviewing and responding to public comments on RAB issues, procedures for public participation in RAB activities, and procedures for public notification of RAB proceedings.
- ◆ Set procedures for adjournment.

### **5.5 Adjournment Reporting**

Once the Army decides to adjourn a RAB, it must document the rationale and inform the RAB members and community as a whole. Community notification may include publication of a notice in the newspaper generally distributed in the affected locale. The installation must ensure that information, such as the results of long-term environmental monitoring, is available to the community in repositories or other outreach mechanisms. The installation retains the RAB adjournment information in the administrative record and the permanent cleanup document repository for the restoration program.

The Army requires preparation of an adjournment report when the installation decides to adjourn its RAB. At a minimum, the adjournment report must include the following:

- ◆ Reason the RAB is adjourning;
- ◆ Summary of the environmental restoration activities and status of the program at the time of adjournment;
- ◆ Summary of RAB activities;
- ◆ Any continuing RAB member notification requirements;
- ◆ Any continuing community participation requirements;
- ◆ Statement that the RAB members agree to adjourn;
- ◆ Signatures of the installation and community co-chairs;
- ◆ Approval by the installation DERP Manager or, depending on the status of a closing installation, the ODB division chief.

[Attachment 3](#) contains the format for an Army RAB adjournment report. [Attachment 4](#) is an example of a RAB adjournment report.

### **5.6 Notification Requirements**

Upon approval of the RAB adjournment report, the installation DERP Manager must notify the DERP program manager and, through the chain of command, DASA(ESOH). The USAEC requires notification of RAB adjournment and AEDB-R updated to reflect RAB status.

## **6.0 TRAINING**

RAB members should receive initial orientation to enable them to perform their duties effectively. This orientation should include: team building; conflict resolution; the purpose and responsibilities of the RAB; and familiarization with installation-specific environmental and health issues (such as cleanup technologies, chemicals of concern, and sampling protocols). RABs seeking additional training unavailable through the installation or another government agency may apply for TAPP. Training must be site specific, beneficial to the establishment and operation of a RAB, and relevant to the environmental restoration activities at the installation. Funding for training activities is subject to the availability of funds.

## **7.0 AUDITS**

The Army periodically visits selected RAB sites to obtain information on the RAB's history, meeting schedule, charter, membership, and other attributes through RAB member interviews and document review. Until it disbands, the RAB should have available for periodic review records of administrative expenses, reports, meeting minutes (including descriptions of matters discussed and conclusions reached), appendixes, working papers, drafts, studies, agenda, and other documents available to or prepared for or by the RAB.

Each installation is required to report regularly on the status and impact of the RAB on the installation's environmental restoration program. The RAB should consider how to assist the installation with this reporting requirement. Audits for installations with an active ER,A program that do not have a RAB will include review of solicitation for community interest every two years and document these efforts.

## **8.0 ADMINISTRATIVE SUPPORT**

Activities directly related to the solicitation or operation of the RAB qualify as administrative support provided by the Army.

### **8.1 RAB Funding**

To obtain necessary funding, the installation must identify appropriate RAB funding requirements to its Army DERP program manager. [Attachment 5](#) contains RAB/TAPP cost worksheets for reporting RAB administration funding requirements and potential TAPP requirements. Each installation with a RAB must submit RAB/TAPP cost worksheets sometime during the period between March to June when the Army DERP program manager identifies program management requirements to obtain funding levels

for the following fiscal year. For active, BRAC and excess installations, the installation identifies its RAB funding requirements on the obligation plans or BRAC work plan.

## **8.2 Technical Support by Army Employees**

In addition to TAPP projects, technical support services may be available to the RAB from the installation, ACOMs, ODB, USAEC, U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM), USACE, or installation contractors. These organizations may have in-house expertise that the installation and RAB can access to explain technical data and related issues. The Army does not consider in-house technical services provided by Army employees (from organizations such as USAEC, NGB, USACHPPM, or USACE) as RAB administrative support (as defined previously).

In-house Army technical support should not be included on the RAB/TAPP cost worksheets as administrative expenses. Furthermore, reimbursement for services from these activities would normally be inappropriate because their costs are either centrally funded or project related. Installations that require funds to obtain in-house technical services should request assistance through their chain of command from their DERP program manager.

## **8.3 RAB Community Member Participation**

Public participation on the RAB is strictly voluntary. The Army does not provide financial support to the public members for their services nor does it compensate members for work hours lost or time invested in review and comment on documents. The installation co-chair must ensure the public clearly understands this during the member recruitment process and before any final commitment by a public representative to serve on the RAB. In addition, the installation co-chair must also make clear that community RAB members are responsible for communicating with the respective group they represent to facilitate improved dialogue between the installation and the local community.

## **9.0 TECHNICAL ASSISTANCE**

### **9.1 TAPP Process**

The policies and procedures for the Army to accept and evaluate TAPP applications, to procure the assistance desired by community members of RABs and TRCs, and to manage the TAPP program are set forth in 32 CFR Part 203. Refer to those rules when a request for TAPP assistance is received.

#### **9.1.1 Application**

When a proposed TAPP project has been defined, the RAB or TRC community members must prepare and submit a formal application (DD Form 2749) specifying the type of assistance required and, if possible, one or more sources for it. The project description

should be detailed enough to enable the Army to evaluate the nature and eligibility of the project, identify potential providers, estimate costs, and prepare required documentation, such as a statement of work (SOW), to begin the procurement process. The community members must identify a single point of contact for communication with the installation regarding the TAPP procurement process and certify that the project is the result of a majority decision by the community members of the RAB.

The installation co-chair reviews the application to ensure that it is complete, describes an eligible project, and is likely within budget. The installation co-chair, in coordination with the RAB or TRC, prepares a draft SOW and forwards the TAPP application, with the draft SOW, to the installation DERP Manager for approval. See [Attachment 6](#) for a copy of the DD Form 2749.

### **9.1.2 Approval**

The installation DERP Manager considers the TAPP request and approves or denies the application. As part of the approval process, the installation DERP Manager determines whether the proposed project conforms to eligibility requirements, the community has sought other avenues of assistance before applying for TAPP, and funding is available. When other avenues for assistance exist, but the community members desire an independent provider, the installation DERP Manager must assess whether providing assistance will enhance the environmental restoration program and improve community support. The Army denies TAPP applications that fail to meet the requirements relating to relevance to the restoration activities at the installation. The installation maintains copies of the TAPP project approval or denial documents as part of the administrative record or permanent cleanup document repository.

If the request is approved, the installation DERP Manager forwards it to the servicing contracting office for procurement and ensures that the requesting RAB is routinely updated on contract award status. If the request is denied, the installation DERP Manager must inform the RAB or TRC in writing, giving the reason for the denial and recommending alternatives for achieving the desired assistance. The RAB or TRC may then decide whether to reapply or appeal the decision.

### **9.1.3 Procurement**

The installation DERP Manager forwards the approved TAPP request to the installation procurement office or support agency contracting office. The installation procurement office or supporting agency contracting office awards the contract on the basis of competitive bid to the selected assistance provider (of contractors registered in the Central Contractor Register) and manages the contract. The installation co-chair serves as a liaison between the RAB community members and the installation procurement office. Once the RAB initiates a request for TAPP, it has no more contact with the potential contractors or with the procurement office until the contract is awarded.

## **9.2 Finding a Potential Assistance Provider**

The RAB or TRC community members may nominate potential assistance providers for the proposed TAPP project on the application, or the installation procurement office may locate potential providers. Pursuant to 32 CFR 203.5(d), the Government must solicit bids from those providers meeting specified criteria and will select a provider offering the best value to the government. The RAB or TRC may recommend additional qualifications for the provider to demonstrate.

Potential assistance providers must have:

- ◆ knowledge of hazardous substances issues and laws;
- ◆ academic training in a relevant discipline; and
- ◆ the ability to review, understand, and put technical information into terms understandable to lay persons.

Potential assistance providers should have:

- ◆ experience working on hazardous substance problems,
- ◆ experience in making technical presentations,
- ◆ demonstrated writing skills, and
- ◆ experience working with community groups.

If the contracting office selects a provider that differs from those nominated by the RAB or TRC, the Army must consult with the RAB or TRC to determine whether it wishes to proceed with the procurement or whether it has adequate rationale and support to modify or revisit the decision. The installation maintains results of the consultation as part of the administrative record or permanent cleanup document repository.

### **9.3 Acquisition Procedures**

Expenditure limits in TAPP funding may restrict the acquisition methods used by the installation procurement office or support agency contracting office. One option is to process the approved TAPP request as a purchase order using simplified acquisition procedures, which have the benefits of shorter solicitations, more direct contracting methods, quicker payment methods, and less-burdensome documentation. However, the RAB or TRC should be aware that any contracting mechanism must comply with the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulations (DFAR) and 32 CFR Part 203. The contracting officer should be prepared to work with the RAB or TRC, through the installation co-chair, to ensure that the SOW and vendor meet the needs of the TAPP project.

## **9.4 Independent Government Cost Estimates**

The Contracting Officer's Representative (COR) develops the independent government cost estimate on the basis of the SOW. The installation procurement office must be aware of the source and TAPP project funding limits. The installation should notify the RAB or TRC if the government cost estimate exceeds the planned budget or the maximum allowable cost. Unless a waiver to the current policy limits on TAPP expenditures is warranted, the procurement as proposed would not proceed. The COR, working with RAB or TRC community members, may wish to modify the SOW so that the scope more closely matches the available resources, and the RAB or TRC can then resubmit the request.

## **9.5 Contracting Officer's Representative**

The COR directs the technical aspects of the contract and assesses the performance of the contractor at the conclusion of the project. (The installation co-chair performs, in most instances, the function of the COR.) Although the RAB or TRC initiated the project and has a great stake in its outcome, the contract is under government authority and the contractor must receive direction from the government contracting officer. The COR must ensure that the contractor understands this relationship. Likewise, the RAB or TRC needs to understand its relationship with the contractor. New tasks or changes to the work schedule or scope must come through the COR to the contracting officer because the community cannot task the contractor directly. Communications between the community members of the RAB and the contractor could lead to problems if the community directs the assistance provider to conduct work not identified in the purchase order agreement. Therefore, either the contracting officer or the COR must be present during any such discussions.

## **9.6 Assistance Provided**

When the contract is awarded, the selected independent contractor works with the community members of the RAB or TRC through the COR to provide the requested assistance.

## **9.7 Appeals**

The Army and community may disagree at several points during the TAPP process. For instance, the installation DERP Manager may deny an application for TAPP because the budget cannot accommodate the cost near the end of a fiscal year, or the RAB or TRC may dispute the findings of the contracting officer regarding the proposed provider. In the event that a dispute arises, the community members of the RAB or TRC may wish to appeal a decision by the Army. The following general operating principles apply when a RAB or TRC wishes to appeal a decision:

- ◆ Inherently government functions may not be appealed.



- ◆ Eliminating disagreements and roadblocks should be emphasized.
- ◆ Appeals should be resolved quickly.
- ◆ Appeals should be resolved at the lowest level possible.
- ◆ Appeals should be resolved within the Army.

Typically, the appeals process begins with the installation DERP Manager (2-week review), then goes to USAEC Army DERP program manager (2-week review) for IMCOM installations or the Adjutant General (2 week review) and the NGB-ARE Division Chief for ARNG installations (2-week review). If appeals are not resolved at the ACOM level, the Army headquarters staff (OACSIM-ISE or-ODB) (2-week review) is the next level of appeal (Figure 1). For all Army RABs, the DASA(ESOH) is the final authority for any appeal concerning TAPP..

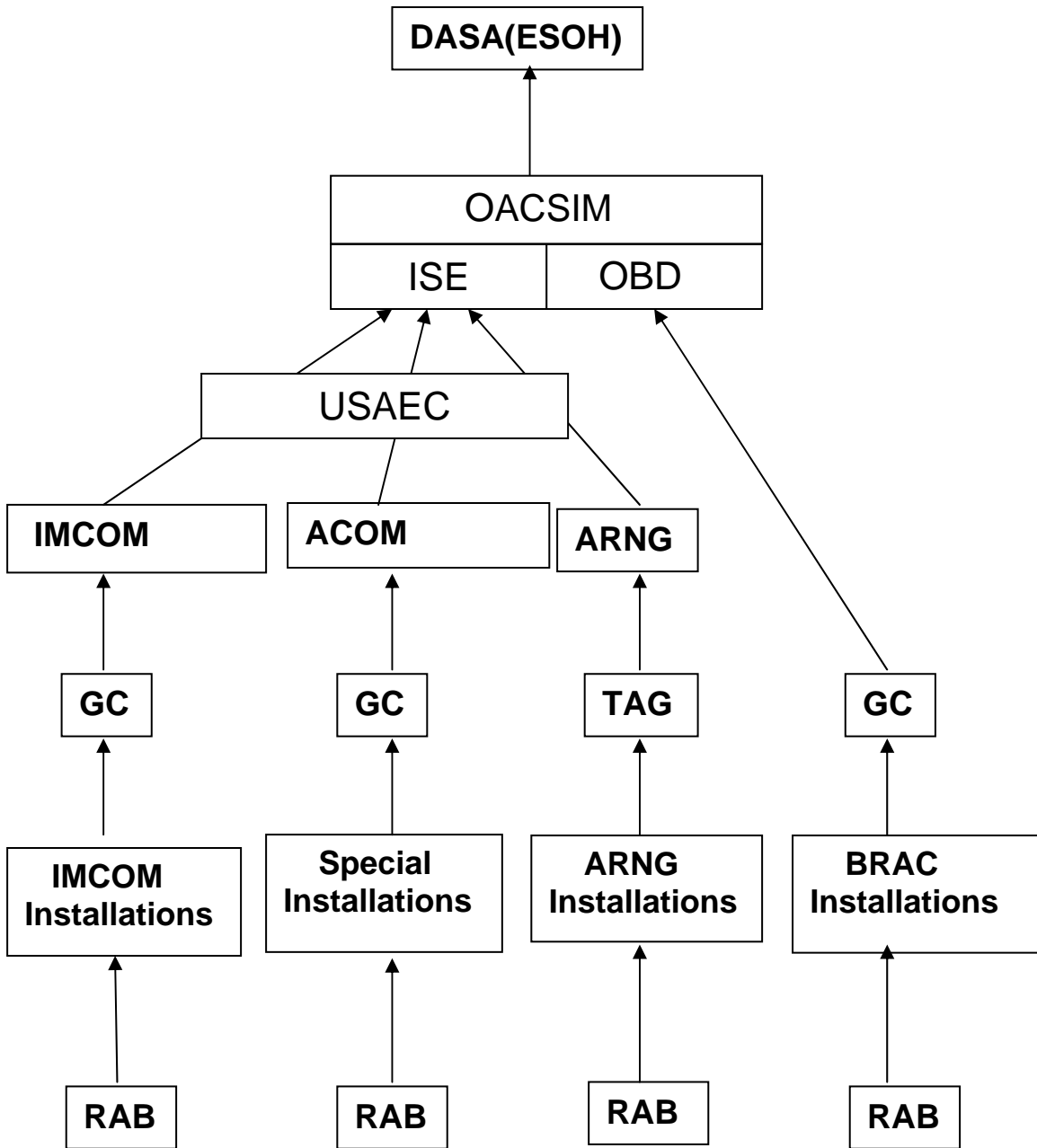
Ground rules, as they relate to the appeals process, are as follows:

- ◆ The majority of RAB or TRC community members must agree to the appeal.
- ◆ The RAB or TRC must appoint a single spokesperson.
- ◆ Written justification, submitted to the installation DERP POC Manager, must accompany the appeal.
- ◆ If the installation DERP Manager chooses not to support the appeal, he or she must forward the appeal to the next higher level in the chain of command with the rationale for denial.
- ◆ All appeals must follow the appeal process and cannot skip or circumvent command levels. At each command level, the Army must consider both the appeal and commander's endorsement.

The Army designed these ground rules to speed the appeals process and to ensure that the project or decision being appealed has the support of the majority of RAB community members.

Figure 1

ENVIRONMENTAL RESTORATION ADVISORY BOARD APPEALS PROCESS



## **9.8 TAPP Funding**

In certain cases, funding for independent technical assistance for RAB or TRC community members under the TAPP program may be necessary. There is no separate appropriation for TAPP. The Army funds TAPP projects from the installation's allocation of Environmental Restoration, Army (ER,A), or BRAC funds for program management. TAPP is not a grant or direct funding to RABs or TRCs, nor is it a blank check to use at the RAB's or TRC's discretion.

Current policy limits TAPP expenditures for each installation with a RAB or TRC to \$25,000 annually or one percent of the cost to complete restoration activities, whichever is less, and a lifetime maximum of \$100,000 per installation.

Funding data are collected using RAB/TAPP cost worksheets, IRP, MMRP, and DERP eligible CC obligation plans, BRAC work plans, and the Defense Finance Accounting System (DFAS) RAB and TAPP Army Management Structure (AMS) codes.

### **9.8.1 Waivers**

DASA(ESOH) may approve waivers to the \$100,000 total and \$25,000 annual funding limits. RAB or TRC community members initiate requests for waivers and the installation DERP Manager forwards them with recommendations through the chain of command to DASA(ESOH). The following considerations may affect the granting of a waiver:

- ◆ The size or complexity of the restoration project;
- ◆ The nature and extent of contamination;
- ◆ The level of restoration activity at the installation;
- ◆ The size and diversity of the affected community;
- ◆ Funding received by the community from other federal sources.

To obtain necessary funding, the installations must identify appropriate TAPP requirements for the DERP program manager. Each installation with a RAB must submit RAB/TAPP cost worksheets ([Attachment 5](#)) in the sometime during the period between March to June when the DERP program manager identifies program management requirements to obtain funding approval for the following fiscal year. For active, BRAC, and excess installations, TAPP funding requirements are identified on the obligation plans or the BRAC work plan. The ER,A program managers budget for TAPP support to RABs or TRCs from the allocation of ER,A or BRAC environmental program management funds.

### **9.8.2 Reporting on TAPP**

Each technical assistance provider must submit a final report to the DoD installation for the TAPP project as specified by the specific purchase order agreement. The final report must document TAPP project activities over the entire period of support and must describe the achievements with respect to stated TAPP project purposes and objectives.

Installations providing TAPP support to the RAB or TRC must report on the results of the TAPP project. The report must be based on the RAB or TRC report to the installation, and it must contain the following information:

- ◆ Installation name;
- ◆ Name of the assistance provider;
- ◆ Cost of the project;
- ◆ Duration of the project;
- ◆ Scope of the project;
- ◆ Results of the project;
- ◆ Any technical actions taken because project results conflict with previous Army views;
- ◆ RAB or TRC satisfaction with the project;
- ◆ Any problems or issues during the TAPP process; and
- ◆ Resolution of those problems or issues.

The installation submits the TAPP report through the chain of command to the DUSD(I&E) at semiannual in-process reviews. The installation should share the results of a TAPP project with the community as a whole and retain the TAPP report in the administrative record or permanent cleanup document repository for the restoration program.

## **10.0 REPORTING**

Title 10 *U.S. Code* § 2706(a)(2)(J) requires DoD to prepare an annual report on RAB funding and activities, including TAPP. To meet these reporting requirements, the DASA(ESOH) summarizes RAB and TAPP data at the Army's semiannual in-progress reviews with DUSD(I&E). The BRAC program managers summarize the status of RABs and TAPP during the work plan reviews. Army policy requires all installations with a restoration program to evaluate community interest in establishing and participating in a

RAB, so installations reporting no attempt to establish RABs receive particular notice in these reports.

## **10.1 Mechanisms to Monitor RAB and TAPP Costs**

The DUSD(I&E) requires reporting on past and projected RAB administrative costs and TAPP funding. The Army identifies projected RAB administrative costs and potential TAPP requirements using RAB/TAPP cost worksheets, IRP, MMRP, and DERP eligible CC obligation plans, and BRAC work plans. Past RAB and TAPP funding is tracked using IRP obligation plans, BRAC work plans and the DFAS RAB and TAPP AMS codes.

### **10.1.1 RAB/TAPP Cost Worksheets**

Installations must identify fiscal year plus one (FY+1) RAB and potential TAPP funding requirements during the period between March to June each year using RAB/TAPP cost worksheets ([Attachment 5](#)), which are transmitted to the DERP program manager when identifying FY+1 program management.

RAB/TAPP cost worksheets identify FY+1 requirements:

- ◆ *To evaluate community interest in RABs.* Any installation that initially found no community interest in establishing and participating in a RAB, but that is conducting follow-up community interest monitoring, should complete RAB/TAPP cost worksheets, breaking out costs by eligible task.
- ◆ *To establish a RAB.* Any installation that will establish a RAB in the FY+1 should complete RAB/TAPP cost worksheets, breaking out costs by eligible task.
- ◆ *To support an established RAB.* Any installation with a RAB that requires administrative support must complete RAB/TAPP cost worksheets, breaking out costs by eligible task.

RAB/TAPP cost worksheets identify FY+1 *potential TAPP requirements*, which may not always be possible until RAB or TRC community members identify an interest in a TAPP. On the basis of input from the RAB or TRC community members, any installation that may require program management funds for TAPP should complete the RAB/TAPP cost worksheets.

### **10.1.2 IRP, MMRP, and DERP eligible CC Obligation Plans/BRAC Work Plans**

Even though RAB and TAPP funding is program management, RAB administrative costs and TAPP requirements must be reflected in the installation's IRP, MMRP, and DERP eligible CC obligation plans, and the BRAC work plan for tracking at the installation level. Any RAB administrative costs and potential TAPP requirements identified on the

RAB/TAPP cost worksheets must be included as a separate line item in the installation's IRP, MMRP, and DERP eligible CC obligation plan or BRAC work plan.

### **10.1.3 Defense Finance Accounting System**

The Army collects RAB administrative and TAPP funding using the DFAS AMS codes. For the IRP, MMRP, and DERP eligible CC, the AMS code for RAB support is 493008.1A. The AMS code for RAB support on the base closure account (BCA) is unique for each BRAC installation. BCA AMS codes for RAB administration are found in the DFAS-IN Manual 37-100-[FY], Chapter 4.

For the IRP, MMRP, and DERP eligible CC, the AMS code for TAPP is 493008.1C. The AMS code for TAPP on the BCA is unique for each BRAC installation. BCA AMS codes for TAPP are found in the DFAS-IN Manual 37-100-[FY], Chapter 4.

## **11.0 AVAILABLE GUIDANCE**

### **11.1 Federal Regulations and Guidance**

Federal regulations and guidance include the following:

- ◆ *Rule.* “Final Rule on Restoration Advisory Boards,” *Federal Register*, Vol. 71, No. 92, May 12, 2006, <http://edocket.access.gpo.gov/2006/pdf/06-4246.pdf>.
- ◆ 10 *U.S. Code* § 2705, Notice of environmental restoration activities, <http://uscode.house.gov/search/criteria.php>.
- ◆ *EPA principles. Final Report of the Federal Facilities Environmental Restoration Dialogue Committee, Consensus Principles and Recommendations for Improving Federal Facilities Cleanup*, April 1996, [http://www.epa.gov/swerffrr/documents/ferdcrrpt\\_toc.htm](http://www.epa.gov/swerffrr/documents/ferdcrrpt_toc.htm).
- ◆ *EPA principles. Federal Facilities Stakeholder Involvement—Blueprint for Action*, June 1999. <http://www.epa.gov/swerffrr/pdf/action.pdf>.

### **11.2 Department of Defense Regulations and Guidance**

DoD regulations and guidance include the following:

- ◆ *DoD policy. Interim Policy for Defense Environmental Restoration Program*, Office of the Under Secretary of Defense, 29 December 2008.
- ◆ *DoD guidance. Management Guidance for the Defense Environmental Restoration Program Management*, Office of the Deputy Under Secretary of Defense (Environmental Security), September 2001, <http://aec.army.mil/usaec/cleanup/derpmtgtguid.pdf>.

- ◆ *DoD/EPA guidance. Restoration Advisory Board Implementation Guidelines*, DoD and EPA, September 1994.
- ◆ *DoD resource. DoD Restoration Advisory Board (RAB) Resource Book*, September 1996.
- ◆ *DoD fact sheet. Updating Your RAB to Meet BRAC Needs*, Office of the Deputy Under Secretary of Defense (Environmental Security), June 1996.
- ◆ *Guidance. Defense Finance and Accounting Service Manual*, DFAS-IN Manual 37-100-[FY], <http://www.asafm.army.mil/secretariat/document/dfas37-100/dfas37-100.asp>.
- ◆ *Rule. Technical Assistance for Public Participation (TAPP) in Defense Environmental Restoration Activities*, 32 CFR § 203 (2003), [http://www.access.gpo.gov/nara/cfr/waisidx\\_08/32cfr203\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/32cfr203_08.html).
- ◆ *DoD guidance. Handbook Technical Assistance for Public Participation*, Deputy Under Secretary of Defense for Environmental Security, February 2000, <http://handle.dtic.mil/100.2/ADA376044>.
- ◆ *DoD guidance. Restoration Advisory Board Rule Handbook*, Office of the Secretary of Defense, March 2007, <http://aec.army.mil/usaec/cleanup/rab-rule.pdf>.

### 11.3 Army Regulations and Guidance

Army regulations and guidance include the following:

- ◆ *Army policy. Army Environmental Cleanup Strategy*, April 2003, <http://aec.army.mil/usaec/cleanup/index.html>.
- ◆ *Army guidance. Army Environmental Cleanup Strategic Plan*, March 2007, <http://aec.army.mil/usaec/cleanup/index.html>.
- ◆ *Army policy. Memorandum from ASA(IL&E)*, 7 May 1996, “Issuance of Army Policy—The Role of Restoration Advisory Boards (RABs) in Environmental Cleanup.”
- ◆ *Army guidance. Army Defense Environmental Restoration Program: Management Guidance for Active Installations*, November 2004.
- ◆ *Army guidance. Army Defense Environmental Restoration Program: Management Guidance for Base Realignment and Closure Installations*, November 2004, <http://aec.army.mil/usaec/cleanup/derpguidance0411.pdf#BRAC>
- ◆ *Army guidance. Implementing Guidance for Expanded Defense Environmental Restoration Program(DERP) Eligibility*, 28 May 2009.

## **ABBREVIATIONS**

ACSIM Assistant Chief of Staff for Installation Management

ACOM Army Command

AEDB-R Army Environmental Data Base - Restoration

AMS Army Management Structure

AR Army Regulation

ARNG Army National Guard

ASA(IL&E) Assistant Secretary of the Army for Installations, Logistics and Environment

BCA Base Closure Account

BIAP BRAC Installation Action Plan

BRAC Base Realignment and Closure

CC Compliance-related Cleanup (DERP eligible)

CERCLA Comprehensive Environmental Response, Compensation, and Liability Act

CONUS Continental United States

COR Contracting Officer's Representative

DA PAM Department of the Army Pamphlet

DASA(ESOH) Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health

DERA Defense Environmental Restoration Account

DERP Defense Environmental Restoration Program



DFAR Defense Federal Acquisition Regulation

DFAS Defense Finance Accounting System

DoD Department of Defense

DUSD(I&E) Deputy Under Secretary of Defense for Installations and Environment

ER,A Environmental Restoration, Army

FAR Federal Acquisition Regulation

FUDS Formerly Used Defense Sites

FY Fiscal year

GC garrison commander

HQDA Headquarters, Department of the Army

IAP Installation Action Plan

IMCOM Installation Management Command

IRP Installation Restoration Program

ISE Installation Services Directorate – Environmental Division

LRA Local Redevelopment Authority

MMRP Military Munitions Response Program

NEPA National Environmental Policy Act

NGB National Guard Bureau

NPL National Priorities List

OACSIM Office of the Assistant Chief of Staff for Installation Management

ODB Operations Directorate – BRAC Division

OMB Office of Management and Budget

RAB Restoration Advisory Board

RCRA Resource Conservation and Recovery Act

ROD Record of Decision

SARA Superfund Amendments and Reauthorization Act

SOW Statement of Work

TAPP Technical Assistance for Public Participation

TDY Temporary Duty

TRC Technical Review Committee

USACE U.S. Army Corps of Engineers

USAEC U.S. Army Environmental Command

USACHPPM U.S. Army Center for Health Promotion and Preventive Medicine

USC U.S. Code

EPA U.S. Environmental Protection Agency

## ATTACHMENT 1

### SAMPLE LETTER OF CONGRATULATIONS

Date

Dear Mr./Ms. Y.:

Thank you for volunteering to serve on the Fort X Restoration Advisory Board. We appreciate your time and interest in Fort X's environmental restoration program.

Congratulations! You have been selected to serve as a member of the Fort X RAB.

The RAB serves as a forum for the discussion and exchange of restoration program information between agencies and the community. The RAB provide an opportunity for RAB members to review progress and participate in a dialogue with the installations decision makers. As a RAB member, you will be expected to:

- provide your input to the installation, USEPA, state regulatory agencies, and other government agencies on environmental restoration activities and community involvement;
- address important issues related to environmental restoration, such as scope of studies, cleanup levels, and remedial action alternatives;
- review documents associated with environmental restoration activities, such as plans and technical reports;
- provide input on priorities among sites or projects; and
- regularly participate in meetings that are open to the public and scheduled at times and locations that are convenient to community members.

Below is a list of the RAB members identified by the selection committee to serve with you and represent the diverse community interests related to the Fort X environmental restoration program.

NAMES of Fort X RAB Members

The first RAB meeting is scheduled for (DATE AND TIME) at Fort X (LOCATION). At that meeting an orientation will be provided to ensure you understand and are able to fulfill your responsibilities. We will be developing ground rules, a mission statement and operating procedures to ensure that the RAB maintains its focus on environmental restoration issues, to facilitate productive meetings and to ensure full community representation throughout the life of the RAB.

I will see you at the meeting. If there is something that precludes you from attending or if you have any questions or need additional information, please contact (NAME OF POC) at XXX-XXX-XXXX or EMAIL ADDRESS.

Sincerely,

Fort X Commander

## ATTACHMENT 2

### SAMPLE LETTER OF APPRECIATION

Date

Dear Mr./Ms. Y.:

Thank you for submitting a community interest form letting us know your interest in serving on the Restoration Advisory Board and identifying your concerns. We appreciate your time and interest in Fort X's environmental restoration program.

A selection committee was used to identify representatives of community interest groups to serve on the board. Unfortunately you were not selected as a RAB member. Though you will not serve as a member, RAB meetings are open to the public and we encourage you to attend the RAB meetings regularly to receive updated information on the restoration progress and to ensure your concerns are heard.

If you are unable to attend the meetings, you are encouraged to contact one of the selected RAB members so they can represent your concerns at the meeting. Below are the current members of the RAB:

NAMES of Fort X RAB Members

The first RAB meeting is scheduled for (DATE AND TIME) at Fort X (LOCATION).

I hope to see you at the meeting. If you have any questions or need additional information, please contact (NAME OF POC) at XXX-XXX-XXXX or EMAIL ADDRESS.

Sincerely,

Fort X Commander

Enclosures

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## **ATTACHMENT 3**

### **FORMAT FOR RAB ADJOURNMENT REPORT**

#### **FORT X**

##### **1.0 PURPOSE**

State that the purpose of this report is to present adequate information on the environmental restoration activities that support the adjournment of the RAB. State the precise reason for adjournment, which may include one or more of the following:

- ◆ Fort X no longer has an environmental restoration program;
- ◆ All remedies are in place and operating properly and successfully;
- ◆ There is no longer sufficient, sustained community interest.
- ◆ The Army has transferred Fort X out of Army control and the Army is no longer required to make restoration response decisions.
- ◆ The RAB has achieved the desired end goal as defined in the RAB Operating Procedures.
- ◆ A record of decision or decision document has been signed for all DERP sites on the installation.

##### **2.0 INSTALLATION AND SURROUNDING COMMUNITY INFORMATION**

###### **2.1 Installation**

Include a brief summary of the following:

- ◆ Installation location and size;
- ◆ Installation history;
- ◆ Present and future land use;



## **2.2 Surrounding Community**

Include a brief description of the surrounding community describing the following (as applicable):

- ◆ Residential/industrial/remote;
- ◆ Size of community;
- ◆ Community structure (socio-economic factors impacting community involvement); and
- ◆ Groundwater usage and/or public water supply status.

## **3.0 ENVIRONMENTAL RESTORATION PROGRAM**

Provide a brief summary of:

- ◆ Discovery of contamination;
- ◆ History of remedial investigations/findings;
- ◆ USEPA, state, tribal, or local agency involvement; and
- ◆ Regulatory framework for investigation(s) (IRP/BRAC, MMRP, RCRA, CERCLA, etc.).

### **3.1 Description of Primary Contamination Sources**

Provide brief descriptions of the primary contamination sources including:

- ◆ Nature of contamination;
- ◆ Affected media;
- ◆ Magnitude of contamination;
- ◆ Adverse effects on the environment and to the community; and
- ◆ Present status of remedial response.

***Note: The primary contamination sources are those with a major impact on community involvement (i.e., a source of continued groundwater contamination, residual contamination).***

### **3.2 RODs/DDs and Other Remedial Actions**

Summarize/list chronologically all of the actions (such as RODs, DDs, and RAs) that have been approved for the installation. This summary will indicate that all environmental restoration activities followed a logical path that was consistent with regulatory and community concerns/statutes.

## **4.0 COMMUNITY INVOLVEMENT**

### **4.1 Restoration Advisory Board**

Summarize all RAB activities to include:

- ◆ Why, how, and when RAB was formed;
- ◆ Past and current RAB members and changes that may have occurred over the course of the RAB involvement;
- ◆ Chronological listing of RAB activities to include items such as defining scope of studies, document review, recommendations, input on selection of final remedies, resolving community concerns, public meeting dates and notes, funding issues, property transfers, RAB meeting notes, TAPP projects etc.;
- ◆ Documentation pertaining to major decisions taken by RAB during the investigations (addressing community concerns, level of RAB involvement, insufficient interest on part of the community, etc.);
- ◆ Funds expended to date for RAB/Community involvement;
- ◆ Result of voting or other reason(s) that RAB agrees to adjournment; and
- ◆ Discussions indicating how the Army will conduct community participation after RAB adjournment.

### **4.3 Other Community Involvement**

Identify the Community Relations Plan(s) in effect at the installation. Include any other community activities not covered above (general public meetings, Local Redevelopment Authority involvement, political involvement, past TRC activities, other property transfer activities).

## **5.0 DECLARATION**

Summarize the declaration to state that:

- ◆ Restoration work at the installation has been successfully completed;

- ◆ Federal, state, tribal, local, and applicable Army regulations have been adhered to during the restoration;
- ◆ Remediation measures implemented at the site will protect human health and the environment and ongoing remedial measures (such as monitoring) will be periodically evaluated to ensure regulatory compliance;
- ◆ Community involvement will continue, as necessary; and
- ◆ The RAB agreed to adjourn.

If the primary reason for adjournment is lack of sufficient, sustained community interest, the installation must include a statement that commits the installation to re-evaluate community interest at least every two years.

Close declaration by stating that in light of the above, it is the Installation's decision to adjourn the RAB although the RAB's overall community program will provide for continued stakeholder input into restoration activities.

## **6.0 APPROVAL, SIGNATURE, AND DATE**

The following personnel will approve and sign the RAB adjournment report:

- ◆ Garrison Commander, State Environmental Program Manager, **or** DERP Program Manager Installation Coordinator/ DERP Program Manager Environmental Coordinator (for BRAC) if there is no Garrison Commander.
- ◆ Army/Installation Co-Chair.
- ◆ RAB Community Co-Chair.
- ◆ Installation Representative or BRAC Environmental Coordinator or BRAC Cleanup Team (for BRAC).
- ◆ USEPA Representative (if appropriate).
- ◆ State Representative (if appropriate).

## **ATTACHMENT 4**

### **SAMPLE RAB ADJOURNMENT REPORT**

#### **FORT JOHN WAYNE, NEW HAMPSHIRE**

##### **1.0 PURPOSE**

This report describes the selected action to adjourn the Restoration Advisory Board (RAB) at Fort John Wayne (FJW), New Hampshire. The Army is adjourning the RAB because it has completed all necessary restoration activities according to state and Federal statutes, including Army Regulation 200-1. Information describing the installation, surrounding community, community relations activities, and the environmental restoration process at FJW are provided in support of the decision to adjourn the RAB.

##### **2.0 INSTALLATION AND SURROUNDING COMMUNITY INFORMATION**

###### **2.1 Installation**

FJW is best known for its rugged outdoor vehicular testing center and its maintenance operations. The installation has been used almost exclusively for these purposes since its inception in 1942. There are over 500 miles of roads and tracks on this 40,000-acre installation. The cantonment area is located near the southern portion of the installation.

The installation is situated in a relatively remote area, surrounded by dense forests. Approximately, 5,000 acres in the southeast portion of the subject property is on the Base Realignment and Closure (BRAC) List. This includes a small portion of the cantonment area. Under BRAC, the Army will transfer this property to the local community based on the Reuse Plan developed by the Local Redevelopment Authority (LRA). FJW continues to be an open post and retains its testing and maintenance mission.

###### **2.2 Surrounding Community**

Lumber companies own much of the undeveloped land adjacent to the installation boundary. The nearest town, Galena, is located on the banks of the Clear River about two miles to the northeast of the installation boundary. Galena has a population of approximately 586 residents. The majority of these residents work in the lumber industry. Town residents and other local inhabitants obtain their drinking water from an alluvial aquifer hydraulically connected to Clear River. Pleasant Oak is the next closest town to the installation boundary. Its 110 residents are located approximately 7.5 miles to the east.

Tourists frequently visit the nearby state parks. Outdoor activities such as snow-mobiling, hiking, hunting, and fishing are common forms of recreation in the area. An interchange for two interstate highway systems trending both north-south and east-west exists three

miles southeast of the installation. The Boston and Maine and Conrail railroads serve the installation.

### **3.0 ENVIRONMENTAL RESTORATION PROGRAM**

FJW's environmental restoration program began in 1981 when it initiated a Preliminary Assessment/Site Inspection. The Army initiated the Remedial Investigation/Feasibility Study (RI/FS) phase of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process in 1983 and concluded it in the fall of 1994. Remedial actions based on the RI/FS began in 1995. In order to protect human health and the environment, the Army performed a Removal Action in 1993 at a Motor Pool.

The installation was placed in the BRAC program in 1991 and as a result, other environmental investigations were performed at FJW. Those reports include an Environmental Baseline Survey completed in 1993, and an Environmental Impact Study for Re-Use, which the Army completed in 1995. Both studies focused primarily on the BRAC parcel.

The environmental restoration program at FJW identified five major sources of contamination on the installation: (1) a Former Pesticide Storage Area; (2) Old Sanitary Landfill; (3) Paint Spray Booth; (4) Construction Landfill; and (5) Motor Pool.

The Motor Pool is situated on a small portion of the 5,000 acres of property the Army is transferring to the local community. This property has been zoned for commercial/industrial redevelopment, with warehouses and distribution centers expected to comprise the vast majority of existing military buildings. The Local Redevelopment Authority (LRA) plans a like-use for the Motor Pool and surrounding area. The area is currently in process of conversion to a multi-state inter-modal transportation hub serving the New England states and Boston harbor.

### **3.1 Primary Contamination Sources**

#### ***3.1.1 Former Pesticide Storage Area***

The Former Pesticide Storage Area was an old wood framed building with a hardwood floor. It was used until the mid 1970s and formerly stored a variety of pesticides, which included the insecticides DD (Rhothane), DDT (Chlorophenothane), and the herbicide 2,4,-D (2,4-Dichlorophenoxyacetic acid).

Remediation Measures Implemented: The wooden structure was demolished and placed in the Construction Landfill. The contaminated soil was excavated and treated using soil washing techniques, which rendered the soil non-toxic as verified by chemical analysis. The soil was returned to the site as clean backfill.

### ***3.1.2 Old Sanitary Landfill***

The Old Sanitary Landfill is the original municipal landfill used by the installation between 1942 and 1973. Some of the major hazardous constituents discovered in this 7.5-acre landfill are solvents, heavy metals, and lead acid from discarded automobile batteries.

Remediation Measures Implemented: To reduce leachate generation, the landfill was covered with a multi-layered cap. Long-term monitoring plans, as well as routine maintenance activities, are being implemented at the landfill site. Early sampling events indicated only low levels of contamination below established state standards. Annual sampling is required at the present time until the next project review in July 1999.

### ***3.1.3 Paint Spray Booth***

Military vehicles were painted in the Spray Booth area. The area in the immediate vicinity was used for vehicle maintenance and painting activities since the 1950s. Site investigations revealed mainly hydrocarbons had migrated from the site and contaminated the soil and the underlying ground water. The current modern Paint Spray Booth was constructed in 1983.

Remediation Measures Implemented: The RI/FS supported the decision to implement natural attenuation as the remedial option to reduce contaminant concentrations to the acceptable levels set forth by the New Hampshire Department of Environmental Services (NHDES). Continued annual monitoring show the natural attenuation process is an effective remedial measure for this site to date. The Army will monitor the site semi-annually to ensure natural attenuation is effective.

### ***3.2.4 Construction Landfill***

The Construction Landfill is a 1.5-acre area formerly used to dispose of construction related wastes. Coal-tar creosote from railroad ties was identified as the major contaminant associated with this site, contaminating both the shallow ground water aquifer and the glacial till subsurface. Asbestos was also identified as a contaminant of concern due to the method of its disposal in the landfill. The landfill continues to be used for the disposal of non-hazardous construction debris.

Remediation Measures Implemented: In the late 1980s, asbestos-containing material and railroad ties were selectively removed and placed in a landfill approved for their disposal. The creosote contamination was effectively remediated using bioremediation techniques and other innovative technologies.

### ***3.2.5 Motor Pool***

The motor pool area is used by the Installation for the maintenance of vehicles. During the early 1980s, the Army discovered that several underground storage tanks (USTs)

containing diesel fuel and gasoline were leaking. Hydrocarbons including benzene, toluene, ethylbenzene, and xylenes were discovered in the ground water, as well as in the underlying soil.

Remediation Measures Implemented: in 1993, three 1,000-gallon USTs were excavated and removed. The Army successfully treated excavated soil the on-site and rendered it non-hazardous by using bioremediation techniques. Contaminated ground water was collected via extraction wells and treated utilizing multiple carbon adsorption columns. Current water sampling data from downgradient monitoring wells indicate contaminant concentrations at the site are below regulatory Maximum Contaminant Levels.

### **3.3 RODS / DECISION DOCUMENTS / PROPERTY TRANSFERS**

A production well for the installation is located downgradient of the Motor Pool and was at risk of becoming contaminated from the leaking tanks associated with the Motor Pool. Because of the emergency, an Engineering Evaluation/Cost Analysis and Decision Document were prepared and the restoration measures undertaken at the site were performed as a short-term removal action. The installation also created Decision Documents for the other four existing sites. The Army and regulators signed the final ROD in 1995, after the installation met all the necessary remedial measures. The ROD requires a review of the groundwater plume associated with the capped landfill every two years.

The Army prepared a Finding of Suitability to Transfer for the BRAC parcel, in accordance with Army Regulation 200-1, that the Commander, Troop Command signed in July 1997.

### **4.0 COMMUNITY INVOLVEMENT**

#### **4.1 Restoration Advisory Board**

In 1995, the TRC was converted to a RAB in response to increased public interests and because a portion of the installation was placed on the BRAC list. The RAB reviewed the final ROD pertaining to the restoration and continued monitoring of the Operable Units (OUs) at FJW, and concurred with the LRA's decision to accept the transfer of the BRAC property. The RAB has also reviewed sampling results from the long term monitoring programs in effect.

Since the formation of the RAB in 1995, \$15,321 has been spent on administration of the RAB.

The Army has initiated or completed all remedial actions and since the LRA has accepted the BRAC parcel, no significant actions remain for the RAB. On December 5, 2003, the RAB voted 17-0 to adjourn. The installation has agreed to provide quarterly fact sheets concerning ongoing remedial operations and monitoring to all former RAB members, as well as, to community members who request the fact sheets.

A list of all the persons and their titles that have served on the RAB follows:

<p><b>Army Installation Members</b>  (01) Todd Smith, BRAC Environmental Coordinator  (02) Mark Doe, Installation Co-Chair  (03) Bill Jones, Public Affairs Officer</p> <p><b>Federal, State, and Local Agency Members</b>  (04) Martha Doe, NHDES Representative  (05) Kim Jones, USEPA Representative  (06) Jerry Smith, Derry County Commissioner</p>	<p><b>Community Members</b>  (07) Kathy Jones  (08) Ron Doe  (09) Pete Smith  (10) Renee Jones  (11) Zachary Doe  (12) Kathy Smith  (13) Rob Jones, Community Co-Chair  (14) Betty Sue Smith  (15) David Doe  (16) Jim Smith  (17) Kevin Jones  Judy Doe (former member)  Sara Jones (former member)  Greg Smith (former member)</p>
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**4.2 FORMER TECHNICAL REVIEW COMMITTEE (TRC)**

A TRC was established in 1988 to review and comment on Army restoration actions at FJW. The TRC reviewed remedial alternatives and the draft feasibility study for the sites at FJW. With the implementation of the DoD RAB program in 1994, the Army converted the FJW TRC to a RAB in 1995.

**4.3 OTHER COMMUNITY INVOLVEMENT**

A formal Community Relations Plan (CRP) specifying public involvement activities and requirements was written in 1985 and revised in 1995. The CRP has been fully implemented.

The local citizens group known as “Community Watchdogs” has taken considerable interest in the environmental situations at FJW. Several times each year members of the community group will meet with representatives from the FJW Environmental Office and voice concerns and ask questions.

Each year since 1992 there is an Earth Day celebration in which the members of the public have an opportunity to expand their knowledge of the installation’s environmental programs. Public feedback regarding the Earth Day activities has been very positive.

**4.4 LOCAL REDEVELOPMENT AUTHORITY**

LRA was established in 1991 and composed of a state representative, two county representatives and three members each from the towns of Pleasant Oak and Galena. The LRA accepted transfer of the BRAC parcel in July 1997. The BRAC property will serve



as part of a multi-state, inter-modal transportation hub serving the New England states and Boston harbor.

#### **4.5 PUBLIC MEETINGS**

In accordance with the CRP, the Army initiated public meetings in 1986. Public meetings have not been required since the final ROD was signed in 1995 and the transfer of the BRAC parcel to the LRA in 1997. The Army held the last public meeting on June 22, 1997 to discuss the transfer of the BRAC parcel. In attendance were 2 community personnel and 17 government personnel.

#### **5.0 DECLARATION**

In light of the facts mentioned below, the Army will adjourn the RAB.

Remedial actions and other environmental restoration work were successfully completed at the sites identified at FJW, with an exception for some long-term monitoring. The remediation measures implemented were designed to protect human health and the environment, and meet all applicable New Hampshire and Federal requirements. Two-year reviews for contamination will occur at the Old Sanitary Landfill and the Paint Spray Booth, due to hazardous constituents left in place at these sites. The CRP has been fully implemented. There is no further need for the RAB and the RAB has unanimously voted to adjourn. All steps of the BRAC process have been completed. The LRA accepted transfer of the BRAC parcel in 1997 and the “final ROD” was signed in 1995.

FJW will host a meeting of all former members of the RAB within one month of completion of the two-year review process in order to re-evaluate the success of the long-term restoration measures and to discuss any future recommended actions. In addition to the former RAB, the public will be notified about this meeting. The next review is scheduled for July 2005.

**6.0 APPROVAL, SIGNATURE AND DATE**

The following RAB members agree that the RAB at FJW should adjourn.

\_\_\_\_\_

Mark Doe

Installation Co-Chair

\_\_\_\_\_

Betty Sue Smith

Community Co-Chair

\_\_\_\_\_

Todd Smith

BRAC Environmental Coordinator

\_\_\_\_\_

Kim Jones

USEPA Representative, Region 1

\_\_\_\_\_

Martha Doe

NHDES Representative

APPROVED BY:

\_\_\_\_\_

E.J. Elliot

Colonel, CM

Commanding

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ATTACHMENT 5

**RAB/TAPP COST WORKSHEET FOR RAB ADMINISTRATIVE  
AND TAPP FUNDING FOR FYXX**

PROGRAM MANAGEMENT REQUIREMENTS FOR THE FY IDENTIFIED BY EACH INSTALLATION REQUESTING RAB ADMINISTRATIVE FUNDING.

ARMY DERP PROGRAM MANAGERS INCLUDE THESE WORKSHEETS WHEN SUBMITTING PROGRAM MANAGEMENT REQUIREMENTS FOR THE FY TO THE USAEC.

**1. ADMINISTRATIVE COSTS FOR DETERMINING INTEREST IN A RAB**

FOR EVERY INSTALLATION REQUESTING RAB ADMINISTRATIVE FUNDING THAT **DOES NOT HAVE A RAB** AND HAS CHECKED **“DoD DETERMINING INTEREST”** OR **“NO COMMUNITY INTEREST”** IN AEDB-R.

**Army DERP PROGRAM MANAGER:** \_\_\_\_\_

**INSTALLATION:** \_\_\_\_\_

- |   |           |          |
|---|-----------|----------|
| 1. Initial Efforts Determining Interest                               | YES _____ | NO _____ |
| 2. Routine Follow-up Efforts to Monitor Changes in Community Interest | YES _____ | NO _____ |
| 3. Community Interest Survey Costs                                    | \$ _____  |          |
| 4. Advertisements, News Releases and Paid Public Notice Costs         | \$ _____  |          |
| 5. Public Meeting Costs   | \$ _____  |          |
| 6. Poster Station Material Costs                                      | \$ _____  |          |
| 7. RAB Fact Sheets  | \$ _____  |          |
| 8. Other _____  | \$ _____  |          |
|   | TOTAL     | \$ _____ |

**2. ADMINISTRATIVE COSTS FOR ESTABLISHING A RAB**

**ONE TIME COST** FOR EVERY INSTALLATION REQUESTING RAB ADMINISTRATIVE FUNDING **TO ESTABLISH A RAB** AND HAS CHECKED EITHER **“DoD DETERMINING INTEREST”** OR HAS A **RAB ESTABLISHED DATE** IN AEDB-R.

**Army DERP PROGRAM MANAGER:** \_\_\_\_\_

**INSTALLATION:** \_\_\_\_\_

- 1. Community Interest Survey Costs \$ \_\_\_\_\_
- 2. Advertisements, New Releases and Paid Public Notice Costs \$ \_\_\_\_\_
- 3. Letters of Invitations \$ \_\_\_\_\_
- 4. RAB Fact Sheets \$ \_\_\_\_\_
- 5. Logistics for Selection Panel Meeting/Member Selection Costs \$ \_\_\_\_\_
- 6. Other: \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL \$ \_\_\_\_\_

**3. ADMINISTRATIVE COSTS FOR AN ESTABLISHED RAB**

EVERY INSTALLATION **WITH AN ESTABLISHED RAB** AND RECURRING RAB ADMINISTRATIVE COSTS AND HAS **A RAB ESTABLISHED DATE** IN AEDB-R.

**Army DERP PROGRAM MANAGER:** \_\_\_\_\_

**INSTALLATION:** \_\_\_\_\_

- 1. Orientation training \$ \_\_\_\_\_
- 2. Meeting Logistics \$ \_\_\_\_\_
- 3. Meeting Materials \$ \_\_\_\_\_  
Preparation of Meeting Agendas, Meeting Materials, and Meeting Minutes
- 4. Document Reproduction \$ \_\_\_\_\_
- 5. OTHER: \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL \$ \_\_\_\_\_

**4. TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP) COSTS**

EVERY INSTALLATION **WITH AN ESTABLISHED RAB OR TECHNICAL REVIEW COMMITTEE** DOCUMENTED IN AEDB-R, WHERE COMMUNITY MEMBERS HAVE EXPRESSED REASONABLE NEED FOR TECHNICAL ASSISTANCE. TAPP DOES NOT HAVE TO BE APPROVED BEFORE THE REQUIREMENT IS IDENTIFIED. THE TAPP PROJECT **DOES HAVE TO BE APPROVED BEFORE FUNDS CAN BE RELEASED** TO THE INSTALLATION.

**Army DERP PROGRAM MANAGER:** \_\_\_\_\_

**INSTALLATION:** \_\_\_\_\_

1. Estimated Cost for TAPP project(s) \$ \_\_\_\_\_  
(Not to exceed \$25K per year (or 1% of an installation CTC, whichever is less) and \$100K for the life of the DERP )
  
2. DESCRIPTION OF POSSIBLE TAPP PROJECT: Provide a brief description of the assistance project that the RAB community members may require. **Note: Any installation that does not provide a reasonable estimate of cost for specific TAPP projects will not be budgeted for TAPP.**

***SUMMARY***

**Army DERP PROGRAM MANAGER:** \_\_\_\_\_

**INSTALLATION:** \_\_\_\_\_

- |   |          |
|---|----------|
| 1. ADMINISTRATIVE COSTS FOR DETERMINING INTEREST IN A RAB | \$ _____ |
| 2. ADMINISTRATIVE COSTS FOR ESTABLISHING A RAB            | \$ _____ |
| 3. ADMINISTRATIVE COSTS FOR AN ESTABLISHED RAB            | \$ _____ |
| 4. POTENTIAL TAPP COSTS                                   | \$ _____ |
| TOTAL   | \$ _____ |

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**ATTACHMENT 6**  
**TECHNICAL ASSISTANCE for PUBLIC PARTICIPATION**  
**APPLICATION FORM**

Copy of DD Form 2749, Edition 20031001, can be found on the web at

<http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>



TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP) APPLICATION		Form Approved OMB No. 0704-0392 Expires Oct 31, 2006	
<p>The public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0392). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.</p>			
PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO INSTALLATION LISTED IN SECTION I, BLOCK 1.			
SECTION I - TAPP REQUEST SOURCE IDENTIFICATION DATA			
1. INSTALLATION			
2. SOURCE OF TAPP REQUEST (Name of Restoration Advisory Board (RAB) or Technical Review Committee (TRC))			
3. CERTIFICATION OF MAJORITY REQUEST		4. DATE OF REQUEST (YYYYMMDD)	
5. RAB POINT OF CONTACT			
a. NAME (Last, First, Middle Initial)		b. ADDRESS (Street, Apt. or Suite Number, City, State, ZIP Code)	
c. TELEPHONE NUMBER (Include Area Code)			
SECTION II - TAPP PROJECT DESCRIPTION			
6. PROJECT TITLE			
7. PROJECT TYPE (Data Interpretation, Training, etc.)			
8. PROJECT PURPOSE AND DESCRIPTION (State anticipated goals of project and relate to increased understanding/participation in restoration process at the installation. Include descriptions, locations, and timetables of products or services requested.)			
9. STATEMENT OF ELIGIBILITY (Refer to eligibility criteria in S203.10 and S203.11 of TAPP rule. Note other sources that were considered for this support and state reasons why these sources are inadequate.)			
10. ADDITIONAL QUALIFICATIONS OR CRITERIA TO BE CONSIDERED (Additional qualifications (beyond those specified in S203.12) a provider should demonstrate to perform the project to the satisfaction of the RAB/TRC. Attach separate statement, if necessary.)			
SECTION III - INSTALLATION COMMANDER/DESIGNATED DECISION AUTHORITY APPROVAL			
<input type="checkbox"/>	APPROVED	11. SIGNATURE	12. TITLE
<input type="checkbox"/>	NOT APPROVED		13. DATE (YYYYMMDD)

DD FORM 2749, OCT 2003

PREVIOUS EDITION IS OBSOLETE.

Reset

SECTION IV - PROPOSED PROVIDER DATA			
14. PROPOSED PROVIDER			
a. NAME		b. ADDRESS (Street, Apt. or Suite Number, City, State, ZIP Code)	
c. TELEPHONE NUMBER (Include Area Code)			
15. PROVIDER QUALIFICATIONS (Attach separate statement, if necessary. A statement of qualifications from the proposed technical assistance provider will be acceptable.)			
16. ALTERNATE PROPOSED PROVIDER (If known. Attach additional pages as required.)			
a. NAME		b. ADDRESS (Street, Apt. or Suite Number, City, State, ZIP Code)	
c. TELEPHONE NUMBER (Include Area Code)			
17. ALTERNATE PROVIDER QUALIFICATIONS (Attach separate statement, if necessary. A statement of qualifications from the proposed technical assistance provider will be acceptable.)			
SECTION V - CONTRACTING OFFICE APPROVAL			
<input type="checkbox"/>	APPROVED	18. SIGNATURE	19. TITLE
<input type="checkbox"/>	NOT APPROVED		20. DATE (YYYYMMDD)
DD FORM 2749 (BACK), OCT 2003			Reset