

**CHARTER OF THE U.S. ARMY PICATINNY ARSENAL
ENVIRONMENTAL RESTORATION ADVISORY BOARD**

I. NAME

This organization shall be known as the Picatinny Arsenal Environmental Restoration Advisory Board (PAERAB). The PAERAB will fulfill all requirements of the Department of Defense Restoration Advisory Board (RAB) Rule as found at 32 CFR Part 202.

II. PURPOSE

- A.** Provide an opportunity for the community affected by the environmental cleanup at Picatinny Arsenal to participate in the decision-making process for the cleanup. This Board shall help identify environmental issues at Picatinny Arsenal and help resolve those issues in an expeditious manner that is satisfactory to the community.
- B.** Provide a direct line of communication between the community, regulators who are involved in oversight of the environmental cleanup program, and the environmental managers at Picatinny Arsenal.
- C.** Provide input to the Army from the community on issues concerning the environmental cleanup; such as prioritization of cleanup projects, recommended technologies for use at Picatinny Arsenal, and cleanup levels.

III. AUTHORITY

The basis and authority for this charter is the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), particularly Sections 120 (a), 120 (f), and 121 (f) and 10 USC 2705, enacted by Section 211 of CERCLA.

IV. MEMBERSHIP AND RESPONSIBILITIES OF MEMBERS

- A.** The voting members of the PAERAB shall consist of the following:
 - The appointed representatives (one each) from Dover, Denville, Jefferson, Morris County, Rockaway Borough, Rockaway Township, and Wharton.
 - One representative of residents on Picatinny Arsenal.
 - Two representatives of employees on Picatinny Arsenal.
 - One representative from the New Jersey Institute of Technology.
 - Two representatives from local environmental groups.
 - The rest of the membership should be made up of community representatives with an interest in the cleanup process at the Arsenal.

The following shall serve as ex-officio members and shall not have voting privileges:

- Picatinny Arsenal Representative for the U.S. Army

- US EPA Project Manager
 - NJDEP Project Manager
- B.** Members shall serve without compensation. All expenses incidental to travel shall be borne by the respective member's organization, if appropriate.
- C.** PAERAB membership shall be periodically reviewed by the PAERAB. The RAB may vote to include new members, remove inactive members, or solicit new members to represent groups not currently represented on the PAERAB. Nominations shall be reviewed and approved by a majority of the voting members of the RAB present at the meeting.
- D.** Voting membership shall not exceed 20 in number. Members shall agree to serve a minimum of a one-year term and may remain as a member of the PAERAB indefinitely. Members who become unable to fully participate shall submit their resignation in writing to either of the PAERAB co-chairs. Resigning members may nominate new members to replace them.
- E.** Members must be willing to communicate with local community members and interest groups concerning specific cleanup issues and bring local concerns to the attention of the PAERAB. Members shall serve as a direct and reliable conduit for communication between the public and agencies responsible for cleanup activities. PAERAB members' names will be made available to the public; other contact information, such as email addresses, will be made available with the permission of the individual PAERAB member. At a minimum, an email address for the Community Co-Chair will be made available to the public.

V. STRUCTURE AND OPERATING PROCEDURES

- A.** The U.S. Army Picatinny Arsenal Representative shall serve as the Government Co-Chair of the PAERAB. A voting member, to be chosen by majority vote of the PAERAB members present at the meeting when the election is held, shall serve as the Community Co-Chair. The Community Co-Chair shall serve a term of one year, commencing from the date of election. The Community Co-Chair may serve more than one term if so elected by the PAERAB. The PAERAB membership is responsible for terminating a co-chair who is ineffective or detrimental to the progress of the RAB. Co-chair removal is determined by a majority vote of PAERAB voting membership at the meeting where removal is addressed.
- B.** The Community Co-Chair and/or the Government Co-Chair shall be responsible for presiding at each meeting. The PAERAB Co-Chairs shall be responsible for coordinating an agenda for each meeting. Picatinny Arsenal will provide administrative support to disseminate meeting minutes and agendas for each meeting to the membership at least one week prior to each scheduled meeting. Agenda items for the next meeting will be decided on at the conclusion of each meeting and/or submitted to the Co-Chairs at least two weeks prior to a scheduled meeting. Picatinny Arsenal shall take minutes at each meeting and distribute them to all members and other interested parties who may request the minutes. Appropriate background materials for meeting topics shall be provided by the U.S. Army.

- C. The PAERAB shall meet quarterly. More or less frequent meetings may be held depending on the amount of agenda items and winter weather conditions. The PAERAB meetings will be held at a convenient time and location for community members.
- D. All meetings shall be open to the public and announced by a press release to the local newspapers. This shall be accomplished by Picatinny Arsenal.
- E. Each meeting shall follow the agenda as determined by the Co-Chairs and submitted to the members prior to the meeting. Meetings shall be conducted according to Robert's Rules of Order, as needed and applicable. Observers at the meetings may ask questions related to the agenda item under discussion, but other questions and comments shall be held until the Open Discussion part of the meeting that will be included on each agenda.
- F. A quorum shall consist of the PAERAB members present. General business conducted during meetings that warrants voting shall be determined by a simple majority vote (50% plus 1) of the PAERAB members present. The goal of the PAERAB will not be to seek consensus when discussing environmental cleanup issues. The Army is seeking input from as many constituencies as possible, and all opinions are welcome and will be noted in the meeting minutes.

VI. EFFECTIVE DATE AND MODIFICATION

- A. The effective date of this charter is August 15, 1996. This Charter was amended by a two-thirds vote of the voting members present at the October 29, 2015 meeting.
- B. This charter may be amended by a two-thirds vote of the voting members present at the meeting where the amendment is presented for vote. All amendments must be in writing and placed on the meeting agenda for one meeting prior to voting on the amendment.

VII. ADJOURNMENT OR DISSOLUTION of the PAERAB

A RAB's work is complete when there are no longer any environmental restoration activities at the installation as a result of the installation either reaching remedy in place for all activities or response complete (as defined by regulatory requirements), or when it has been determined that the community is no longer interested in participating in the RAB. At that time, the RAB should complete the documentation of its activities and begin the process of adjournment as described in the RAB Rule.

A RAB's existence may be terminated if one or more of the following events occur:

- Termination of the RAB program due to a change in the law or funding.
- A "response complete" determination, in accordance with regulatory requirements, has been made for all environmental restoration activities at the installation.
- As a result of a majority vote of all appointed community members.
- Failure of one-third of appointed community members to be present for three consecutive scheduled meetings and a lack of community interest.
- An early transfer of the entire property is completed to a non-DoD entity who assumes environmental restoration responsibilities.

The Installation Commander shall notify all PAERAB members and the public of the proposal to dissolve or adjourn the PAERAB in writing and by publication of a notice in a local newspaper. There shall be a 30-day comment period for members and the public. Comments shall be reviewed by the Installation Commander who has the final authority to dissolve or adjourn the PAERAB. Notification of the decision and rationale shall be forwarded to the Deputy Assistant Secretary and Office of the Deputy Under Secretary of Defense.