

THE MEMPHIS DEPOT TENNESSEE

ADMINISTRATIVE RECORD COVER SHEET

AR File Number 336

Approved Charter

July 16, 1998

Defense Depot Memphis, Tennessee
Restoration Advisory Board

I. Name and Basis

This Board shall be known as the Defense Depot Memphis, Tennessee (DDMT) Restoration Advisory Board, known hereafter as the RAB. The RAB will fulfill all requirements of Sections 120(a), 120(f) and 121(f) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986, as well as 10 United States Code (USC) 2705(c) as enacted by Section 211 of the SARA, Executive Order 12580, DODD 5105.4, Federal Advisory Committee Management Program and Defense Logistics Agency (DLA) Environmental Manual 6050.1.

II. Purpose and Mission

The purpose of the DDMT RAB is to:

- Facilitate communication among the members of the RAB in relation to actions taken by the DLA under its Base Realignment and Closure (BRAC) and environmental restoration programs;
- Provide an opportunity for members to comment on actions and proposed actions taken by the DLA under its BRAC and environmental restoration programs;
- Promote regulatory and public participation in accordance with applicable laws, i.e. legally required public comment periods for Records of Decision;
- Provide recommendations on cleanup priorities and remediation options in relation to regional public concerns.

The RAB mission is to establish and facilitate a forum with the community, the BRAC Cleanup Team and the DLA for the input and exchange of information in an open and interactive dialogue concerning the installation's BRAC and environmental restoration programs. Through the RAB, stakeholders may review progress and give advice relating to the decision making process.

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III. Structure and Operating Procedures

The RAB shall consist of representatives of the DLA , the Environmental Protection Agency (EPA), the Tennessee Department of Environment and Conservation (TDEC), Memphis City Council, Shelby County Commission, Memphis/Shelby County Health Department, Memphis Light, Gas and Water Division and community members representing local neighborhood associations or with experience relative to the DDMT BRAC and environmental restoration programs. RAB membership will equal no more than twenty (20) people.

Non-governmental members shall serve without compensation. All expenses incidental to serving on the Board will be borne by the respective member or his/her organization.

Two individuals shall serve as Co-Chairpersons of the RAB. One (1) Co-Chair to be designated by the DLA, and one (1) to be selected from the RAB community members and approved by the RAB community members. The DLA and Community Co-Chairs will alternate the responsibility for running each meeting.

The RAB shall meet on a monthly basis, or as needed, in the former Defense Depot Memphis, Tennessee Commander's Conference Room. The RAB will not meet during the months of November and December unless notified to do so by the Co-Chairs. No less than two (2) RAB meetings will be held at other locations within the surrounding community. Agenda items shall be submitted no later than eighteen days (18) in advance of the meeting to the DLA Co-Chair, who will mail the agenda to the members no later than seven (7) days in advance of the next monthly meeting. The BRAC Cleanup Team may also suggest agenda topics to ensure the RAB remains informed of decisions or actions relative to the BRAC and environmental restoration programs.

Meetings will be open to the public and notices will be provided to local media to inform the surrounding community of meetings. Notices will also be mailed to everyone on the RAB mailing list.

The BRAC Cleanup Team shall provide a progress report at each RAB meeting on restoration activities for review by the RAB.

The DLA shall be responsible for recording the minutes and providing the minutes to the RAB members within two (2) weeks for review and approval and to the Information Repositories within two (2) weeks after the minutes have been approved. Action items shall be established at each RAB meeting and progress shall be briefed at each RAB. Action items, progress and closure, as well as responses to comments or requests for information, shall be provided in

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the minutes. The RAB minutes will become part of the Administrative Record (AR) and will be available for public review at the Information Repositories.

The public shall be given 3-5 minutes to comment on agenda topics at appropriate times during the meeting. The public shall be given 3-5 minutes to comment on non-agenda items at the end of each meeting. The RAB may vote to allow more time for public comments or discussion of public comments/agenda topics. The Community Co-Chair shall be responsible for ensuring comments provided during the meeting from RAB members or the public remain relative to agenda topics. The Community Co-Chair shall also be responsible for ensuring public comments during or at the end of RAB meetings do not exceed five (5) minutes, unless RAB members vote to allow continued public comment.

RAB members will vote, when necessary, as follows: all RAB members, except the federal and state government members, shall receive one vote. The DLA, EPA and TDEC members shall serve in a non-voting capacity. A RAB member must be present at the meeting to vote; proxy votes or votes by member representatives will not be allowed. Two-thirds of members in attendance at a meeting shall represent a quorum and will be used for all decisions including charter amendment and RAB disestablishment. RAB members shall not vote on items that may constitute a conflict of interest. RAB members who feel another RAB member may have a conflict of interest must make a motion to discuss the issue and perhaps exclude that particular RAB member from the vote prior to the vote.

IV. Community Membership Terms and General Member Dismissal Guidelines

Community members shall serve for a minimum twelve (12) month term. The Community Co-Chair shall serve for a minimum twelve (12) month term. The RAB community membership shall also have the responsibility of terminating the Community Co-Chair that is either ineffective or detrimental to the progress of the RAB.

Member renewal terms shall be automatic unless requested otherwise by the member. A two-thirds (2/3) majority of RAB members present must vote to fill vacant positions or to create new positions on the Board.

Applications for new or vacant positions shall be submitted to the Co-Chairs. Once new or vacant positions are filled, any remaining applications will remain on file for six (6) months. A request for applications to fill new or vacant community positions will be advertised in the local media, and the community will be given thirty (30) days to submit applications.

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All RAB members are expected to attend every scheduled meeting. RAB members must contact the Memphis Depot Environmental Office if they cannot attend a regularly scheduled meeting. RAB members may send a representative to attend the meeting and must provide the representative's name to the Memphis Depot Environmental Office prior to the meeting. The representative may not select another person to represent the RAB member. If the representative cannot attend, then the RAB member may select another representative and must notify the Memphis Depot Environmental Office of the change. If a RAB member fails to notify the Memphis Depot Environmental Office that they cannot attend the meeting, an unexcused absence will be assessed. RAB members may have one (1) excused absence during the calendar year without sending an alternate representative. RAB members may send a representative to attend the meeting in their place only three (3) times per calendar year. RAB members shall be allowed one (1) unexcused absence per calendar year.

If RAB members cannot meet the above stated conditions, members shall be asked to reassess their commitment to the RAB and, if necessary, to resign. If members choose not to resign, a two-thirds (2/3) majority of RAB community members present may vote to terminate RAB members based upon attendance. A two-thirds (2/3) majority of RAB community members present must vote to fill the vacant position.

V. RAB Member Responsibilities

Members are responsible for attending all regularly scheduled meetings as well as other public events such as public meetings for Records of Decision, public availability sessions, etc. All extracurricular meetings shall be scheduled as to provide RAB members sufficient notice.

RAB members are expected to communicate with local community members and interest groups concerned with BRAC and environmental restoration issues as well as to report back to the organized group to which they belong or represent. It is important for RAB members to serve as a direct and reliable conduit for information flow to and from the community. RAB members shall also contact any member of the BRAC Cleanup Team in order to schedule their participation in a community group meeting. RAB members should understand that their names and phone numbers shall be widely communicated to the local public to enable ready community access and communication. RAB members must remember that it is their duty to honestly represent information that they receive. Tentative conclusions and draft recommendations should be properly identified.

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RAB members may be asked to review various reports on BRAC and environmental restoration activities, including draft and final technical documents, proposed and final plans, status reports and consultants' reports. RAB members shall be responsible for reviewing this information and providing review comments and other input at RAB meetings. Regular RAB meetings and special focus sessions may be conducted at which these documents will be discussed. The DLA, EPA and TDEC will be available to provide technical support to RAB members.

Individuals who have certain financial interest that may affect their impartiality in dealing with matters presented to the RAB for consideration may not properly be a member of the RAB. Such a conflict of interest exists for any individual who may make a direct personal financial gain or who may gain an unfair business advantage resulting from the implementation of recommendations relating to the environmental restoration technologies employed.

RAB members acknowledge by their signature on this charter that it is understood that the RAB makes recommendations, not final decisions. The RAB acknowledges that the BRAC Cleanup Team will use the best information available to move forward with cleanup activities.

RAB members acknowledge that sampling and analysis data may result in some sites at the DDMT being dropped from further CERCLA investigation following a review of evidence of potential problems. Some sites may also proceed with interim remedial action or early removal actions prior to total completion of the Remedial Investigation/Feasibility Study, if conditions warrant.

In the event a RAB member or any other person discovers a health concern as a result of any efforts under this Charter, the Memphis Depot Environmental Office should be informed so that all responsible parties including local, state and federal health officials are contacted and the concern can be addressed. Emergency Response organizations will be notified by the Memphis Depot Environmental Office as appropriate.

VI. RAB Disestablishment and Charter Execution

The provisions of this Charter shall terminate upon completion of the restoration activities and transfer of the DDMT properties to the Depot Redevelopment Corporation.

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VII. It is acknowledged that the undersigned RAB members have reviewed and consent to the DDMT RAB.



Mondell Williams Community Co-Chair



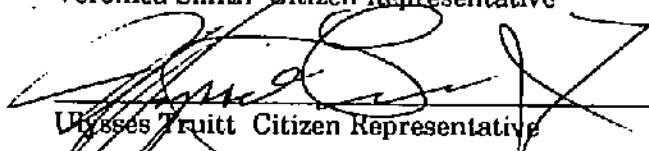
Shawn Phillips Facility Co-Chair



Veronica Smith Citizen Representative



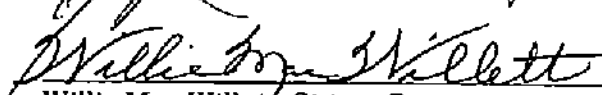
Johnnie Mae Peters Citizen Representative



Orsessa Pruitt Citizen Representative



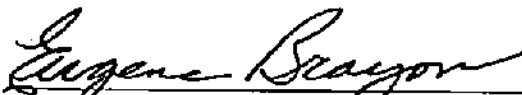
Dave Bond Citizen Representative



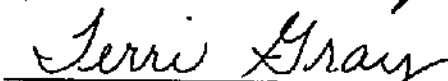
Willie Mae Willett Citizen Representative



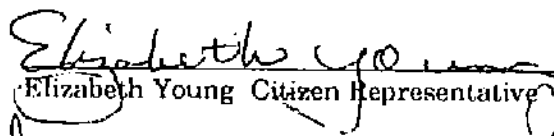
Kevin Clay Citizen Representative



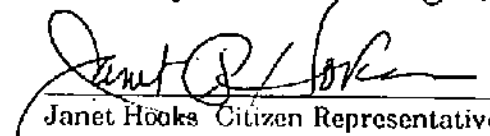
Eugene Brayon Citizen Representative



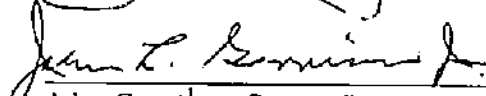
Terri Gray Citizen Representative



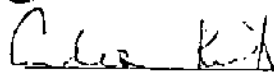
Elizabeth Young Citizen Representative



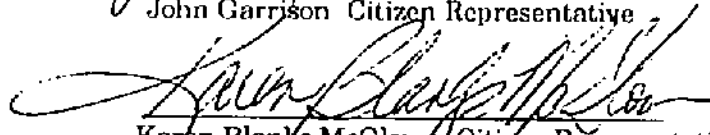
Janet Hooks Citizen Representative



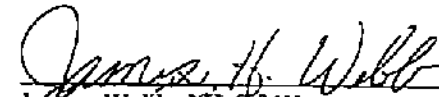
John Garrison Citizen Representative



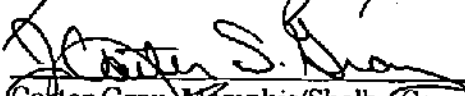
Cleo Kirk Citizen Representative



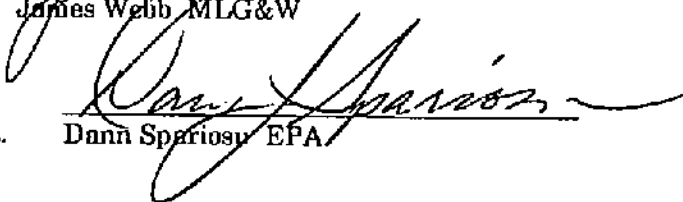
Karen Blanks McGlowin Citizen Representative



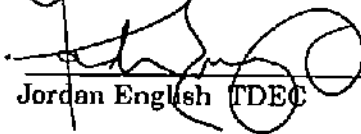
James Webb MLG&W



Carter Gray Memphis/Shelby County Health Dept.



Dana Sparrow EPA



Jordan English TDEC

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