



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
BUFFALO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1778 NIAGARA STREET  
BUFFALO, NEW YORK 14207-3199

JUN 31 2000

Project Management

SUBJECT: Lake Ontario Ordnance Works Site Restoration Advisory Board

Dear Restoration Advisory Board Member:

I have enclosed a copy of the minutes and a summary of the questions and comments from the April 12, 2000, Lake Ontario Ordnance Works Restoration Advisory Board meeting.

Our next meeting will be held on July 12, 2000, from 7 - 9 p.m. We will be meeting in the boardroom of the Lewiston-Porter Central School District's Primary Building, located at 4061 Creek Road in Youngstown, New York. An agenda for the July meeting is enclosed. I have also enclosed an amended page three of the January 12, 2000 Restoration Advisory Board meeting minutes, and the revised Operating Rules for your review before the July 12, 2000 meeting.

If you need any additional information, please feel free to contact our public affairs office at (716) 879-4438.

Sincerely,



Raymond L. Pilon  
Project Manager

Enclosures

**MEETING MINUTES – APRIL 12, 2000  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE (LOOW)  
RESTORATION ADVISORY BOARD**

**To: Restoration Advisory Board Members and Interested Parties**  
**From: Ray Pilon, U.S. Army Corps of Engineers, Project Manager** *RP*  
**SUBJECT: Minutes of April 12, 2000 RAB Meeting**

| <b>RAB Members Present:</b>          | <b>Affiliation:</b>              |
|--------------------------------------|----------------------------------|
| Stephen Yaksich, Government Co-Chair | US Army Corps of Engineers       |
| Lawrence Brennen                     | Community Member                 |
| Gary Smith                           | Modern Corporation               |
| Charles Lamb                         | Town of Porter                   |
| Thomas Freck                         | Community Member                 |
| Nona McQuay                          | Community Member                 |
| Paul Dickv                           | Niagara County Health Department |
| Bruce Mero                           | U.S. Air Force                   |
| Daniel Serrianni, Jr.                | Community Member                 |
| Rebecca Zayatz                       | Chemical Waste Management, Inc.  |
| Mike Basile                          | USEPA                            |
| Walter Polka                         | Community Member                 |
| Neil Patterson, Jr.                  | Community Member                 |
| John Syms                            | Somerset Group                   |
| William Roger Angus                  | Community Member                 |
| Darwin James Langlois                | Town of Lewiston                 |
| Kent Johnson                         | NYSDEC                           |
| Martin Hodgins                       | Community Member                 |
| Wade Cook for Edward Lilly           | Community Member                 |
| <b>RAB Members Absent:</b>           |                                  |
| Tim Henderson                        | Community Member                 |
| Clyde Johnston, Jr.                  | Community Member                 |
| Nils Olsen                           | Community Member                 |

Introduction and Welcome • Call Meeting to Order at 7:00 P.M. by Ms. Arleen Kreusch

- The meeting was called to order and began by having the RAB members and guests introduce themselves.
- The minutes from the last meeting were amended to change Dr. Dicky to Mr. Dicky, and then they were approved.
- Action Items from last meeting were reviewed.
- Vote on the Operating Rules.

- The Lake Ontario Ordnance Works History Search Report is available in the Lewiston Library and also on the Corps of Engineers website (<http://www.lrb.usace.army.mil/loow/>)
- The Corps plans to interview over 40-46 people who worked onsite in mid-summer. A news advertisement will be prepared asking people who are interested in an interview to call us.

Mr. Paul Dicky, Niagara County Health Department – Passed out handouts on latest health reports done by New York State Department of Health on various Cancers that are sorted by zip codes. Further studies are to be done to include other target cancers. Mr. Dicky will keep the board aware of these studies as they are released.

Slide Presentation - Corps of Engineers provided an overview of activities associated with the DERP-FUDS Program at the former Lake Ontario Ordnance Works Site and the FUSRAP Program at the Niagara Falls Storage Site.

A brief five (5) minute question and answer period followed the presentation to address specific questions of any Board member. A summary of questions and responses is presented in Table 1.

**TABLE 1**  
**Questions and Answers from Restoration Advisory Board Members**

| COMMENT  | RESPONSE  |
|--|---|
| Question from Charles Lamb: Expressed concern with Operating Rules in that an Advisory Board cannot give advice, opinions, comments as a Body. Maybe we should call the Board by another name? | Response by Michelle Barczak, Counsel, Corps of Engineers - explained that legal guidance dictates that funding is given to an Advisory Board to receive input from each Board member as an individual. The Board may inform the public and community only. If the Board wishes to choose another name, it can. |
| Question from Nona McQuay: Will other cancers be broken down into zip codes? The committee is interested in this information.  | Response by Paul Dicky: Colo-rectal cancer will be next and what will be covered next is unknown.   |
| Question from Paul Dicky: Who owns the Castle Garden Dump Property?  | Response from Bill Kowalewski: Chemical Waste Management owns the property.   |
|  |   |

**TABLE 1 (cont'd)**  
**Questions and Answers from Restoration Advisory Board Members**

|  |  |
|--|--|
| <p>Question from Kent Johnson: Are funds available?</p>  | <p>Response from Bill Kowalewski: Yes, funds are available.<br/> Response from Ray Pilon: We have sufficient funds to continue on with the Phase 2 Remedial Investigation and also complete the TNT pipeline removal project. We will only fund the work that can be executed during this fiscal year and not fund work that can be funded next fiscal year. This process will allow us to use funds as efficiently as possible.</p> |
| <p>Question from Rebecca Zayatz: Is there my new information available on the Mapping Activity?</p>  | <p>Answer from Bill Kowalewski: No new information is being added. Due to the large volume of reports, the Contractor has been asked to start with the existing data. We plan to take 1000's of pages down to a few graphics.</p>  |
| <p>Question from Gary Smith: What is buried here?</p>  | <p>Answer from Bill Kowalewski: Chlorinated solvents, boron, volatile organic contaminants, and semi-volatile contaminants, metals. We may find anything buried there.</p>   |
| <p>Question from Rebecca Zayatz: Is the cleanup not inclusive of asbestos?</p>   | <p>Answer from Bill Kowalewski: Nothing is being ruled out because of asbestos.</p>  |
| <p>question from Thomas Freck: Why are they spending dollars to remove TNT lines when they may not find any?</p>   | <p>Answer from Bill Kowalewski: TNT may be found but we will not know until we dig up the lines. PCB's are reasonably expected to be found.</p>  |
| <p>Question from William Roger Angus: Has there been any documentation found to indicate there is Cesium on the site?</p>  | <p>Answer from Judy Leithner: We have not found any documentation thus far but continue to review documents as they are discovered.</p>  |
| <p>Question fi-om Charles Lamb: Am I to understand that the Board can only vote on administrative matters, and comment but cannot vote. Asked the other Board members how they felt about voting on the Operating Rules.</p> | <p>Answer from: Michelle Barczak : Yes.<br/><br/> (Rebecca Zayatz): If we vote as a group on technical matters, who is considered as a community member?</p>   |

7:45 p.m. Questions Taken from the Audience:

**Question and Answers from Public Audience**

| <b>COMMENT</b>   | <b>RESPONSE</b>   |
|--|---|
| <p>1. Question by Linda Shaw (Somerset Group)- Are the owners of the Somerset property to comply with OSHA and DOD guidelines including Asbestos, safety issues? Was the Somerset site 1998 Asbestos Removal Project safely completed within OSHA guidelines and DOD policy? Asked for a copy of the applicable guidelines and DOD policy.</p>   | <p>Answer by Bill Kowalewski – There are no known violations, the project complied with OSHA and DOD guidelines.</p> <p>MFR: A copy of the DOD policy was provided to Ms. Shaw.</p>   |
| <p>2. Question by Joan Broderick (resident) - Cited inconsistencies in 97 and 98 Reports. Specifically:</p> <ul style="list-style-type: none"> <li>• the 97 Report refers to Table 4 on page 12 but there was no Table 4 in her copy.</li> <li>• References Page 16 concerning Groundwater Flow direction on maps.</li> <li>• Figures 3 and 4, 5 and 6 are transposed.</li> <li>• Why is the evaluation from 98 in the 97 report, shouldn't it be reversed?</li> <li>• There is no Figure 7 in the 98 report concerning analytical results of total uranium in the groundwater.</li> <li>• Were the test results coming from another site?</li> <li>• Vanadium was detected in all eight wells in the 97 report, but only detected in one of eight wells in the 98 report.</li> <li>• Requested a copy only of the 98 Report.</li> </ul> | <p>Answer by Judy Leithner – There were clerical errors in the reports and on the website and corrections have been made. They were not intentional.</p> <p>Judy explained that the 98 report would have the previous 97 data included in it. Agreed to send Ms. Broderick an updated copy of the 98 report.</p> <p>Arleen Kreusch asked Ms. Broderick to clarify her questions as pertaining to the LOOW site or the Niagara Falls Storage Site (FUSRAP)? They are two different projects.</p> |
| <p>3. Question by Marn Weld (resident) – Is new to the area and would like to be reassured that we won the war so to speak so now we have to clean up the mess. Love Canal in Niagara Falls as an example of the government doing an efficient job. Would like to be reassured that the system works. Nervous about mapping efficiency and sharing information. Does the right hand know what the left hand is doing?</p>  | <p>Response by Nona McQuay – The library has a good record with maps that are especially easy to read along with a fascinating history. Commends the compilation of progress.</p>   |

### Question and Answers from Public Audience (cont'd)

|  |  |
|--|--|
| <p>4. Question by Mary Arm Rolland – Town of Porter- Is the Somerset parcel cleaned up?</p>  | <p>Answer by Bill Kowalewski The area along the Chemical Waste Sewerline has been cleaned up. Other areas are scheduled to be investigated in the Remedial Investigation. The parcel has not been closed out.</p>  |
| <p>5. Question by Carol Stein – USEPA – Why is the funding being used for only one year and not two years? The EPA funds their projects for two years. It would save time to include Somerset this year.</p> | <p>Answer by Ray Pilon – We have determined that we need 2 million dollars for the Remedial Investigation. We have not received the Right-of-Entry for the Somerset property today. Funds in the amount of 1.4 million dollars are for FY00 and the remaining funds will be obtained in FY01 . The money is needed to fund other projects. The dollars will be there next Fiscal Year.<br/>Michelle Barczak – DERP funding is funded annually by Congress and appropriated through 30 September. The dollars are supposed to be used during each fiscal year and not carried over. The program is designed to best maximize the dollars.</p> |
| <p>6. Question by unnamed resident- Is there any work being done on the north side of Balmer Road? The Town is telling him he does not own 110 feet of his property.</p>                                     | <p>Answer by Bill Kowalewski – No work is being currently done on the north side. See documents in the library. There is property located on the north side that is being used by the Army National Guard. Call the Connecticut Street Armory for assistance. MFR: Ray Pilon provided a telephone number for him to call Sgt. Joe Franco or Sgt. Major Bullock.</p>  |
| <p>7. Question by Carol Stein – USEPA With the NFSS Phase I done, and Phase II to be done, where are the samples coming from?</p>  | <p>Answer by Judy Leithner Samples are being taken in a 30 foot radius except in the cell.<br/>We will have a 3 dimensional view at the next meeting. Each sample shows up above regulation limits. We will include a pipe network. Found a low level of radiation on the west portion of the project. Samples will be taken offsite also.</p>   |
| <p>8. Question by Rebecca Zayatz – Chemical Waste Management, Inc. – Will we receive a copy of the questions asked tonight?</p>  | <p>Answer by Arleen Kreuzsch – Questions and answers will be mailed to everyone here tonight.</p>  |

## Question and Answers from Public Audience (cont'd)

|  |   |
|--|---|
| 9. Question by Charles Lamb – Town of Porter Request a copy of the 3/20/00 letter concerning the project moving forward. | Answer by Kent Johnson – NYSDEC<br>The concerns will be discussed at Thursday's (4/13) Meeting. |
|--|---|

8: 15 p.m. Arleen Kreusch: Asked if the Board will sign the Operating Rules. Mr. Lamb has declined to sign as they are now. Still confused as to why the Board can't offer advice. Michelle Barczak explained that the Board can discuss and comment on any issue but cannot advise as a whole. The RAB is limited by regulation.

Arleen explained that the Board can vote on Administrative matters, and minutes. It was decided that any member who is not a representative of the State or Government is a community member. Arleen asked the if Board will sign the rules if the one change is made?

Mr. Lamb agreed if the Board was given enough time to express their opinions.

William Roger Angus: Asked if a motion was made on an issue can we have the opinion of the group?

Michelle Barczak: As long as it is not an official function of the body.

Ray Pilon explained that as the rules stand now, A majority can approve any motion. No limitations.

Arleen will make the changes and bring to the next meeting to sign.

Arleen Kreusch: The Board accepted the resignation of Theresa Mudd and will send a Letter of Appreciation to her for all her assistance.

It was asked if there was a need to replace her. Guidance suggests not more than 20 members, this will be decided at the next meeting. Will poll applications for any interest to review at the next meeting.

Since Therese Mudd was a representative of the local community a replacement should be sought that will represent the local community.

### Action Items:

- Pursue further interest into the Zip Code Health Study. They are interested in obtaining any studies as they become available.

Next Meeting Scheduled for July 12, 2000.

**Agenda Items for the next meeting are:**

- Will follow the same Agenda format.
- Get Operating Rules signed.
- Discuss replacement of Therese Mudd.
- Publish comments and questions from June interviews of onsite workers.
- Update on Contractor's List:
  - Maxim
  - Sevenson
  - EA Engineering, Science and Technology
  - SAIC

8:45 p.m. **Meeting was adjourned.**

**LIST OF GUESTS PRESENT (4/12/2000)**

| <b>Guests Present:</b> | <b>Affiliation:</b>        |
|------------------------|----------------------------|
| Pam Kowalik            | Buffalo News               |
| Don Hetzner            | SBK Environmental, Inc.    |
| Michelle Rhodes        | USACE                      |
| Sanford J. Freedman    | Self                       |
| Paula Evans            | USACE                      |
| Brian Moore            | USACE                      |
| Linda Shaw             | Somerset Group             |
| Jeff Salvatore         | Hasley Construction        |
| Bill Kowalski          | Self                       |
| Daniel Riker           | Malcolm Pimie              |
| Richard Owen           | Self                       |
| Karen Stuart Keil      | Self                       |
| Judv Leithner          | USACE                      |
| Tone Leithner          | Self                       |
| Alan W arminski        | USACE, Baltimore District  |
| Chuck Basham           | USACE, Baltimore District  |
| Gordy Porter           | EA Engineering             |
| Sandy Staigerwald      | EA Engineering             |
| Kenneth Veihdeffer     | Self                       |
| Steven Stumpf          | Niagara Frontier Wildlife  |
| Mary Ann Rolland       | Town of Porter Brownfields |
| Carol Stein            | USEAP                      |
| Drew Rak               | USACE, Baltimore District  |
| Phyllis Della Camera   | USACE, Baltimore District  |
| Craig Georg            | USACE, Baltimore District  |
| Joan Broderick         | Self                       |
| Rosalie J. Hetzner     | Self                       |
| Brice Kohm             | SBK Environmental          |
| Richard C. Williams    | Self                       |
| Lisa Danish            | Niagara Gazette            |
| Mat-n A. Weld          | Self                       |
| Michelle Barczak       | USACE                      |
| Arleen Kreusch         | USACE, CT                  |
| Julie Zielinski        | USACE                      |
| Cheryl Michener        | USACE                      |
| Ray Pilon              | USACE                      |
| Bill Kowalewski        | USACE                      |

## AGENDA

*FORMER LAKE ONTARIO ORDNANCE WORKS  
RESTORATION ADVISORY BOARD MEETING  
JULY 12, 2000*

|            |  |  |
|------------|--|--|
| 7:00 p.m.  | Introduction and Welcome/Call to Order<br>Review of Meeting Minutes<br>Review of Action Items from last meeting                      | Arleen Kreusch, USACE (CT)             |
| 7: 10 p.m. | Corps Update <ul style="list-style-type: none"><li>▪ Lake Ontario Ordnance Works Site</li><li>▪ Niagara Falls Storage Site</li></ul> | Bill Kowalewski<br>Dr. Judith Leithner |
| 8:00 p.m.  | Review of Operating Rules/Vote on Rules  | Arleen Kreusch                         |
| 8:15 p.m.  | Discuss Replacement of Therese Mudd  | RAB/Co-Chairs                          |
| 8:20 p.m.  | Establish Action Items/Set Agenda & Date<br>for Next RAB Meeting   | RAB/Co-Chairs                          |
| 8:40 p.m.  | Public Comment/Questions & Answer Period   | Public                                 |
| 9:00 p.m.  | Adj oun  |  |

## NIAGARA FALLS STORAGE SITE PRESENTATION (Cont'd)

A summary of items discussed include:

- Potential demolition of Building 403. Building 403 was decontaminated as a preventative maintenance measure in 1998 and a demolition contract is proposed in March 2000. The building should be demolished by end of September 2000.
- Off-site disposal of palletized waste. Palletized waste includes materials from past maintenance and decontamination activities. The waste was characterized in 1999 and disposal of the material is planned to be in Texas when the state submits its approval.
- Building 401 - an asbestos survey and interim asbestos abatement in Building 401
- Building 401 is currently structurally sound and has been secured to prevent trespassing. This building contains friable asbestos and asbestos survey and interim asbestos abatement is being planned during 2000.
- The 1997 and 1998 Technical Memoranda have been put in the Administrative Record file located at the Lewiston Public Library, 305 South 8<sup>th</sup> Street, Lewiston, NY 14092 and is also available on the website for public review (<http://www.lrb.usace.army.mil/loow/>).
- A copy of the Failure Analysis Report that was requested at the last board meeting was provided at the meeting.

**7:50 – 8:00 p.m. - QUESTIONS FROM BOARD MEMBERS...** A brief discussion was held concerning specific questions that any of the board members had. A question and answer period for individual public concerns would be held later and attached to these minutes.

**8:00 p.m. – 8:15 p.m. - NEW YORK STATE HUMAN HEALTH CANCER STUDY DISCUSSION -** Mr. Paul Dicky, Niagara County Health Department provided information about New York State's Human Health Study concerning cancer. The study addresses statewide concerns about cancer, how to improve the quality of cancer data and the timeliness of data and compilation. New York State has published three brochures to date with information gathered from 1992- 1996 primary cancer diagnoses of lung and bronchus cancer, cancer of the colon and rectum and breast cancer. Eight other brochures are planned for distribution on the subject of cancer. The State is planning to publish more data, which will be broken down by county and ultimately by zip code, after publication of the 11 cancer brochures. Mr. Dicky said more information about cancer could be retrieved by calling 1-800-458-1 158 or from the State website: [www.health.state.ny.us](http://www.health.state.ny.us) and clicking on "info for researchers." Mr. Dicky offered to arrange for a speaker from the New York State Department of Health to attend a future meeting if the board members desire.

**8:15 – 8:22 p.m. - Review of Operating Rules.** A vote on the operating rules was tabled to the next meeting. The result of a question presented by Mr. Charles Lamb about consensus voting as written in the draft operating rules. The question had some legal implications and the Corps of Engineers Counsel would be asked to provide clarification.

**OPERATING RULES  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE  
RESTORATION ADVISORY BOARD**

**I. Name**

This organization shall be known as the Former Lake Ontario Ordnance Works Site Restoration Advisory Board. This organization will operate in accordance with the U.S. Department of Defense's Guideline for Restoration Advisory Boards.

**II. Mission Statement**

The "Mission Statement" of the Former Lake Ontario Ordnance Works Site Restoration Advisory Board ("RAB") is to establish and maintain a forum of all stakeholders for the exchange of information, and provide an open and independent dialog concerning the environmental restoration activities at the former Lake Ontario Ordnance Works Site.

**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 U.S.C. 2705, enacted by Section 211 of CERCLA.

**IV. Membership**

A. **Government Representation** - Shall consist of representatives from the following governmental organizations:

- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency, Region II
- New York State Department of Environmental Conservation

**OPERATING RULES**  
**FORMER LAKE ONTARIO ORDNANCE WORKS SITE**  
**RESTORATION ADVISORY BOARD**

**B. *Community Representation*** - Shall also consist of volunteers from the surrounding local communities. Members should provide a fair and proportionate representation of the diverse community interest. DoD guidance recommends that the board consist of no more than 20 members.

**C. *Role of RAB Members*** - Community board members have been chosen to serve as individuals and not represent any particular institution or jurisdiction. Members should express their own viewpoints on all matters considered, and bring to the board any concerns of the community. The board is not a decision making body, therefore there is no liability incurred by individual board members for participation. The board is not an advisory committee, as that term is used in the Federal Advisory Committee Act.

**D. *Adding New RAB Members*** - New community members may be added at any board meeting by majority vote of community board members. The addition of new members shall be subject to the goal of fair and proportionate board composition. Voting procedures shall be consistent with those set forth in these rules.

**E. *Compensation*** - Community members shall serve without compensation. All personal expenses, including travel shall be borne by the respective member or the member's organization.

**F. *Conflict of Interest*** - The Restoration Advisory Board should not be used as a forum for soliciting business from the U.S. Army Corps of Engineers.

**G. *Attendance*** - Regular, on time attendance is a requirement for continued board membership. Members are expected to attend every meeting. Community members who are no longer able to serve or no longer desire to serve on the board are expected to resign. Failure to attend three consecutive scheduled meetings will be deemed a resignation unless the community member notifies either co-chair prior to the third absence and requests to remain a member. When a member is unable to attend a meeting, an alternate may attend. However, this alternate is not eligible to vote.

**H. *Terms of Service*** - Board members will serve a 2-year term. Board members may serve additional terms and will be contacted (by either the community co-chair or facilitator) at the end of each term to determine whether the member is still interested in participating.

**OPERATING RULES  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE  
RESTORATION ADVISORY BOARD**

**V. Structure and Operating Procedures**

A. **Chairing** - The Restoration Advisory Board shall be co-chaired by a government co-chairperson and a community co-chairperson.

- The US Army Corps of Engineers representative will serve as the government co-chairperson.
- Community members shall separately elect a community co-chairperson and an alternate community co-chairperson. The community co-chairperson and alternate community co-chairperson shall serve for a period not to exceed two years, at which time new elections shall be conducted. No limit exists as to the number of times a member may be nominated or elected to either position.

(1) Following the initial vote for co-chair, the community members will provide nominations for individuals to serve as the community co-chairperson. At the conclusion of the nominations, a vote will be held, provided that a quorum of community members are present. The nominee receiving a majority of the votes cast shall be elected as the community co-chairperson. For purposes of determining a majority, an absent board member shall not be allowed to cast a vote.

(2) In the event that no nominee receives a majority of the votes cast, a run-off election will be held between the two nominees receiving the highest vote totals in the prior election. No other nominations can be recognized in a run-off election.

(3) Upon election of the community co-chairperson, the community members shall elect an alternate community co-chairperson in a manner consistent with the rules prescribed for the co-chairperson's election. The alternate co-chairperson shall serve as the community co-chairperson in the event that the community co-chairperson is absent from a meeting or is otherwise removed.

B. **Voting** - Voting will be done by community members only, not by representatives of federal or state government agencies, and will be limited to administrative matters (i.e. membership, operating rules). No voting shall be conducted unless a quorum is present. For purposes of these rules, a "quorum" shall be defined as "no less than a majority of community members." Any motion made at a meeting shall be approved only by a majority of votes cast by the members present at the meeting in favor of said motion. In all voting procedures, members physically present at the board meeting may only cast votes. Proxy votes shall not be recognized. An absent member may have his written comment presented by a member in attendance prior to any vote. However, such presentations shall in no way constitute a vote.

**OPERATING RULES  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE  
RESTORATION ADVISORY BOARD**

**C. Meetings:**

1. **Frequency** - Meetings are open to the public and will be held on a quarterly basis or as needed on Wednesdays until such time as the RAB members vote to change meeting frequency or day.

2. **Responsibilities of RAB administrative contractor support as designated by government co-chairperson** - The contractor shall be responsible for arranging the availability of the meeting site and reminding members of any changes in the meeting site, date and time. The contractor shall be responsible for coordinating and disseminating meeting agendas and the previous meeting's minutes. Approval of prior meeting minutes will be an agenda item for each meeting. Comments on the proposed agenda and previous meeting minutes may be provided to either co-chairperson. The contractor shall send copies of relevant documents to the members or notify members where they may obtain the documents for review.

3. **Procedure of Meeting Agendas** - The meeting agenda for the next scheduled meeting is generated by the community co-chair at the end of each meeting with input from the board members.

4. **Protocol** - Member participation will follow a formal process. An agenda will be followed at RAB meetings. Full and open discussions will be encouraged. Public comments or questions on matters not included in the agenda will be held either at the beginning or near the end of the meeting. An effort should be made to complete the agenda, including public comments and questions, between 7 and 9 p.m. A Co-Chair will ask the members for a motion to adjourn and approval of such motion in order to end each meeting,

D. **Written response to comments and requests for information** - Responses to comments or requests for information shall be provided in writing. All action items will be listed in the meeting minutes of the meeting for which they are assigned. Progress on each action item will be briefed at each board meeting. When an action item is closed, the written response will be summarized in the meeting minutes.

E. **Administrative record/information repository** - Final documents, including Restoration Advisory Board meeting minutes will become part of the administrative record. The administrative record/information repository will be available for public review.

**OPERATING RULES  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE  
RESTORATION ADVISORY BOARD**

F. ***Dispute Resolution*** - Disputes within the board will be resolved by means of a three-step process. First, the board Co-Chairs will attempt to resolve the issue. If these efforts are not successful, an independent facilitator may be brought in to resolve the issue. Disputes, which cannot be resolved by the Co-Chairs or a facilitator, may be formally presented to the USACE District Commander for resolution.

**VI. Adoption and Amendment of Rules**

These rules shall be adopted upon approval by a majority of community board members present. Approval shall be indicated by the member affixing his or her signature to this document. Any rule is subject to modification, amendment or invalidation upon a majority vote.

**VII. Termination of RAB**

Existence of the Lake Ontario Ordnance Works Restoration Advisory Board shall be terminated by any of the following events:

- termination of RAB program due to change in the law or funding;
- majority vote of the community members, provided a quorum exists; or
- failure of the community members to establish a quorum for three consecutive scheduled meetings.

**OPERATING RULES  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE  
RESTORATION ADVISORY BOARD**

IT IS SO ADOPTED:

\_\_\_\_\_  
STEPHEN YAKSICH                      DATE  
USACE Representative

\_\_\_\_\_  
EDWARD LILLY                      DATE

\_\_\_\_\_  
MIKE BASILE                      DATE  
USEPA, Region VI

\_\_\_\_\_  
NONA MCQUAY                      DATE

\_\_\_\_\_  
KENT JOHNSON                      DATE  
New York Dept. of Environmental  
Conservation

\_\_\_\_\_  
BRUCE MERO                      DATE

\_\_\_\_\_  
WILLIAM ROGER ANGUS              DATE

\_\_\_\_\_  
THERESE MUDD                      DATE

\_\_\_\_\_  
LAWRENCE BRENNEN              DATE

\_\_\_\_\_  
NILS OLSEN                      DATE

\_\_\_\_\_  
PAUL DICKY                      DATE

\_\_\_\_\_  
NEIL PATTERSON                      DATE

\_\_\_\_\_  
THOMAS FRECK                      DATE

\_\_\_\_\_  
WALTER POLKA                      DATE

\_\_\_\_\_  
TIMOTHY HENDERSON              DATE

\_\_\_\_\_  
DANIEL SERIANNI, JR              DATE

\_\_\_\_\_  
MARTIN HODGINS                      DATE

\_\_\_\_\_  
GARY SMITH                      DATE

\_\_\_\_\_  
CLYDE JOHNSTON, JR              DATE

\_\_\_\_\_  
JOHN SYMS                      DATE

\_\_\_\_\_  
CHARLES LAMB                      DATE

\_\_\_\_\_  
REBECCA ZAYATZ                      DATE

\_\_\_\_\_  
DARWIN JAMES LANGLOIS              DATE