

Brownfields Advisory Committee (BAC) Purpose

The purpose of the BAC is to provide advice to the Division of Air and Waste Management on Brownfields rules, policies, and procedures. With the assistance of the BAC, the Division's objective is to promote the cleanup and development of Brownfield sites in the state by ensuring timely and effective cleanups with protective, equitable and sustainable remedies. In addition, the BAC will address long-term stewardship for properties that have a remedy in place. The BAC will help integrate DNREC's objectives with other state and local goals for conservation and economic development. The Division will rely on the BAC to represent broad public interest and community perspectives for Delaware's Brownfields program.

In addition, the BAC will establish several subcommittees to provide input on technical, financial, and community outreach activities including, but not limited to: developing Brownfields regulations under the Hazardous Substance Cleanup Act (HSCA), amending the existing HSCA statute and regulations, reviewing loans and funding options, revising sampling and data quality protocols, and improving public participation and community involvement in the state's Brownfields program.

BAC Meeting Ground Rules

1. Start and end on time.
2. No side conversations.
3. Respect the agenda.
4. Keep an open mind.
5. Respect differences of opinion.
6. No personal attacks.
7. Be positive.
8. Speak one at a time and give everyone a chance to speak.
9. Mean what you say, and say what you mean.
10. Ask questions.
11. Help facilitator, scribe and note-taker capture ideas accurately.
12. State a purpose when introducing each new topic.
13. Make decisions by consensus with motions and votes.
14. Take breaks as needed.
15. Share responsibility for team's progress.
16. Public participation will be encouraged at each meeting.
17. Public notice of the meeting, including the agenda and the meeting minutes, once approved, will occur on the Statewide Calendar at:
<http://www.delaware.gov/egov/calendar.nsf/FutureMeetings/ByDepartment?openview&Agency=Natural%20Resources%20and%20Environmental%20Control> . The minutes for each meeting will be posted to the Statewide Calendar within five business days of approval and distributed to committee members before the next meeting.
18. All meeting documents will also be posted on DNREC's Brownfields webpage at:
<http://www.dnrec.state.de.us/dnrec2000/Divisions/AWM/sirb/brownfield.asp>.

Roles in Meetings

Chair, Jim Werner and Co-Chair, Kathy Stiller-Banning -The Chair and Co-Chair are considered the primary facilitators and will focus on the process - the “how” of the session. They will preserve the integrity and disciplined use of the process, and guide the process without directing it.

Committee Members - The BAC members are considered secondary facilitators and share responsibility for a successful group session with the primary facilitators.

Note Taker - A DNREC representative will take detailed meeting minutes for subsequent distribution to the BAC.

Draft BAC Procedural Rules

Decision-Making Process – Voting Members

- Half plus one committee member constitutes a meeting quorum.
- Half plus one of the entire committee members will constitute a decision-making quorum.
- Interim decisions can be made with a simple majority (XX votes) of the quorum.
- Final votes will require two-thirds majority (XX votes) of the entire committee present.
- Members who attend the meetings will have five working days following the issue of the meeting minutes of the last-held meeting, to modify a vote based on an item or amendment presented. (Does not apply to the final vote.)

Representation

- Each organization invited to participate on the Committee was requested to appoint a representative and an alternate (as needed), who shall be designated as such.
- If both the representative and alternate are in attendance at a meeting, but disagree on a decision, the designated representative’s viewpoint will be the only one officially considered as part of the decision-making process.
- In the absence of the designated representative, the alternate has full decision-making authority on behalf of the organization they represent but cannot overturn a previous documented (via meeting minutes) decision made by the designated representative.
- If neither the appointed representative nor the designated alternate can attend a meeting, a second alternate can be sent or a proxy given to another member provided the Chair/Co-Chair receives notification of such in writing (including electronic communication) either before or at the meeting.
- If a member or designated alternate misses three consecutive meetings, the member will be contacted to determine if they are able to participate as a full member in the BAC, or if they would prefer the option of being an interested party. If a member or designated alternate misses four consecutive meetings, a vote will be held to remove them from the BAC.

**Public Participation Rules for the
Brownfields Advisory Committee (BAC) for Development of Regulations**

Participation by non-appointed attendees of the committee meetings:

- All non-committee members must sign in.
- Before speaking, all non-committee members must state their name and organization.
- For presentations made to the committee: once the speaker has answered all committee questions, the Chair/Co-Chair will allow non-members to ask questions of the speaker. The Chair/Co-Chair has the right to stop questioning by individual non-members or all non-members.
- Prior to a vote of the committee, the Chair/Co-Chair will ask if anyone else in attendance would like to speak to an issue. Non-members will have five (5) minutes to speak per organization, excluding responses to questions asked by committee members. The Chair/Co-Chair has the right to modify the time limit. Following non-member statements, the Chair/Co-Chair will ask if further committee discussion is needed before proceeding to a vote.
- Non-member attendees to meeting will be allowed to speak during a meeting, if called on by the Chair/Co-Chair.
- For statements not pertaining to an agenda item, a timeslot and time frame for non-members will be added to each agenda.
- Taking pictures or recording the meeting is prohibited unless authorized by the Chair/Co-Chair and approved by the committee.
- Anyone violating the Public Participation Rules may be asked to leave the meeting at the request of the Chair/Co-Chair and approved by the committee.
- The public is encouraged to participate via electronic or written communication to allow the BAC to review the issue and come to the meetings prepared to discuss it. All communication can be directed to Christina Wirtz at 391 Lukens Drive, New Castle, Delaware 19720, or Christina.Wirtz@state.de.us .