

HSCA Advisory Committee (HAC) Purpose and Rules

March 2019

The purpose of the HAC is to provide recommendations, upon request, to the Department of Natural Resources and Environmental Control (DNREC), Division of Waste and Hazardous Substances (the Division or DWHS) related to the Hazardous Substance Cleanup Act (HSCA) rules, guidelines, policies, and procedures that may impact both public and private HSCA stakeholders throughout the State of Delaware. HSCA provides funding to the Site Investigation and Restoration (SIRS) and Tank Management Sections (TMS) with the primary objectives of protecting human health, welfare and the environment for the assessment, cleanup and long-term stewardship of contaminated soil, sediment, groundwater and aquatic resources in the state.

With insight from the participants of the HAC, a secondary objective of promoting equitable redevelopment and re-use of formerly impaired properties through the Delaware Brownfields program and restoration of water bodies can also be more effectively achieved. Upon request, the HAC will provide advice on integrating and promoting DNREC's objectives with other state and local goals of conservation and economic development, without compromising applicable Delaware statutes (including Chapters 74, 74A and 91, collectively called "HSCA and TMS programs") and associated regulations. The Division will rely on the HAC to represent broad public interest and community perspectives for Delaware's HSCA and TMS programs, as appropriate.

The HAC Chair and/or Co-Chair (as identified below) may establish subcommittees to provide detailed input on DNREC proposed changes to HSCA and TMS program statutes, regulations and guidance documents; funding options for cleanup and development of properties; technical, financial, and community outreach activities related to HSCA- funded programs; and, on improving public participation and community involvement in SIRS and TMS programs.

For the purpose of streamlining public notice processes, the HAC may be engaged to review and comment on proposed new or revised regulations prior to statutorily required public comment. In addition, the Division may request that the HAC provide input on other HSCA and TMS program initiatives that may not require public notice or public comment *e.g.*, guidance or policy.

HAC Roles and Responsibilities

HAC Chair and Co-Chair - The HAC Chair and Co-Chair shall be DNREC employees appointed by the Director of DWHS, and are responsible for facilitating HAC meetings. They will ensure that agendas are prepared and followed, and they will preserve the integrity and professionalism of the committee meetings.

HAC Committee Participants— Attendance and participation at HAC meetings are open to any interested party. The HAC Committee participants share the responsibility for

successful quarterly meetings by agreeing to follow the HAC Meeting Ground Rules and the HAC Meeting Participation Rules.

Recording Secretary – The Recording Secretary shall be a DNREC representative who is responsible for taking detailed meeting minutes for subsequent distribution to the HAC Committee Participants.

Subcommittee Chair – A Subcommittee Chair shall be a DNREC employee who is responsible for scheduling and facilitating subcommittee meetings. The Subcommittee Chair, or their designee, will also be responsible for presenting subcommittee activities to the HAC Committee during HSCA Advisory Committee meetings.

HAC Meeting Ground Rules

1. Start and end on time.
2. No side conversations.
3. Review the agenda in advance of the meeting.
4. Respect the agenda.
5. Respect differences of opinion.
6. No personal attacks.
7. Speak one at a time.
8. Help facilitators and the Recording Secretary to capture ideas accurately.
9. Share responsibility for the Committee's progress and success.
10. No DNREC enforcement matters shall be discussed.
11. Appropriate accommodations shall be made for differently abled members, participants, and attendees, as required by law.

HAC Procedural Rules

- HAC meetings will be held on a quarterly basis, in March, June, September, and December of each year. Additional meetings may be scheduled at the discretion of the Chair and/or Co-Chair.
- An agenda will be developed by the Division and sent to committee participants who have supplied their contact information to DNREC, via email two weeks prior to the HAC meeting. The agenda will also be posted on the Statewide Calendar at: <https://publicmeetings.delaware.gov/>
- Presentations materials that will be used during a meeting will be attached to the agenda, if available.
- Final meeting minutes from prior HAC meetings will be posted on the Statewide Calendar within 5 days of being finalized, and will be distributed to HAC participants via email prior to the next quarterly meeting.
- The appropriate Section Manager (SIRS or TMS) and/or Division Director shall make final decisions about applicable HSCA rules, guidelines, policies, and procedures after considering input from both DNREC staff and the HAC.

- All HAC meeting documents will be maintained on DNREC-SIRS's webpage.
. <http://www.dnrec.delaware.gov/dwhs/SIRB/Pages/default.aspx>

HAC Meeting Participation Rules

- All persons attending a HAC meeting should sign in so there is a record of attendance.
- Before speaking, all meeting attendees are asked to be recognized by the Chair or Co-Chair.
- A timeslot should be added to each agenda for statements not pertaining to an agenda item, *i.e.*, new business.
- Public participants of HAC meetings are encouraged to suggest meeting topics via written communication at least two weeks prior to the scheduled HAC meeting to allow the Chair and Co-Chair sufficient time to review the topic(s) of interest, add the topic to the agenda, and post the agenda on the Statewide Calendar. All communication can be directed to the HAC Recording Secretary at 391 Lukens Drive, New Castle, Delaware 19720.