

8 May 2015

TO: CAG Members  
FROM: Marion Cox, CAG Facilitator  
RE: Final CAG Operating Procedures

The attached document represents the *FINAL CAG OPERATING PROCEDURES*. This document has changed significantly since the “discussion draft” distributed at our April 8, 2015 CAG Formation Meeting #3. I want to thank all the CAG members who provided me with comments on that document. All of your comments have been incredibly useful.

I received minor “edits” from many people virtually all of which were incorporated because they made sense and improved the document. THANKS. Importantly, I also received numerous questions and suggestions on many sections of the document - all of which prompted me to talk with CAG members, including residents CAG members, expert resource CAG members, and EPA staff. Each of these conversations further informed my own thinking, and resulted in many changes, revisions, and further re-considerations of key sections of the document.

The document will continue to change over time; but for now, I am hopeful that this is a fairly complete document. I believe this FINAL document is an accurate reflection of what most of the CAG members I spoke with, and those that provided their comments, wanted to see in the way of operating procedures for their CAG.

Here are the sections that, in my view, changed the most either because they have more detail than the original draft, or because they have something new or different from the original draft:

- Section C: CAG Deliberations - This section now highlights the responsibility of the CAG Leadership Team to widely advertise all CAG meetings so that the broader community can attend; it specifies how the CAG will provide advance notice to EPA [and other partner agencies] when CAG presentations are requested; it introduces the concept of CAG Working Groups and indicates that these working groups will become a primary vehicle for communication for important issues between EPA and the CAG.
- Section D: Leadership Team and Term of Service - This section now changes the conditions of how and when members of the leadership team “rotate off,” and allows members to be re-nominated and if re-elected by the full CAG to serve an additional term. This section also now specifies what functions the Leadership Team will play for the CAG.
- Section E: CAG Member Roles and Responsibilities - This section provides more details about the 15-member CAG and includes more specific information about the “requirements” for membership on the CAG. “Requirements” for membership was one of the most frequently commented upon sections of the operating procedures. People who commented wanted to make sure this section highlighted the significant responsibilities of membership.
- Section H: Administrative and Reporting Requirements - This section provides more details about what is required to be an EPA-recognized CAG in terms of documentation and reporting requirements, and notification to the broader community of all CAG activities.
- APPENDIX A: Provides significant details on the newly forming “CAG Working Groups.”
- APPENDIX B: Provides EPA’s Statement of Roles and Responsibilities.

May 8, 2015

*FINAL CAG Operating Procedures - 1*

*Operating Procedures  
for the  
Eastwick Lower Darby Creek  
Area Superfund Site  
Community Advisory Group  
for the  
LDCA Superfund Site  
Eastwick, PA*

*Adopted  
May 2015*

***INTRODUCTION***

Section A: Mission Statement

Section B: Openness of CAG Meetings

Section C: CAG Deliberations

Section D: CAG Leadership Team and Term of Service

Section E: CAG Member Roles and Responsibilities

Section F: CAG Meeting Management and Decision Making Procedures

Section G: CAG Ombudsman

Section H: CAG Administrative and Reporting Procedures

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APPENDIX A: Working Group Formation, Structure, Functions

APPENDIX B: EPA Statement of Roles and Responsibilities

***INTRODUCTION***

Residents of the Eastwick Section of Philadelphia, PA, and the US Environmental Protection Agency [US EPA] began working together in early 2015 to establish a Community Advisory Group [CAG] for the Eastwick community, as well as neighboring communities affected by the Lower Darby Creek Area [LDCA] Superfund Site. Four CAG Formation meetings were sponsored and widely advertised by US EPA throughout the Eastwick community beginning in February 2015 and concluding in June 2015 CAG meeting. Throughout this five month CAG formation period over 75 people attended CAG formation meetings and participated in the CAG formation process. The [insert name of CAG] was formally established and recognized by US EPA in June 2015.

This Operating Procedures document was formally adopted by the CAG membership at CAG Formation Meeting #4 on May 13, 2015 held at the Eastwick Mercy Wellness Center in Eastwick, PA. These “operating procedures” are designed to serve as a guide for how the CAG will conduct its internal operations and communications, and as a guide for how it intends to communicate with the broader Eastwick community, and neighboring communities, affected by the LDCA Superfund Site, as well as partner agencies who may have a role in activities associated with the cleanup of the LDCA Superfund Site.

This document is a living document and as such it is anticipated that it will be modified, updated, and expanded, as needed to meet the needs of the CAG over time. The document can be modified at any time, based upon the recommendations of the elected Leadership Team, and with the majority vote of the CAG membership, and consistent with the laws that govern US EPA and the Superfund law that guides the cleanup of the LDCA Superfund Site.

**A. *[Insert name of CAG] MISSION STATEMENT***

The [insert NAME of CAG: herein after referred to as the “CAG”] was established in [June] 2015, by the residents of the Eastwick Section of Philadelphia, PA, as a citizens’ advisory group pertaining to the Lower Darby Creek Area [LDCA] Superfund Site [herein after referred to as the LDCA Site]. The CAG was created under the United States Environmental Protection Agency [US EPA] guidance for establishment of EPA-recognized CAGs, and is intended to serve as an on-going vehicle for information-sharing and discussion within the Eastwick community and between the community and US EPA which is the federal government agency responsible for implementing and/or overseeing the investigation and cleanup of the LDCA Site. The [insert name of CAG] is also intended to engage with other local, state, and federal agencies involved with activities related to the LDCA Site. The CAG includes participation and representation from the Eastwick community and neighboring communities [e.g., Darby Township and Delaware County] affected by Operable Units [OUs] 1,2, and 3 of the LDCA Superfund Site.

The CAG recognizes that LDCA Site cleanup decisions are ultimately the sole responsibility of US EPA in concurrence with the Pennsylvania Department of Environmental Protection [PADEP] which has specific and well-defined legal authorities for site cleanup under the Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA] also known as the Superfund Law. While EPA encourages the CAG to make recommendations and/or requests regarding the LDCA site, the [insert name of CAG] recognizes our recommendations are not binding upon US EPA, PADEP, or any potentially responsible parties implementing activities on any portion of the Site. With full understanding of our advisory role, the [insert name of CAG] fully intends to exercise its advisory powers to influence EPA decisions, and related decisions by local, state and federal agencies, wherever possible, to meet the needs of Eastwick and neighboring communities affected by the LDCA Superfund Site cleanup.

***GOALS designed to support the [insert name of CAG] 's Mission***

- To be the strongest most effective voice possible for the broader Eastwick community, and neighboring communities potentially affected by the LDCA Site, in communicating with and influencing decisions by US EPA as this relates to protection of human health and the

environment now, and for future generations regarding the LDCA Site cleanup.

- To justly and equitably represent the needs of the residents of the Eastwick community, and neighboring communities potentially affected by the LDCA Site cleanup in an ethical and responsible manner.
- To develop a thorough understanding of the Superfund process, and the LDCA Site cleanup plan, from the standpoint of environmental and human health implications, sensible and sensitive land use, and overall community objectives.
- To gather and deploy whatever expert resources are necessary to assist the CAG in its deliberations regarding issues of interest and concern to the Eastwick community, and neighboring communities affected by the LDCA Site, related to the cleanup of the LDCA Site. And, to ensure that such expert resources [technical, legal, environmental, planning, etc.] are present and actively participate in CAG meetings [and CAG working group meetings] where EPA has been invited to discuss specific issues of interest and/or concern to the CAG.
- To ensure that the community's needs and concerns, related to the LDCA Site, are clearly articulated and understood by regulators, and that these issues are presented with a unified community voice wherever possible.
- To offer EPA, and other relevant agencies, clear and well-informed recommendations regarding the remedial design, site cleanup, and future uses of the LDCA Site including the same for other portions of the LDCA Superfund Site [e.g. OU2 and OU3].
- To ensure that relevant CAG comments become part of EPA's formal Administrative Record for the LDCA site when such comments are offered as part of EPA's formal public comment period as specified by law, e.g. the Proposed Remedial Action Plan public comment period.
- To contribute to and influence decisions, wherever possible, that will affect Eastwick residents, and neighboring communities affected by the LDCA Site, made by EPA and other local, state, and federal agencies involved with designing, implementing, and completing the LDCA Site cleanup.

- To encourage positive and productive communication and dialogue between the CAG, EPA and other relevant agencies, and the community in an effort to keep the cleanup process moving forward in a manner that produces mutual trust and understanding.

**B. OPENNESS OF CAG MEETINGS**

- All CAG meetings are open to the public and are subject to public meetings and records laws [do we need a specific reference here?]
- The [Insert name of CAG] meets \_\_\_\_\_ each month from 6:30 pm to 8:30 pm. The location of CAG meetings \_\_\_\_\_.
- The CAG Leadership Team is responsible for documentation of all CAG meetings including:
  - All CAG meeting notices, meeting agendas, and meeting summaries must be widely circulated so that the broader Eastwick community knows when meetings will occur, what topics will be discussed, and what happened at each CAG meeting.
  - Notification of CAG meetings will be undertaken in a manner which maximizes the potential of the public - and in particular the communities most directly affected by the LDCA Superfund site - to be aware of the proceedings and to participate.
  - Regular meetings may be canceled or changed to another specific place, date and time provided that actual notice is given - and that the notice complies with all the approved CAG operating procedures.
  - CAG meeting summaries must provide an impartial record of the key elements of each meeting and a record of any decisions made at each CAG meeting. This summary should accurately and fully reflect the meeting proceedings for any person who could not attend the meeting.

- Special CAG meetings must be open to the public and all such meetings must have a meeting summary prepared and distributed by the normal means specified in the CAG operating procedures so that any member of the public and, in particular, members of the affected communities know what occurred at these meetings, and know how any decisions made at these meetings might affect them or their property.
- Please refer to Section G. CAG Administrative and Reporting Procedures for details about notification and reporting requirements for all CAG meetings, etc.

**C. CAG DELIBERATIONS**

- CAG meetings are designed to provide an opportunity for CAG members, Eastwick residents, and residents of neighboring communities affected by the LDCA Superfund Site, to hear and express all relevant points of view, regarding issues of interest and potential concern pertaining to the cleanup of the LDCA Site, openly and without fear of intimidation.
- When the CAG Leadership Team invites EPA to make a presentation at a full CAG meeting, EPA will be notified at the prior CAG meeting [one month in advance]. Questions will be submitted to EPA in writing by the CAG Leadership Team at least 15 working days in advance of the meeting where EPA is requested to make a presentation to ensure that EPA has adequate time to prepare to present the information the CAG is requesting. If EPA does not feel it has adequate time to respond to the CAG's request for information, EPA will notify the CAG Leadership team in time for a change to be made to the CAG's final agenda and for that final agenda to be widely circulated to CAG members and the public.
- In addition to CAG meetings, CAG Working Groups are a primary vehicle for the CAG membership to discuss and deliberate key issues of importance regarding the LDCA Site cleanup with EPA and other partner agencies.
- The CAG Leadership Team, CAG Working Groups, and EPA will work together to ensure effective communication and consultation occurs between the CAG and EPA. [Please refer to Appendix A for a more detailed description of how this coordination is designed to occur.]

- CAG Working Groups: Please refer to Appendix A for a full description of how CAG Working Groups are formed, their structure, and their function(s).

***D. CAG LEADERSHIP TEAM AND TERM OF SERVICE***

- CAG Leadership Team members will be nominated by and voted on by the full CAG membership.
- The Leadership Team of the CAG will initially be made up of 5 Resident CAG members who are selected by the full CAG membership [The number of members making up the Leadership Team may change in the future if the CAG membership votes to do so.]
- The Leadership Team will select one team member to serve as the “Chair” of the team.
- The Leadership Team will serve on a rotational basis. Each leadership position will last for 24 months with new or in-coming leadership team members selected after the first 12 months of the term so that the new members can work alongside the current CAG leadership members for a 12 month period.
- The two most senior members of the original Leadership Team will rotate off the Leadership Team after 24 months [June 2017]. The remaining 3 members of the original Leadership Team will serve for an additional 12-month “staggered” term [until June 2018] to ensure that all leadership positions do not change at the same time. During the last 12-month period 2 new leadership team members will be selected [selection to occur in June 2017] to replace the members that have rotated off thereby ensuring that 2 in-coming members are serving together with the established leadership team members for a 12-month period.
- If the full CAG membership determines they want to re-nominate one or more Leadership Team members once these members have completed their term of service, the full CAG membership can choose to do so.
- If a member of the CAG Leadership Team resigns, or if their term of service is complete and they are not re-nominated , that person will remain a CAG member unless they choose to

resign from the CAG.

*The primary functions of the Leadership Team include:*

The Leadership team is designed to provide both the leadership and functional support required to meet the needs of the community and the requirements of an EPA recognized CAG.

- Ensuring the smooth operation and effective functioning of the CAG.
- Ensuring that all CAG operating procedures are adhered to and that deliberations are productive and remain focused on the agenda approved for each meeting.
- Adhering to all CAG meeting and working group documentation and reporting requirements as specified in Section G of these Operating Procedures and as required by US EPA.
- Establishing “working groups” of the CAG when it is deemed necessary or appropriate to ensure that adequate attention is given to issues of importance to the CAG membership and related to activities at the LDCA Superfund Site.
- Inviting partner agencies, individual experts, and others as deemed appropriate to make presentations to the CAG on issues of importance to the CAG membership and related to the activities at the LDCA Superfund Site.
- Reviewing and approving all questions that the CAG has for EPA, and other partner agencies, prior to presenting these questions to the agencies for response, and prior to requesting any type of presentation by these agencies before the CAG or before a CAG working group.
- The CAG Leadership team is responsible for the selection/election process for new CAG members when CAG members resign, when their term of service is complete, or when a CAG member needs to be removed from the CAG for reasons related to their inability to continue to serve as a productive member of the CAG. This responsibility includes advertising that resident CAG positions are open and making sure that the broader Eastwick community, and neighboring communities affected by the LDCA Superfund Site, are aware

they can self-nominate, or be nominated to fill one of the open resident CAG member positions.

**E. CAG MEMBER ROLES AND RESPONSIBILITIES**

[Insert name of CAG] is composed of 3 categories of members including: Resident CAG members; Expert Resource CAG members; and Partner Agency CAG members. Resident CAG members are the only “voting” members of the CAG, and there are 15 permanent resident CAG members. Expert Resource CAG members and Partner Agency CAG members serve as “non-voting” members. There is not a pre-determined number of Expert Resource or Partner Agency CAG Members; rather the CAG members, through the Leadership Team, will determine when they want to invite more expert resource or more partner agencies to join the CAG members.

**Resident [voting] CAG Member:**

- All resident CAG members serve as “voting” CAG members.
- [Insert name of CAG] is composed of 15 resident CAG members who represent nine [9] segments of the Eastwick community including:
  - residents who live on the planet streets [5 members]
  - residents impacted by construction traffic [2 members]
  - residents living near the refuge [1 member]
  - residents impacted by the landfill but not living on the planet streets [1 member]
  - residents impacted by flooding [2 residents]
  - residents from Delaware County and Darby Township [1 member]
  - an Eastwick resident and business owner [1 member]
  - parents and grandparents with children living near the landfill [1 member]
  - an Eastwick resident and educator impacted by the landfill [1 member]
- The resident CAG membership can vote to change this designation for representation if and when that becomes useful or important to do.
- The original CAG [selected in June 2015] has 21 resident CAG members selected to serve in 15 resident CAG member positions. Several of the original CAG members chose to “team”

together serving in one CAG member position. When these original resident CAG members resign, or leave the CAG for any other reason, they will not be replaced until the CAG membership reaches the intended number of 15 permanent resident CAG members.

- When new CAG members are selected to serve on the CAG, they will be asked to represent those segments of the community that may be un-represented at the time they are selected to ensure that the original intent of the CAG representation remains fulfilled.
- Resident CAG members will serve for 3 years beginning with the first formal CAG meeting in June 2015.
- Resident CAG members can be re-nominated and elected to serve an additional 2-year term with approval of the resident CAG membership.

Requirements for resident CAG membership:

- Individuals must be a resident of Eastwick PA [definition to be supplied by the CAG through the Leadership Team], or a resident of Delaware County or Darby Township to fill that resident CAG member position.
- CAG members who choose to participate understand that the Superfund cleanup is a long-term process on the order of years; therefore, participation requires a long-term commitment from CAG members. CAG members can best serve the community by understanding the need for a longer term commitment.
- Resident CAG members are expected to attend all meetings to ensure consistency, informed discussion, and effective deliberations.
- If a Resident CAG member misses 3 consecutive regularly scheduled CAG meetings [unexcused and without prior notice to a member of the Leadership Team], that individual will be asked to give up their CAG member position. If the CAG member who misses these meetings is teaming with another resident to share a CAG position, that position can become a one person position with the other team member assuming the full CAG position.

- Resident CAG members must be present to vote on issues or questions brought before the CAG. If a member is not present, they cannot ask other CAG members to vote in their place.
  
- Resident CAG members are expected to:
  - Take the time necessary to stay informed and up-to-date on the key issues under discussion by the CAG including review of documents and information requested by the CAG and supplied by EPA, partner agencies, and others involved with the LDCA cleanup as well as requests made by EPA of the CAG.
  - Openly communicate and consult with others in the Eastwick community about CAG activities in order to better serve the broader community as a CAG member
  - Take the time necessary to acquire a basic understanding of the Superfund cleanup process and the key issues of interest to the Eastwick community during implementation of the cleanup plan for the LDCA Site.
  - Resident CAG members who represent the interests of a specific segment of the community [e.g., the elderly, parents or school-aged children, residents affected by flooding, etc.], are expected to take the time necessary:
    - To reach out and communicate with community members you have been selected to represent;
    - To present questions, concerns, issues, and ideas from those you have spoken with who do not attend CAG meetings; and
    - To report back to these same community members the results of CAG discussions on the issues of interest or concern to these residents.
  - Resident CAG members should productively contribute to CAG deliberations, work with other CAG members to identify and resolve any outstanding differences or issues that could negatively impact CAG activities, and contribute to achieving the CAG's stated goals.
  - Resident CAG members should, where disagreements arise, be prepared to work within the approved CAG bylaws or operating procedures to resolve these issues avoiding personal attacks or disruptions to on-going operation of the CAG.
  
- Resident CAG members will vote on specific issues brought before the CAG for resolution.
  - If two residents are sharing a single CAG member position, they share one vote on the

CAG. When only one of the 2 residents sharing the same CAG position is present, that person can cast the vote for that CAG member position. If both are present they must decide together how to cast their one vote; or they will split their vote with each member casting 1/2 of a vote.

• Replacement of resident CAG Members when they resign or term of service is complete:

- The CAG Leadership Team is responsible for the selection/election process for resident CAG members.
- The Leadership Team must advertise that resident CAG member positions are open to ensure that members of the Eastwick community, and neighboring communities affected by the LDCA Superfund site, can self-nominate or be nominated to fill one of the open positions if they meet the definition of “resident” CAG member.
- Individuals can self-nominate or be nominated by others.
- Those nominated to be a “resident” CAG member must meet the definition of “resident” CAG member.
- Resident CAG members will vote on new resident CAG members with selection by majority vote.
- New or additional expert resource CAG members, and new or additional partner agency CAG members can self-nominate, be recommended by existing CAG members, or be recommended by the CAG Leadership Team.
- The CAG Leadership Team will decide which recommendations should be formally nominated for CAG membership.
- These nominees will then be voted upon by the full CAG membership.

**Expert Resource [non-voting] CAG members:**

- Attend CAG [or CAG working group] meetings as appropriate where attendance is requested by the CAG, and attend any other meetings they choose to attend as a non-voting member.
- Contribute to CAG deliberations by bringing information/expertise to the CAG membership as requested, or as they think appropriate, to assist the CAG in meeting its stated goals.
- Provide opinions and advice which may assist CAG members in becoming educated about

and understanding of key issues at the site during any portion of the Superfund process, including implementation of the “record of decision” or cleanup plan for the LDCA site.

- Attend and actively participate in CAG meetings where EPA, and other partner agencies, have been invited to discuss specific issues of interest and/or concern to the CAG and the Eastwick community, as well as neighboring communities affected by the LDCA Superfund Site.
- Contribute to technical discussions to ensure that all points of view, and any expert technical advice, is openly and transparently discussed while EPA, and other partner agencies, and are present and can engage in a true dialogue with the CAG.
- Abide by all CAG operating procedures that affect Expert Resource Members.
- Recognize that you have an affirmative obligation to disclose any conflict of interest, or potential conflict of interest, to the CAG Leadership Team so that they can make a determination whether you can serve as a CAG expert resource member.

**Partner Agency [non-voting] CAG members:**

- Attend CAG [and/or CAG working group] meetings where their attendance is requested by the CAG, and attend any other meetings they choose to attend as a non-voting member.
- Provide information requested by the CAG in a timely manner [to be defined by the CAG, in a mutually satisfactory way] so that the CAG can use this information to inform their deliberations.
- Offer their insights and analysis of the information and data requested so that CAG members understand how the information provided by the Partner Agency CAG members can best be used and interpreted, and how it might be used in the decision making process at the LDCA Site.
- Additionally each of the partner agency CAG members is asked to describe his/her role in more detail consistent with their legal or statutory authority at the LDCA site including:

- PLEASE REFER TO APPENDIX B FOR A FULL DESCRIPTION OF EACH PARTNER AGENCY'S STATEMENT OF ROLES AND RESPONSIBILITIES INCLUDING US EPA

**F. CAG MEETING MANAGEMENT and DECISION MAKING PROCEDURES**

Meeting Management

- The CAG Leadership Team will develop and operate with a set of approved “ground rules” for all CAG meetings.
- The CAG Leadership Team will share responsibilities for managing CAG meetings with each Leadership Team member sharing the following responsibilities:
  - Serving as the Chairperson of the meeting calling the meeting to order and taking responsibility for moving through the approved agenda
  - Serving as the timekeeper for the meeting ensuring that the agenda is adhered to along with the time scheduled for each agenda item
  - Serving as the person who manages the “question and answer” periods following presentations or during substantive discussions
  - Serving as the monitor or enforcer of all agreed upon “ground rules” for the meeting
  - Serving as the note-taker keeping an impartial record of the meeting, and preparing the meeting summary for each CAG meeting.
- The CAG Leadership Team will call on CAG Working Groups to report out to the full CAG membership at each CAG meeting, and submit a written working group summary to be included as part of the CAG meeting summary for each meeting.
- The CAG Leadership Team will ask Resident CAG members representing different “segments of the community” to report to the full CAG membership on any interactions they have had with the segment of the community they represent - including any questions, concerns, etc. that the community has asked be brought back to the CAG for its consideration or discussion - at each CAG meeting, or at meetings where the topics being discussed merit a report from those resident CAG members.

- During the first year of its operation, the CAG Leadership Team will develop more detailed meeting management procedures and standard meeting “ground rules” to ensure open and productive discussions. The Leadership Team will work with both the Working Group co-chairs, and with the Ombudsman to identify any issues, problems, or suggestions that have emerged during the first year that can be addressed through specific and detailed meeting management procedures to improve the functioning of CAG meetings.

*CAG Decision Making*

- The CAG will endeavor to develop a single unified statement on key issues brought before the CAG for a decision or resolution. These statements will serve as CAG decisions and will be recorded as such in the CAG meeting summaries.
- Where differences within the CAG membership remain, and a single unified statement is not possible, the CAG will take a vote to make its decisions with a simple majority prevailing.
  - Additionally, the CAG will document opposing points of view, clearly and succinctly as part of the meeting record of CAG deliberations and decisions.

**G. CAG OMBUDSMAN**

- [Insert name of CAG] is establishing an “Ombudsman” position to provide a vehicle for any member to raise questions or concerns about the conduct of the CAG generally, and to ensure approved operating procedures are being adhered to in a fair and consistent manner.
- The “Ombudsman” position is independent from the Leadership Team yet operates with the support of the full CAG membership.
- The “Ombudsman” will report out at each CAG meeting detailing any comments or complaints received and will seek to resolve or address these issues or complaints with the assistance of the CAG Leadership Team and CAG members.
- The “Ombudsman” serves as an informal vehicle to resolve issues brought to its attention and will work with the parties involved, including the CAG membership, and/or the CAG Leadership Team as required to resolve these issues.

- The Ombudsman will determine if and when the issue has been resolved to the satisfaction of all parties and will notify the CAG membership of this determination.
- If the problem/issue raised becomes routine or appears “systemic” the Ombudsman may work with other CAG members, and/or the CAG Leadership Team to make recommendations on how to avoid similar situations in the future.

#### **H. CAG ADMINISTRATIVE and REPORTING PROCEDURES**

##### Providing formal public notification of all CAG meetings:

- CAG meeting notices must be posted no later than 2 weeks [10 working days] in advance of all CAG meetings ensuring that the notice is widely available to the Eastwick, PA community, and others interested in and affected by activities at the LDCA Superfund Site. At a minimum, the CAG will post its meeting notices [including agenda items] on the EPA LDCA website, and should attempt to find other outlets for notification in the communities the CAG represents.
- Meeting notices shall include the time and place for holding regular meetings. The notice will also include an agenda, or list of the primary subjects to be considered at the meeting.

##### Special CAG meetings

- Special meetings may be called by the CAG Leadership Team by notifying all CAG members and the general public not less than 48 hours prior to the time of the special meeting.
- A special meeting should be called only if necessary to conduct business that cannot wait until the next regularly scheduled meeting. When possible, notice should be provided as soon as possible to encourage broad public participation.
- Any “special” CAG meetings will be noticed or advertised any way possible to make sure that any CAG member or member of the broader community is aware of the meeting in time to attend.

Development and Circulation of CAG Meeting Agendas:

- The preferred “agenda building process” is one in which, at the end of each CAG meeting, 15-20 minutes is set aside for CAG members to identify and agree on the main issues to be discussed at the next meeting. These issues will be recorded as “preliminary agenda items” for the next meeting. This process is designed to help ensure that all CAG members participate in defining the agenda for each meeting. These items are not expected to change unless something significant happens that requires a change to the preliminary agenda. This process is put into place so that no one has the ability to arbitrarily decide what topics or key decisions will be put on CAG agenda without consultation with the CAG members.
- If the preliminary meeting agenda changes, a final meeting agenda will be distributed to the CAG membership, and the community as a whole, at least one week [or 5 working days] in advance of each regularly scheduled CAG meeting. At a minimum, the final agenda will be posted on EPA's LDCA website at least one week [5 working days] in advance of the meeting.

Developing, circulating for review, and approving an impartial meeting summary:

- Each CAG meeting will be recorded [by a member of the CAG Leadership Team]; a summary of all CAG meetings, including a record of all key decisions, etc. must be approved by the full CAG membership. Once approved, the final meeting summary will be posted on the CAG website. Meeting summaries should be completed within 2 weeks [10-working days] following each CAG meeting and submitted for CAG approval at the following meeting.
- Wherever possible, the meeting summary will include “action items”. The use of “action items” where appropriate will ensure that CAG activities are productive and results oriented.
- All final CAG meeting summaries will be posted, at a minimum, on EPA's LDCA website.
- [The CAG may decide to develop and maintain its own website at a later date].

***I. CAG PROCEDURES FOR TALKING WITH THE MEDIA***

- CAG members agree to make statements to the media with a single voice - and give the CAG Leadership Team the authority to speak on their behalf. This means that no CAG member will speak to the media [print, electronic, or social media] on behalf of the full CAG. Only the Leadership Team can speak on behalf of the full CAG.

- If individual CAG members want to speak directly to the media, they agree to state clearly and specifically that their statements are being made as an “individual” CAG member, and that their statements, opinions, and comments do not reflect the position of the full CAG membership.
- The CAG Leadership Team agrees to speak with one voice to the media - when instructed to do so by the full CAG membership. This means the CAG leadership team will talk together and develop coordinated statements when required, prior to talking with the media, and will report back to the full CAG membership after talking with the media.
- In some cases, the CAG Leadership Team may specifically request a CAG member or expert resource member to speak to the media about an issue. This would be the only time that someone outside the Leadership Team would represent the CAG - and would be done only at the explicit request and with the concurrence of the FULL Leadership Team.

**APPENDIX A****CAG WORKING GROUPS  
FORMATION, STRUCTURE, FUNCTIONS****CAG WORKING GROUPS**

Initially, the [insert name of CAG] is establishing two working groups. It is anticipated that there will be more working groups established during the life of the CAG. The first working groups are:

- Health and Safety [established June 2015]
- Technical/Remedial Design [established June 2015]

**Working Group formation**

- Working groups are established by the CAG Leadership Team.
- Working groups will be formed around issues or topics directly related to activities associated with the investigation and cleanup of the LDCA Superfund site.
- Suggestions for the establishment of a new working group can be brought forward to the CAG Leadership Team by any CAG member.
- If, after discussion by the full CAG membership, a majority of CAG members want to see a working group formed, the Leadership Team will formally establish the working group.
- Once the formation of the working group is announced, the Leadership Team will work with the CAG membership to identify a resident CAG member, and an expert resource CAG member to serve as co-chairs of the new working group.
- The new co-chairs will have one month [until the next regularly scheduled CAG meeting] to set up their working group and be prepared to report back to the CAG at that meeting.
- All active working groups will report to the CAG at each regularly scheduled CAG meeting.
- Each working group will recommend to the CAG Leadership Team when it thinks it has accomplished its goals and when its work is complete.
- The CAG Leadership Team will act on the recommendation of the working group co-chairs to determine when each working group can be retired.

**Working group structure**

- Each working group will include 5 CAG members selected to serve permanently on the working group as long as it is in existence. Members will include:
  - 2 co-chairs [1 resident CAG member, 1 expert resource CAG member with expertise in the subject matter wherever possible]
  - 3 additional CAG members who are committed to study the issues in-depth in order to communicate and consult directly with EPA and other partner agencies
  - EPA will serve as a member on all working groups

- Partner agencies will serve on working groups when invited to do so by the CAG Leadership Team and the co-chairs of the working group
- Other parties and subject matter experts, as deemed appropriate by the CAG Leadership Team and/or as recommended by EPA or the working group co-chairs, may be invited to participate on working groups as deemed appropriate.
- All CAG working groups are open to all CAG members, the broader Eastwick community, and neighboring communities affected by the LDCA Superfund Site. All interested parties are strongly encouraged to participate in working group meetings in order to learn more about the subjects and issues that may be of particular interest to them.
- Working group meetings will be scheduled to occur immediately prior to regularly scheduled CAG meetings, wherever possible, so that CAG members and/or the public can attend if they are interested in doing so with the greatest amount of ease.
- With appropriate notice to all working group members [including EPA and other participating partner agencies] and the public, the co-chairs may organize informal working group meetings [or conference calls] where other experts are invited to provide additional technical information and advice to the working group members when it is not possible to schedule these experts to attend regularly scheduled working group meetings.
- Contact information for CAG working groups, and the working group co-chairs, will be posted on EPA's LDCA website so that members of the CAG, the Eastwick Community, and other affected stakeholders can communicate with the co-chairs and participate in the working group meetings whenever possible.

#### Working group functions

The primary purpose of CAG working groups is to encourage information exchange between the CAG membership, partner agencies, and the communities affected by the LDCA Superfund Site and the cleanup activities associated with the Site. The working group structure is designed to provide a forum for in-depth dialogue on identified issues and questions among CAG members, community members and/or interested parties, technical experts, and agency staff who are interested in and/or knowledgeable about the subject matter of the working group. This makes the working group different in focus from the overall CAG meetings.

#### *Functions working groups will perform include:*

- The working group co-chairs will consult with the CAG Leadership Team and EPA to determine exactly what issues/questions the CAG membership wants answered or explored through the working group [timeframe needs to be defined??]
- Working groups will serve as a primary vehicle for communicating the CAG members' questions and concerns to EPA and other partner agencies, and for EPA to solicit information and input from the CAG membership on key questions the Agency is seeking input on from the community.
- The working group co-chairs will present CAG members' questions to EPA in written form at least 10 working days in advance of the working group meeting where these questions or subjects will be discussed - or within a timeframe mutually acceptable to EPA and the WG co-chairs.

- The working group co-chairs will provide specific input from the full CAG membership when EPA makes these requests in writing at least 10 working days in advance of the working group meeting where the questions or subjects will be discussed - or within a timeframe that is mutually acceptable to the WG co-chairs and EPA.
- The working group co-chairs will report back to the full CAG membership at each regularly scheduled CAG meeting.
- Working groups may, on occasion, bring issues/questions back to the full CAG and ask the Leadership Team to have the CAG membership take a vote on some issue that the working group feels requires a decision by the full CAG.
- Working groups will prepare and distribute written summaries of all working group meetings so that all CAG members, and the broader community of stakeholders affected by the LDCA Superfund Site, can remain informed about what is happening and what decisions [if any] are being made on behalf of the CAG at CAG working group meetings.
- All CAG working group meetings must be publicly noticed, and include an agenda of the topics to be discussed, so that CAG members, members of the Eastwick community, and other interested stakeholders, can attend and participate in working group meetings if they choose to. This meeting notification must meet all relevant notifications and reporting requirements specified in the CAG Operating Procedures for the full CAG.

***HEALTH AND SAFETY WORKING GROUP***  
***[Established June 2015]***

Co-Chairs: Chere Driver, Resident CAG Member  
Dr. Marilyn Howarth, Expert Resource CAG Member

Working Group Members: [to be determined]

Goals of the Working Group:

- To enhance the “environmental health literacy” or understanding of the CAG membership and the Eastwick community regarding health and safety issues of interest or potential concern
- To provide focused and specific input to US EPA [and other partner agencies] as requested on health and safety issues specifically related to the remediation of the LDCA Superfund Site

***Technical Working Group  
[Established June 2015]***

Co-Chairs: Eileen San Pedro: Resident CAG Member  
Derron LaBrake: Expert Resource CAG Member

Working Group Members: [to be determined]

Goals of the Working Group:

- To enhance the “engineering design literacy” or education of the CAG membership and the Eastwick community regarding engineering design issues of interest or potential concern;
- To facilitate the broader understanding of complex environmental design concepts and to disseminate technical information in a way that allows the CAG membership and the Eastwick community to make informed recommendations to US EPA as they relate to the remediation of the LDCA Superfund Site [e.g., the leachate treatment wetlands, the evapotranspiration cap, etc.]
- To provide focused and specific input to US EPA [and other partner agencies] as requested on engineering design issues specifically related to the remediation of the LDCA Superfund Site.

**APPENDIX B**  
**PARTNER AGENCY**  
**ROLES AND RESPONSIBILITIES STATEMENTS**

**US EPA Statement of Commitments as a CAG Partner Agency Member**

The US EPA LDCA Site Team will serve as a permanent Partner Agency member of the [insert name of CAG]. Josh Barber, Remedial Project Manager and Larry Brown, Community Involvement Coordinator for the LDCA Site will serve as EPA's members on the CAG.

EPA hopes that by discussing specific topics with the CAG and CAG working groups on a regular basis, the community's concerns and questions will be taken into account and these issues will be reflected in EPA documents that are provided to the CAG for review.

EPA expects to work closely with the [Insert name of CAG] in a collaborative manner throughout the cleanup process at the LDCA Site including, but not limited to, the following types of communication and consultation activities:

**Sharing of EPA information and site planning documents with the CAG**

**Technical Documents**

- EPA intends to provide relevant information about current and developing site topics during CAG meetings and/or CAG working group meetings when requested and solicit input from the CAG membership on those topics. For example:
  - EPA intends to share Clearview Landfill sampling plans, design and construction documents, etc., when they are in a draft final form and are at a point where they reflect EPA and PADEP's current position and are close to completion.
  - EPA welcomes questions and comments regarding these draft documents during CAG Technical working group meetings [or CAG meetings] as appropriate.
  - However, the Agency will maintain its normal public review and comment procedures for incorporating public comments into these documents.
  - EPA will not prepare written responses to questions posed by the CAG working group or by the CAG through the Leadership Team.

- EPA will review and comment on CAG working group summaries and CAG meeting summaries to ensure that information presented to the CAG by EPA is accurately reflected in these summaries.

Community Involvement Documents

- EPA will also seek the CAG's input regarding EPA's community involvement tools and approach [i.e., the community involvement program] for the LDCA Site as it is developed. It is likely that the engagement with the community will be constantly evolving and regular input from the CAG will be essential to ensuring that EPA's outreach is effective and informative.

Normal EPA requirements for public review and comment

- The CAG will not receive any special treatment, beyond that extended to the general public during normal public comment periods, on key technical or community involvement documents that the Agency circulates for public review and comment.

***Responding to CAG requests for information from EPA***

EPA Participation in full CAG meetings

- EPA will attend all CAG meetings as a partner agency
- EPA expects the CAG Leadership Team will coordinate all information requests from the full CAG membership including:
  - General questions from the CAG membership
  - Requests for EPA presentations before the full CAG membership [requests should be made at least one CAG meeting prior to when the presentation is expected to be delivered.]
- EPA will do its best to respond to questions, concerns, etc. presented during CAG meetings [or CAG working group meetings] When topics or questions cannot be adequately addressed during a particular CAG meeting, EPA will attempt to come prepared, to the best of its ability, to address those issues at the next CAG meeting or working group meeting as appropriate.
- EPA will not provide written responses to questions discussed during CAG meetings; however, EPA will review and provide comments on draft CAG meetings summaries [or working group meeting summaries] to ensure that they capture EPA comments fully and accurately.

**EPA Participation in CAG Working Group Meetings:**

- EPA staff will participate in all “working groups” established by the CAG Leadership Team to help ensure that the Agency is actively engaged with the CAG and providing information requested by the CAG.
- EPA expects that the Co-Chairs of CAG Working Groups will coordinate all information requests from EPA with the CAG Leadership Team and that the co-chairs will submit requests for information to EPA as follows:
  - Wherever possible, questions will be presented to EPA in writing at least 10 working days prior to CAG working group meetings so that EPA has time to fully consider the questions
- The EPA Remedial Project Manager (RPM) and Community Involvement Coordinator (CIC) will also make arrangements to bring other EPA technical experts to CAG meetings [or CAG working group meetings], as necessary and as those experts are available.
- EPA expects that specific topics, questions, and related technical expertise that are to be discussed at upcoming CAG meetings or working group meetings will be established during the previous meeting. This will intended to provide EPA with sufficient time to come prepared to discuss identified topics or issues.

***EPA ASSISTANCE TO THE CAG IN IDENTIFYING OTHER AGENCIES TO WORK WITH  
[INSERT NAME OF CAG]***

- It is likely that EPA may not be able to answer certain questions posed by the CAG as they may fall under the responsibility of another federal, state or local agency.
- EPA expects to help the CAG identify the appropriate contacts to address questions and issues of this nature.
- Should the CAG wish to invite any federal, state, or local agencies as “partner agency” CAG members, EPA can assist with identifying the correct contacts with those agencies or groups.