UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OSWER 9230.0-99

Signed October 12, 2001

MEMORANDUM

SUBJECT: Early and Meaningful Community Involvement

FROM: Elaine F. Davies, Acting Director *s/Elaine F. Davies*
            Office of Emergency and Remedial Response

TO: Superfund National Policy Managers, Regions 1 - 10

PURPOSE

To improve early and meaningful community involvement in Superfund site decision-making.

BACKGROUND

In an April 10, 2001, memo on EPA's Regulatory Decision Process, Administrator Whitman endorsed "vigorous public outreach and involvement" in working toward environmental goals. Her support for effective public participation is consistent with the Agency's draft Public Involvement Policy (65 *Fed. Reg.* 82335, December 12, 2000). Among other things, the draft Policy emphasizes that Agency programs, when implementing their responsibilities, should:

1. Plan and budget for public involvement.
2. Identify interested parties.
3. Consider technical or financial assistance.
4. Provide timely and useful information and outreach.
5. Conduct meaningful involvement activities.
6. Assimilate public input and provide good feedback.

Superfund has a long-standing commitment to community involvement (also known as public participation) that incorporates these functions. In a 1991 memo(OSWER Directive 9230.0-18), one of my predecessors, Henry Longest, encouraged site responders to "demonstrate to citizens that they are involved in the decision-making process." That memo identified four key practices:

– Listen carefully to what community members are saying.

- Take the time needed to deal with community concerns.
- Change planned actions where community input has merit.
- Explain to the community what EPA has done and why.

This memo builds on the 1991 memo and encourages more substantive involvement of communities from the very outset of a cleanup. The involvement should begin prior to any on-site work and continue throughout the cleanup process, including during any 5-year reviews. This memo focuses on six practices that you should be implementing during Superfund responses.

PRACTICES FOR EARLY AND MEANINGFUL INVOLVEMENT

1) **Energize the community involvement plan (CIP)**. The CIP should be a living vision that is focused, current and helpful. Ideally, a draft of the CIP should be reviewed by the community to ensure that the CIP is on target and meaningful. Making the involvement plan an actual partnership plan, endorsed by the community, is a best practice. All site team members should contribute to early development and implementation of the CIP.

2) **Provide early, proactive community support**. You should do more to promote and give assistance to communities from the very outset of the work at a site. Superfund has a variety of community assistance mechanisms: Technical Assistance Grants, Community Advisory Groups, Technical Outreach Services to Communities, and the Superfund Job Training Initiative. You should make sure community groups know about these opportunities by the end of the site investigation and you should encourage them throughout the cleanup process to take advantage of what is available. You should also be creative in identifying site-specific ways to enhance the ability of a community to participate (e.g., arranging for educational activities or facilitation services).

3) **Get the community more involved in the risk assessment**. You should assume the community will be able to understand risk assessments and provide useful input. If the right questions are posed, the community can make important contributions from the outset. In particular, you should ask community members about patterns and practices of chemical usage, exposure pathways, and health concerns. At big or controversial sites, you should share a draft of the scope of work with the community and answer questions that are raised about it. You should also provide regular and clear feedback on the progress of the risk assessment and its results. For more ideas, see OSWER Directive 9285.7-01E-P, Community Involvement in Superfund Risk Assessments.

4) <u>Seek early community input on the scope of the remedial investigation/feasibility study (RI/FS)</u>. Soliciting input before the start of the RI/FS on its scope and approach is a concrete demonstration that you take early involvement seriously. In particular, you need to ask the community what cleanup alternatives should be evaluated during the FS and then consider thoughtfully the input you get. This does not mean you have to do or include exactly what the community wants. It does mean you should listen carefully to identify and understand significant concerns that have merit and should be addressed.

5) <u>Encourage community involvement in identification of future land use</u>. The Superfund Redevelopment Initiative focuses on helping communities participate in identifying future land use at Superfund sites. Early during removal and remedial site planning, you should work with the community to develop a process for exploring future use. This should include providing the information and tools to make this exploration a success. The community should have the lead in assessing its social, economic and recreational needs and in giving us its perspective of the most likely future use. You should encourage this effort, while not advocating particular views or options.

6) <u>Do more to involve communities during removals</u>. Early and meaningful community involvement at removals is important. Whether it is an emergency response or a non-time critical action, community involvement should not be neglected or postponed. While initial calls should be to state and local authorities, soon thereafter you should reach out to the entire community, which may have a high level of anxiety and concern about health and safety. You need to demonstrate our sincere concern and credibility in order to set the stage for the community cooperation that may be critical during the response (e.g., during an evacuation or relocation). You should not wait to share important information. If you proceed in a spirit of "early, humble coordination," as one On-Scene-Coordinator once put it, you will be surprised at how much good input and help you get.

<u>IMPLEMENTATION</u>

The practices described above are good ways to help achieve early and meaningful community involvement(see attachment for a handy checklist). They are by no means the only effective approaches. Indeed, they may not even be appropriate in certain circumstances. Each community is different and deserves its own, well-thought-out involvement plan. As you conduct removal and remedial actions, you should be creative and proactive in looking for opportunities that

meet the needs and interests of the community, while making sound cleanup decisions. You should always be clear about the respective roles of the participants to avoid creating unrealistic expectations about how decisions will be made.

The responsibility for community involvement is a team effort. You achieve the best results when all the key players -- the remedial project manager, the on-scene coordinator, the risk assessor, the legal advisor, the site assessment manager and the community involvement coordinator -- cooperate to effectively involve the community. Also, all program managers should look for ways to encourage community involvement and to recognize staff members who successfully practice it.

CONCLUSION

Public involvement is an integral part of both removal and remedial actions. Involvement should occur early and be sustained in a meaningful way throughout all stages of our work. This is strongly encouraged by EPA's Public Involvement Policy and should lead to better cleanups and more satisfied communities.

Copies of this document are available on our web site at http://www.epa.gov/superfund/pubs.htm. General questions about this topic should be referred to the Call Center at 1-800-424-9346.

Attachment

cc: Jeff Josephson, Lead Region Coordinator, USEPA Region 2
     NARPM Co-Chairs
     On-Scene Coordinators
     Community Involvement Managers
     OERR Records Manager, IMC 5202G
     OERR Documents Coordinator, HOSC 5202G

**Key Practices for Early and Meaningful
Community Involvement at Superfund Sites**

<u>From OSWER Directive 9230.0-18</u>

- C Listen carefully to what community members are saying.
- C Take the time needed to deal with community concerns.
- C Change plans where community suggestions have merit.
- C Explain to the community what EPA has done and why.

<u>From OSWER Directive 9230.0-99</u>

- C Energize the community involvement plan.
- C Provide early, proactive community support.
- C Get the community more involved in the risk assessment.
- C Seek early community input on the scope of the remedial investigation/feasibility study.
- C Encourage community involvement in identification of future land use.
- C Do more to involve communities during removals.

Useful Resources

EPA Draft Policy on Public Involvement:
   http://www.epa.gov/stakeholders/policy.htm

Model Plan for Public Participation:
   http://es.epa.gov/oeca/oej/nejac/pdf/modelbk.pdf

Lessons Learned About Superfund Community Involvement:

http://intranet.epa.gov/oerrinet/topics/cioc/lessons/index.htm

Community Involvement in Superfund Risk Assessments:
   www.epa.gov/oerrpage/superfund/programs/risk/ragsa/ci-ra.htm

Superfund Community Involvement Website:
   http://www.epa.gov/superfund/action/community/index.htm

Superfund Redevelopment Initiative Website:
   http://www.epa.gov/superfund/programs/recycle/recycle.htm

EPA Stakeholder Website:
   http://www.epa.gov/stakeholders/intro.htm

International Assoc. of Public Participation Practitioner
Tools:
   http://www.iap2.org/practitionertools/index.html

Community Partnering for Environmental Results: A computerized
   learning program for developing community involvement
skills
   (see Regional Training Officer or Community Involvement
   Manager for access)