#### FINAL WEBINAR SUMMARY

# HANFORD ADVISORY BOARD PUBLIC INVOLVEMENT & COMMUNICATIONS COMMITTEE MEETING October 3, 2011

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This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

#### Welcome, introductions, and webinar overview

Susan Hayman, EnviroIssues, welcomed participants to the Hanford Advisory Board (HAB or Board) Public Involvement and Communications Committee (PIC) webinar and reviewed webinar logistics. Susan introduced call participants.

Susan reviewed the purpose of the webinar:

- To provide an opportunity for questions and discussion regarding the preliminary draft Hanford Public Involvement Plan (Plan).
- To receive a brief presentation of the results of the recent Heart of America Northwest public involvement survey (the results of which may be relevant to topics addressed in the Plan.
- To identify any draft advice points regarding the Plan in preparation for the November HAB meeting.

Susan reviewed the agenda.

#### <u>Introduction to the preliminary draft Hanford Public Involvement Plan</u>

Emy Laija, U.S. Environmental Protection Agency (EPA), said she will be reviewing the schedule for the Plan, as well as major proposed changes. Emy said the Plan was shared with the HAB in preliminary draft form on September 26, and a listserv notice for public meetings on the Plan was distributed on September 29. The notice also provided information on how the Tri-Party Agreement (TPA) agencies agreed on where to hold the public meetings. The 45 day public comment period for the Plan will begin on October 10 and will end November 28. A webinar has been scheduled for November 9, and the public meetings have been scheduled for November 15 in Seattle and November 16 in Spokane.

Emy noted the first major revision to the Plan, which was the title; the title was changed from the Hanford Site Tri-Party Agreement Public Involvement Community Relations Plan to the Hanford Public Involvement Plan at the request of the Board. Other major changes include:

- Rearranged the order and flow of information.
- Streamlined by eliminating excess information that is readily available online.
- Updated the Hanford Site Information and Cleanup Activities.
- Added online resources and photos.

Emy reviewed substantive changes to the Plan:

- The introduction to the Plan is meant to orient people unfamiliar with the Hanford Site; Figure 1 was updated to better reflect the layout of the site.
- The section entitled "What is the Public Involvement Plan" now includes more engaging photographs and addresses the process the agencies go through when updating the Plan.
- Section 1 addresses the importance of public involvement and includes new bullets relating to goals, and updated information on the public notification process and public comment periods. The public involvement evaluation process has changed significantly to represent that it will be the responsibility of the regulating agencies, EPA and Washington State Department of Ecology (Ecology), to assess how public involvement is working for Hanford. Section 1 includes reference to the Hanford website where relevant.
- Information on the Hanford Speakers' Bureau and the Hanford Site Public Tours has been incorporated to include how to contact both programs with speaker and tour requests, including the website where the public can sign up for tours.
- Section 2, the Hanford Decision Making Process, remains unchanged from previous versions in regards to information and figures, as the section is mostly to fulfill requirements.
- Section 3, Information Resources, has been significantly updated to include online resources, how to join the mail/email lists, and how to find and use the TPA Public Involvement Calendar, which was not available as a tool for the 2002 version of the Plan. The media activities section and information on the public repositories have been updated as necessary.

- Section 4, Other Groups Involved in Hanford, features only minor changes, including the addition of pictures.
- Section 5 has been scrubbed for outdated information and updated for new Hanford terminology, including references to the River Corridor and Central Plateau, which was not common terminology in 2002.
- Appendix C is an acronym list for acronyms used in the Plan, not commonly used sitewide terminology. A link to the full acronym list available online is provided in Appendix C.
- Appendix D will not be completed until after the public comment period, at which point it will include a summary of steps taken by the TPA agencies to update the Plan, including major themes of public comments.
- The HAB Operating Guidelines document is no longer an appendix to the Plan.

#### Committee Discussion

- Ken Niles, Oregon Department of Energy, said he believes the heart of the Plan is in pages 7 to 11. He said the section uses language that is frequently used by the Board, including public involvement for better long term decisions. Ken said the language needs further elaboration to explain why it is that an engaged public can help make better long term decisions and how it comes about. Ken noted that other bullets about public involvement seem to come from the perspective of the agencies, rather than from the public. He said he thinks additional bullets should be incorporated to look at public involvement from the aspect of why from a public perspective it is important to do public involvement; one bullet could say that cleanup decisions being made are and can have an impact on the public and the environment for many centuries to come and it is vital that the public has a role in making those decisions. Ken encouraged PIC members to help elaborate on the language of incorporating public values into the decision making process.
- Ken said the language in the Plan regarding public comment periods is too oriented to
  public comment periods being based on requirements being met; the Plan would do better
  to explain that while the public laws do have certain parameters for public comment
  periods, there is a recognition that some decisions are so important, and some of the
  documents are so complex, that the TPA agencies could be more proactive with some of
  the public comment periods.
- Ken spoke to the public involvement evaluation process on pages 10 and 11 of the Plan, noting that he feels it is too overly focused on public meetings. He said public involvement needs to extend beyond public meetings, and the evaluation section should reflect that.
- Emy said that EPA has guidance on how to complete a document like the Plan, which includes that the Plan should be written for public involvement officers working on the Hanford Site. Emy said she understands that the Plan will have a larger audience so they

have taken steps to use language that reflects that. She said the requirement language is to help the public involvement officers understand their responsibilities. Emy said the agencies do frequently go beyond what is required but perspectives will differ on the document language based on an audience's read. She said she will take Ken's request for evaluation on other types of involvement back to the agencies for consideration. Ken thanked Emy for the clarification and said it is important to include the requirements, but there are opportunities in the Plan for the agencies to be proactive. A proactive measure could be extending a public comment period due to document complexity before a public extension request is filed.

- A written question submitted to EnviroIssues asked if the agencies contacted the Spokane City Council about meeting dates and location, noting that the date chosen for the meeting may conflict with other events in the community. Emy said the agencies are working with limited availability due to the timing of the comment period, and they did not get the chance to check the date or location of the meeting with City of Spokane representatives. The meeting will be held at the Red Lion Hotel on the Park rather than City Hall, given the potential size of the meeting.
- Gerry Pollet, Heart of America Northwest, said he wants to make sure the EPA guidance
  that Emy referred to says clearly that the Plan is supposed to be for the public as well as
  the agencies. He said the Plan is also supposed to present what the agencies are going to
  do for public involvement, not just what they may do or are required to do. He
  encouraged Board members to review the Plan to determine if that goal for the Plan is
  represented.
- Gerry asked if it is an intention of the agencies to discontinue the use of an annual survey for public involvement evaluation purposes. Emy said the evaluation referred to in the draft plan was not meant to be specific only to the public meetings. She said Section 1 refers to the use of evaluations during public meetings, hearings, workshops, and other events; the evaluation will not be limited to public meetings. She said the agencies are interested in receiving feedback from all avenues. Gerry said the majority of people interested in Hanford will not be asked for their feedback if the evaluation is only focused on events. Gerry said goals are not meaningful unless they are measurable and evaluated, and evaluations are not valuable unless they expand from where they started. He said the agencies should use a broader evaluation method to compare what has been done during the year with goals. Emy said she is open to suggestions for how to broaden the evaluation, but there is no intent to not provide an annual evaluation and summary of public involvement.
- Jean Vanni, Yakama Nation, asked for clarification on the updating of the figures in the Plan, specifically figures two and three. Emy said figures two through five have not been updated since the last iteration of the Plan. Jean said the document is supposed to represent what is currently going on at Hanford, and the figures do not align with the tables provided in the TPA. She said the two need to be consistent. Emy invited Jean to provide suggestions for changes to make sure the figures are accurate.

- A written question submitted to EnviroIssues asked that Gerry cite which documents
  identify that the Plan should contain what will be done opposed to what is required to be
  done. Gerry said the EPA guidance is available online, and the source will be provided
  during the survey presentation.
- Jean asked if the TPA agencies plan to address public involvement having to do with Hanford risk and risk assessments in the Plan. She said she believes it is a requirement. Emy said the Plan does not go to the level of detail that would explain public involvement for specific documents and specific processes. She said that information would be provided elsewhere.
- Jean provided language for an additional key point for Hanford public involvement goals. She said the document is supposed to represent all requirements for the Hanford Site, including the Model Toxic Control Act (MCTA). She asked why MCTA is not included in the Plan. Emy directed participants to page 9 of the Plan, referencing language that notes the Plan is only addressing Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) cleanup decisions. Emy said CERCLA may have to be removed as a reference, as the rest of the language indicates that specific plans will be developed to address public involvement for when cleanup decisions are made or important documents are released. Emy invited Jean to provide her suggested language through public comment.

#### Results of the Heart of America Northwest Public Involvement Survey

Due to its relevance to the update of the Hanford Public Involvement Plan, the PIC Committee invited Heart of America Northwest to present the results of its public involvement survey as part of this webinar. Mark Loper, Heart of America Northwest, provided a presentation on the results of this survey implemented by Heart of America Northwest in March 2011. The survey was distributed via email, including contacts from the TPA listsery, minus Hanford Site contractors and agency personnel.

Mark reviewed the findings of the survey, which are included in the handout copy of the presentation in Attachment 1.

Mark said Heart of America Northwest recommendations based on survey results include:

- Ensure that public meeting presentations are provided by those with high levels of trust, and ensure alternate viewpoints are represented, including an increased role by EPA and Ecology and collaboration with the State of Oregon and citizens' groups.
- Retain the language "The Tri-Parties also conduct regularly scheduled meetings with public interest group representatives to discuss Hanford Site issues and concerns" in the current issue of the Plan. This language was provided in the 2002 version of the Plan but was suggested to be removed.
- The Plan should ensure there are enough meetings in enough locations for people to comment, including locations in Portland/Vancouver, Hood River, Seattle, and Yakima,

which were identified in the original 1990 Plan as key cities. One meeting should be held in each key city at least once per year. There should be an adequate amount of time provided during each meeting for public concern. Facilitators should be used at public meetings in order to ensure alternate viewpoints are heard and the public understands what was heard by presenters in response to questions.

- The Plan should require a timely written response to people who provide comment and that the agencies demonstrate the incorporation of public views and comments into decision making.
- The Plan should ensure the TPA agencies work with citizens' groups to make sure meeting materials are sent out in time. Additionally, an independent contractor should be used to make sure agency notifications and materials are easily understood by the public. Operating unit titles should never be included in headings or titles for public documents.
- The Plan should provide goals for adequate public involvement and methods for measurement of those goals.
- The TPA agencies need to ensure fiscal support for the sources the public actually relies on for their information.
- If the Plan is to be updated to improve public involvement, it should include new requirements or items that the agencies will commit to achieve.
- The Plan should ensure the public has adequate access to information, including an easily searchable administrative record, repositories with working public accessible hours, and a guarantee to extend public comment periods if not all necessary records are available. Documents should be available on each agency's website with a clear indication on where to find the documents. Draft documents should be available prior to public comment periods for citizens' groups as they develop meeting material.
- The TPA agencies should improve their outreach for purposes of expanding the listsery.

Mark reviewed responses to free form questions of the survey, particularly relating to work worked and what didn't work at the meetings respondents attended. Responses included references to agency representatives who:

- Seemed to serve as public relations representatives.
- Acted bored.
- Became very defensive.
- Did not listen to the public.
- Used difficult terminology and did not attempt to explain.
- Rushed their responses to questions.

Mark referenced the EPA Superfund Community Involvement Handbook, noting that the language identifies that the Plan should demonstrate what EPA will do for public involvement, not what they should do. Mark said the use of "strive" language contradicts EPA's own requirements.

Mark reiterated that an annual survey should be provided to members of the public regardless if they have attended a Hanford public meeting.

Gerry said the benefit of conducting a survey of people interested in Hanford is receiving information that can be translated into recommendations and improvements for the Plan, in addition to what is being done well in the Plan. Gerry said the agencies, the Board, and citizens' groups are invested in getting people involved, but people will not participate if they believe their participation doesn't count towards anything.

Gerry said he will provide the survey results as well as the presentation to participants as soon as possible.

#### Committee Discussion

- Barb Wise, Mission Support Alliance (MSA), asked how Heart of America Northwest determined who was and who was not a contractor when distributing the survey using the agency listserv. Gerry said they removed the "rl.gov" email addresses from the list as well as asked by phone if they were Hanford Site contractors before asking them to take the survey. Barb asked if the survey was done primarily by email or by phone. Gerry said an email survey was sent to those who remained on the listserv list after dropping the obvious agency email addresses and reporter addresses. Heart of America Northwest followed-up via phone with people who did not respond to the email survey; this resulted in 80 completed surveys out of the total 143. Gerry said relying solely on email would skew the results.
- Emy clarified that the Plan is not solely an EPA document, and everything in the document has to be approved by the three agencies. Mark asked if it would be correct to state that EPA may not sign on to a document that does not accurately represent what they will actually do in terms of public involvement. Emy said EPA could raise a concern but they do not have legal authority to ensure additional requirements are listed in the Plan. Gerry said the EPA has minimum standards and they should not sign onto anything that does not meet those standards. He said he would like Emy to take the issue back to EPA for further discussion. Gerry added that he would like to see the EPA regional administrator attend meetings on the Plan and address minimum standard concerns.
- Steve Hudson, Hanford Watch and PIC chair, said the majority of slides in the presentation appeared to reflect the survey, but that the slides then shifted to represent more statements and recommendations. He asked if the recommendations were gleaned from the survey or if they were solicited in another way. Mark said the slides reflected Heart of America's analysis of both the survey and the Plan.

#### **Identification of potential advice points**

Steve said he read the Plan with a copy of Board Advice 225 and looked to see if advice points and Board concerns had been incorporated. He said the advice points addressing document organization and clarity were addressed in the updated version of the Plan, while issues regarding repository accessibility, the evaluation process, and subsequent planning document templates were not addressed. Steve said he believes the committee can provide further advice on the remaining issues and incorporate new language addressing public involvement from the public perspective and topics from Heart of America Northwest's recommendations.

#### Committee Discussion

- Steve added that he would like to see the committee's advice ask for a template for evaluating public involvement activities.
- Jean said she thinks the Plan lacks a statement of purpose, and she provided draft language. The committee agreed to ask for a statement of purpose in the advice and will include Jean's draft language in the advice appendix.
- Gerry said the Plan should explain what the agencies will do for public participation, and ensure the public knows when or how involvement will happen. He said the Plan should also identify what is effective public notice and make a clear commitment to public meetings in key cities every year with information for how the public in those cities can request meetings. Gerry said he would like to see public meetings rotate among smaller cities. He said the Plan should guarantee a minimum time period of notice with access to records, which should be 45 days unless only 30 days is available. Gerry said public notice should never be less than 30 days.
- A written comment submitted to EnviroIssues noted that there are many public involvement photos available of actual people at actual meetings. The commenter suggested the Plan incorporate those photos rather than cartoons and pictures of landscape.
- Jean said she would like the Plan to include a definitions list to include an explanations of 'significant change', the 'responsiveness summary' (what it is and what it should include), and other terms. Jean said that currently, the only mention of significant change in the Plan is that the TPA agencies will decide what it is; Jean said further clarification of the different levels of significant change is required because of the potential for public involvement at different levels.
- Steve said the advice points drafted by the committee seem to cover a wide range of issues. He said they might have some difficulty producing cohesive advice when the points range from policy to legal regulations to what should specifically be added to the document. He said he believes some of the advice points may be too specific or prescriptive for a document that he sees to be used as a handbook for public involvement. Steve said the Board has addressed many of the same issues before, in regards to effective notice and other issues that have been well debated already. He suggested that

- any advice points relating to Appendix C of the Plan be put aside for further discussion and attention at a later point.
- One written comment submitted to EnviroIssues said that many of the advice points suggested today were also submitted in Board Advice 225. The commenter suggested that the committee now provide advice that says the Plan fails to address Advice 225 and attach Advice 225 to the new advice with a few new advice points.
- One written comment suggested additional advice points in regards to expanding the TPA listserv, including descriptions and roles for interest groups to be provided in Section 4, and appending the HAB's Operating Guidelines.
- The committee discussed timing for writing and providing the advice, with Liz noting that the point of the webinar was to draft advice points to enable a first draft of advice to be provided during the October 11 PIC in-person. Gerry volunteered to craft the first draft of the advice to be ready for the October 11 meeting. He asked if committee members object to using Advice 225 as a basis for the new advice. The committee agreed. Ken will provide Gerry with language on the importance of public involvement.

#### Next steps and wrap up

Susan thanked committee members for their participation and reiterated that advice will be in draft form for the October 11 PIC meeting.

**Attachment 1 – Heart of America Northwest presentation** 

## **Attendees**

#### **HAB Members and Alternates**

Sam Dechter	Ken Niles	Jean Vanni
Steve Hudson	Gerry Pollet	
Liz Mattson	Bob Suyama	

#### Others

Paula Call, DOE-RL	Sharon Braswell, MSA	Valerie Pacino
Cameron Salony, DOE-RL	Sonja Johnson, CHPRC	Lynn Tegeler
Pamela McCann, DOE-ORP	Joy Shoemake, CHPRC	Susan Hayman, EnviroIssues
Emy Laija, EPA	Harvey Brown	Melissa Thom, EnviroIssues
Dieter Bohrmann, Ecology	Steven Gilbert	
Barb Wise, MSA	Mark Loper, Heart of America	
	Northwest	

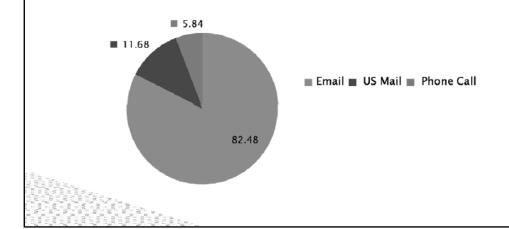
# Improving Public Involvement in Hanford Decisions

October 2011
Based on survey results by Seattle U students under
Heart of America Northwest supervision

# Have you ever attended a public meeting about Hanford or Hanford Clean-Up?

- 77% of respondents have
- 23% of respondents have NOT
- Total number of Respondents = 143

# What is the best way for you to be sure to receive and read notice about an upcoming meeting in your area?

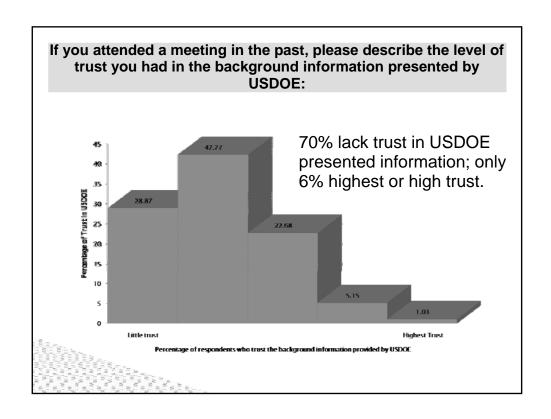


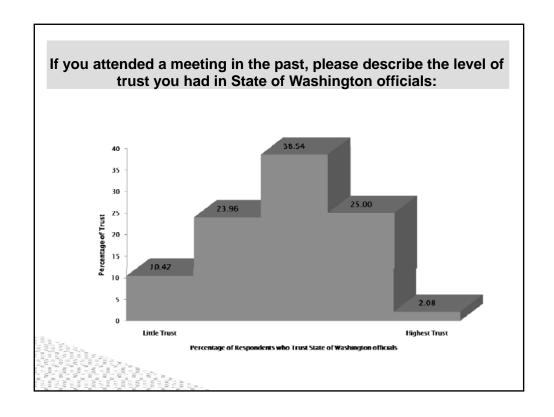
#### Recommendation

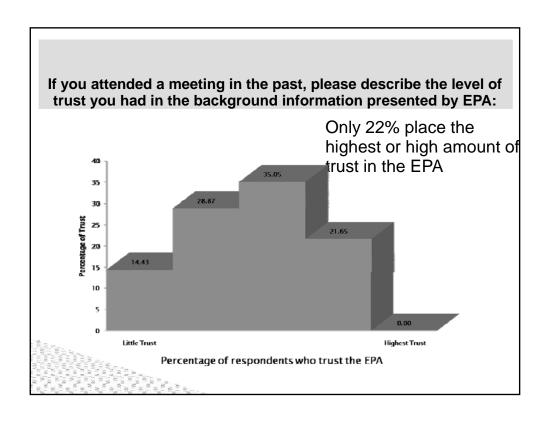
- The Tri-parties need to have a larger email listserv. One of the goals of the updated PIP is to "prepare future generations for informed engagement and participation"
  - This will not be done with a listserv of 725. When reviewed 1 year ago, half of the listserv was agency and contractor personnel.
- Must improve outreach for listserv
  - Cannot rely on email to inform citizens because listserv reaches minimal amount of public.

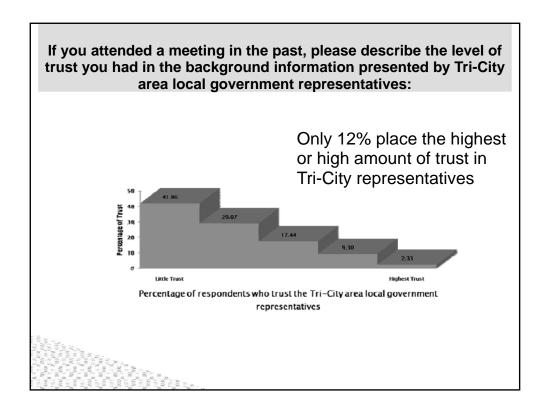
If you HAVE attended a meeting in the past, please describe the level of trust you had in the background information that presented by various people at the meeting:

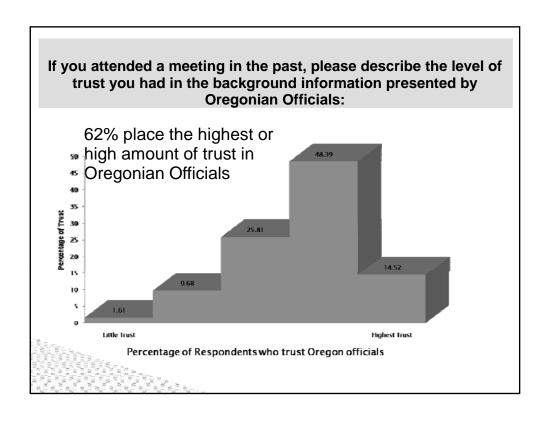
- On a scale from 1 to 5.
  - 1 being the least trust
  - 5 being the highest trust.

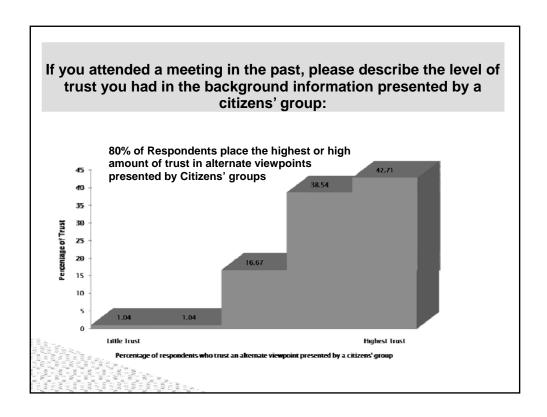












## **Recommendations for PIP**

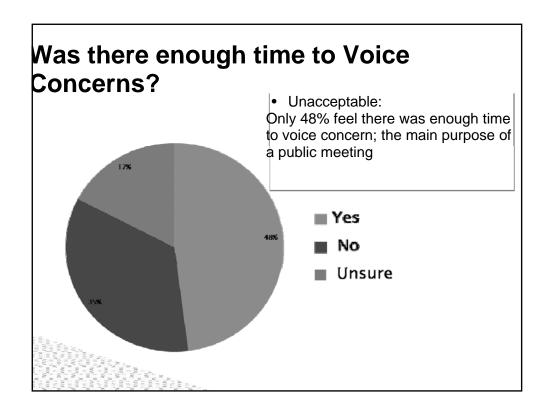
- Ensure that presentations are done by those with higher trust and show willingness to have alternate viewpoint presentations to build on public trust.
- Increase the role of EPA and State officials in presenting their separate views.
- Collaborate to have alternate viewpoint presentation include information which agencies wish to impart.
- Continue to have an assurance of alternate viewpoint from Oregon and public interest organizations at outset of meetings.

### Recommendation

- Proposed revision removes 2002 CRP language: "The Tri-Parties also conduct regularly scheduled meetings with public interest group representatives to discuss Hanford Site issues and concerns"
- This PIP should **retain this language**, and those meetings should be arranged!
  - We did not stop going to these meetings; we were no longer invited.

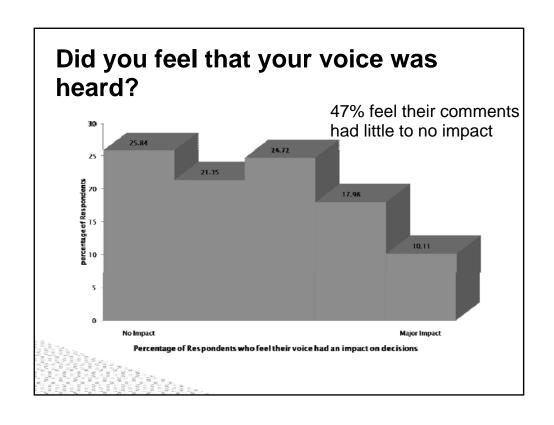
# **Public Meeting Issues**

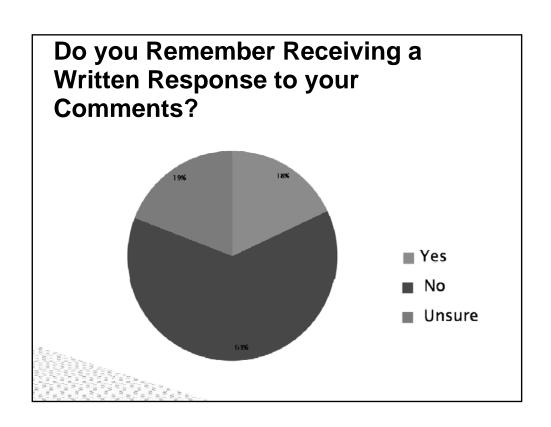
- Enough time to voice concern?
- Was voice heard?
  - o Impact?
- We have separate information (not in this presentation) regarding where respondents prefer to hold meetings in each city

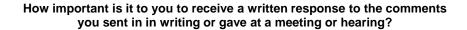


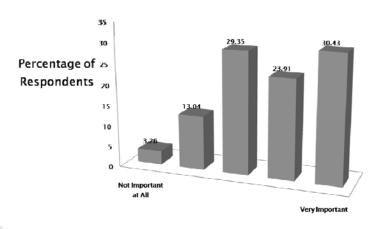
# **Recommendations for PIP**

- The PIP should guarantee that there will be enough meetings for people to comment, e.g., hold additional meetings as in both Portland and Hood River to ensure people have more time and the meetings are more convenient.
- The PIP should include an assurance that there will be adequate time for people to comment at meetings
- Facilitators should be used and ensure that questions are answered in a manner that public understands and allow for other presenters to better explain views and allow for other views in response to questions.







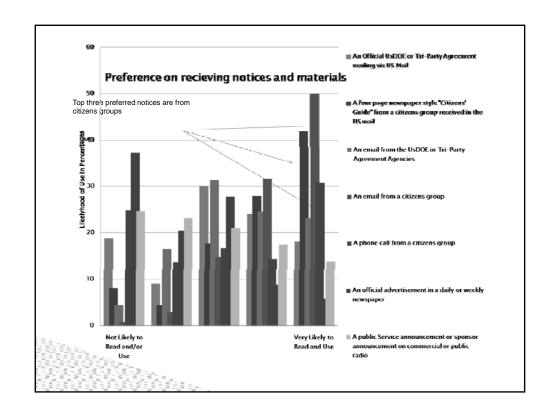


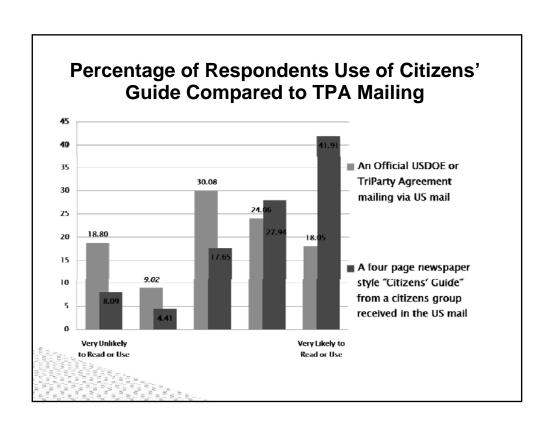
Importance of receiving written response to public comments

## Recommendations

People will not attend meetings if they repeatedly feel that they have little or no impact. This identifies a major obstacle for participation. Therefore, as the data helps illustrate, the Hanford Public Involvement Plan should:

- **Require** that there is a <u>timely</u> written response to comments sent to meeting participants and to those who send in comments
- The agencies need to demonstrate that they will incorporate the views and comments of the public in real decisions – the public will not be fooled if they see that the decisions are those that they objected to, or if overwhelming public comment for a priority or approach is not adopted.





### Recommendations

- The PIP must ensure that the Tri-Party agencies work with citizens groups in order to actually get their message out
- The PIP must have goals(and measurements for goals) for adequate public involvement
  - o This is not something citizens' groups should be responsible for.
  - If there is a lack of public involvement it is not because the public is not interested; it is because of trust in agencies, (adequate)notice, and basic awareness of Hanford!

### Reccomendations

- As the data shows emails and mailings from the TPA are not likely to be read
  - An independent professional should be contracted to make the announcements and notifications easily understood by the public.
- Names and titles of operating units should NEVER appear in headings or titles.
- The TPA agencies need to ensure fiscal support for the sources the public actually relies on for their information

## **Free Answer Question:**

• Please tell us one thing that you remember being done effectively or which did not work at the meeting(s) you attended.

# Please tell us one thing that you remember being done effectively or which did not work at the meeting(s) you attended.

- "I felt that the government representatives (particularly the federal ones) were there primarily as PR people"
- "It was interesting, but I felt the members of the Department of Energy were very bored with the hearing and would not be swayed."

Please tell us one thing that you remember being done effectively or which did not work at the meeting(s) you attended.

- "Those running the meeting just do not listen to the citizens, they act as though they are the experts."
- "Nobody believed the people speaking they were always defensive."
- "All of the questions seemed very rushed over and USDOE seemed to be talking over our heads."

# **Updating to Better Public Involvement?**

- The reason for updating the plan is to better public involvement, but there are no new requirements or even things the agencies are "striving" for.
  - There is a clear lack of involvement in Tri-Cities
    - Can survey or study be done to understand why?
  - Other cities are "striving" to have public meetings, at a minimum, the PIP should ensure the people who want meetings have meetings!

# Updating to Better Public Involvement?

- The 1990 original plan called for specific meetings in Spokane, Portland-Vancouver, Yakima, Seattle, and the Tri-Cities
  - How have updated plans provided for *more* involvement in these communities they identified as key locations in 1990?
- The new plan calls for meetings in "Key Cities" when significant interest is shown
  - PIP must define/prescribe what that means for those who wish to have a meeting/hearing in their hometown

# Exact Language from Superfund Community Involvement Handbook

include a cover page that identifies the CIP as an EPA document, and also include information specifying what EPA will do, not what EPA should do."

- "The Tri-Party agencies strive to..."
  - o The above language is used in the PIP repeatedly.
  - This is in opposition to the EPA's own guidelines of community involvement.
  - EPA should not sign on to PIP if it includes a majority of public involvement language that does not describe what EPA and the TPA agencies will actually do.
    - Necessary for cities such as Walla Walla and Spokane
    - Prescriptive elements will help citizens understand what they must do and help hold the agencies accountable

# **Meeting Locations:**

- Started in 1990 with quarterly meetings guaranteed in five areas
- 2011 should guarantee meetings in rotating key cities.
  - Spokane, Seattle
  - Hood River, Portland
  - Walla Walla, Vancouver
  - Tri-Cities
- Have at minimum one meeting in each key city, with a set rotation.
  - o Purpose is to involve more interested and active stakeholders

#### Access to information

- Guarantee comment periods will be extended until ALL records are available for 30 days
- Administrative record will be easily searchable for public information
- Ensure repositories will be open during hours accessible to the working public
  - Tri-City Repository open 10-4 Monday-Thursday (was closed lunch hours during summer)

## **Access to Information**

- Documents for comment periods should be easily obtained from each agency's website
  - Clearly identify where all documents are retrievable from for the comment period
- People rely on Citizens Guide and phone calls which require more than 30 days before the meetings
  - Draft document needs to be available in order for Citizens groups to prepare material to be mailed and organize phone banks far enough in advance.
  - Language in PIP should guarantee 45 days for distribution of the documents prior to first public meeting.

# **Public Involvement Evaluation Process**

- Proposed changes limit surveys to ONLY those who attend meetings.
- No longer asking for input from citizens who didn't attend meetings
  - Cuts off what they can do better by not expanding universe of opinions
  - o How is this progress?
  - o Why was this changed?

