

# **Guidelines For Tailoring Community Engagement Activities To Circumstances At Leaking Underground Storage Tanks Sites**

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# **Guidelines For Tailoring Community Engagement Activities To Circumstances At Leaking Underground Storage Tanks Sites**

## **Introduction**

The appropriate level of community engagement at leaking underground storage tank (LUST) sites is dependent on the circumstances at the site including, but not limited to, site location; severity of the release; impact to the drinking water supply; community interest or concern; or impact to the environment. States<sup>1</sup> should assess the situation at their sites early in the assessment process to determine if site conditions necessitate additional communication with stakeholders. The U.S. Environmental Protection Agency (EPA) developed guidelines to help states determine when enhanced community engagement is warranted.

EPA acknowledges the work of the Association of States and Territorial Solid Waste Management Officials (ASTSWMO) tanks subcommittee in developing these guidelines. The subcommittee participated in numerous conference calls and meetings, offering their insight and experience as it relates to community engagement at LUST sites. The guidelines capture this experience and provide a framework for tailoring community engagement efforts at various types of LUST sites throughout the United States. These guidelines provide resources for states as they implement community engagement activities at LUST sites. Use of the guidelines is voluntary.

The community engagement activities outlined in the [underground storage tank \(UST\) regulations](#) are appropriate for many LUST cleanups. EPA recognizes that states often go beyond federal requirements and tailor community engagement activities based on site circumstances. EPA also acknowledges there are various ways to engage the community in cleanup decisions and it is not a one size fits all approach. However, it is generally recognized that earlier and more frequent communication yields positive results, particularly for sites that pose a threat to human health or the environment or when the public expresses an elevated level of concern or interest in the site. Depending on site circumstances, obtaining meaningful community input is a sound approach that will result in better informed decisions.

## **Public Participation Requirements In The UST Program**

[Federal UST regulations](#) require certain community engagement activities related to LUST sites when a corrective action plan is required. In addition, the [LUST Trust Fund Cooperative Agreement Guidelines](#) (May 24, 1994) require that states develop a public participation policy to reflect federal requirements. The LUST Trust Fund guidelines go a step further and provide guidance on ways to promote two-way communication between states and the affected public, while recognizing that public participation activities should be appropriate to the circumstances of a release. Specifically, the LUST Trust Fund guidelines promote facilitating public understanding of state response procedures and actions, and encouraging public input into state response decisions and schedules.

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<sup>1</sup> States refers to states and territories.

## **Tailoring Community Engagement To Site Circumstances**

According to EPA policy and guidance, community engagement efforts at a particular LUST site should be based on the site's threat to human health and the environment, as well as the degree of public concern or interest in site cleanup activities. For many LUST cleanups, there is no immediate threat to human health, water quality, or ecological receptors; no off-site impacts; no groundwater contamination; and/or little or no public interest. However, some releases have significant impacts that may warrant additional community engagement. With that in mind, states might consider the factors on the following page in determining the enhanced community engagement activities at a particular LUST site.

## Enhanced Community Engagement Activities

### Notify Early In The Process

- Adjacent owners
- Residents
- Other interested parties

### Communication Materials

- Distribute notification to the surrounding community within a specified area
- Provide fact sheets using multiple methods
- Provide risk information
- Issue press releases
- Distribute door hangers or other materials to inform the public or to request information (e.g., existence of potable water supply wells)

### Communication Methods

- Identify key stakeholders
- Solicit input and help from the community early in the process
- Provide local, state, and federal contacts who are reachable and available to the community
- Distribute site information by mail
- Hand deliver site information
- Use various media outlets (newspapers, radio, TV) to disseminate information
- Conduct public meetings in various locations, formats, and languages
- Post signs on-site
- Conduct news conferences
- Conduct press availabilities
- Conduct site tours
- Develop information repositories
- Maintain a website with site information
- Use other social media such as Facebook and Twitter
- Develop a site specific hotline or call center
- Use robo calls

### Language

- Provide information in plain language
- Provide site material in languages known within the community
- Conduct public meetings in various formats and languages

The following four pages present possible scenarios where enhanced community engagement at LUST sites may be warranted. The scenarios outline common community questions and concerns, and suggestions for possible community engagement activities.

## Example Scenarios For Enhanced Community Engagement

### Contamination Of Drinking Water

#### Scenario

Contamination from a leaking underground storage tank migrated off site and impacts public or private drinking water wells. Until contamination is cleaned up, the affected community cannot use their water and will have to use alternative sources. Site officials should be prepared to address public concerns.

#### Questions/Concerns From The Community

- When will the water be safe to drink?
- How do I know the alternate drinking water supply is safe?
- How long has my drinking water been contaminated?
- How do I know my family did not drink contaminated water?
- Is my water safe for bathing, or other uses such as washing dishes , doing laundry, etc.?
- What if my family consumed and/or bathed in contaminated water?
- What are the health risks?
- How long will I need to be on bottled water?

#### Possible Community Engagement Activities

- Communicate with the public early and often
- Notify local officials and public responders of site activities
- Notify communities as soon as contamination is confirmed
  - Possible venues:
    - door-to-door notices, mailings
    - radio, TV, and newspaper announcements
    - public meetings
    - press availabilities
    - news conferences
    - robo calls
- Discuss potential well locations with property owners to help identify wells impacted by contamination
- Provide communication materials in plain language
- Share test results with directly impacted persons as well as the community at large
- Communicate any risk implications
- Be available and reachable to address the community's concerns or questions
- Maintain a website to keep the community up to date on site activities
- Develop a hotline or call center

## **Petroleum Vapor Intrusion**

### **Scenario**

Vapors from a leaking underground storage tank system penetrated buildings (e.g., homes, retail, and public use) through basements or sumps. Community is concerned about the health effects, economic effects, etc. Depending on the level detected, affected buildings may have to be vacated and occupants temporarily relocated.

### **Questions/Concerns From The Community**

- What is the contamination?
- How widespread is it?
- Will I have to relocate?
- Where will I go and for how long?
- Will the building be restored to its previous condition?
- What actions will be taken on my property?
- What kind of security will be provided for my property?
- What happens to the contents of my property?

### **Possible Community Engagement Activities**

- Communicate with the public early and often
- Notify local officials and public responders of site activities
- Describe investigative techniques associated with vapor intrusion concerns and acquire permission from affected occupants to conduct sampling
  - Possible venues:
    - face-to-face interactions
    - written notice
    - public meetings
- Provide communication materials in plain language
- Share test results with directly impacted persons as well as the community at large
- Communicate any risk implications
- Provide a schedule for site activities and re-occupancy
- Explain future monitoring activities to the community
- Possible venues for up to date information on site activities:
  - face-to-face interactions
  - written notice
  - website
  - press availabilities
  - news conferences
  - site tours
  - robo calls
  - hotline or call center

## **Public Nuisance**

### **Scenario**

A leaking underground storage tank may or may not pose a threat to human health or the environment, but certain site activities will affect the surrounding community. During the assessment and cleanup, crews may use heavy equipment, work during non-peak hours, create dust, and interrupt traffic. The communities' concerns should be addressed.

### **Questions/Concerns From The Community**

- What is the schedule for all site activities?
- When (day and time) will site work begin?
- Will my property be damaged and if it is, who pays for it?
- Will there be excessive noise?
- Will traffic be affected?
- Will roads be closed?
- Will dust be created? How will dust be controlled?
- What are the health impacts if community members suffer from asthma or other respiratory ailments?

### **Possible Community Engagement Activities**

- Communicate with the public early and often
- Notify local officials and public responders of site activities
- Notify community of site activities
  - Possible venues:
    - face-to-face interactions
    - door-to-door flyers
    - written notice
    - website
    - press availabilities
    - news conferences
    - site tours
    - public meetings
    - robo calls
- Provide maps of site, routes of truck traffic to and from site
- Discuss dust abatement measures
- Discuss work schedules associated with remediation activities



## **Redevelopment Or Reuse**

### **Scenario**

Active and former gas stations may be opportunities for redevelopment or reuse options. Determining the potential future use of a property is likely to generate increased public interest, not only from adjacent property owners, but also from the broader community.

### **Questions/Concerns From The Community**

- How will the needs of the community be met?
- What are the options (e.g., residential, business, public or recreational space) being considered for redevelopment or reuse?
- What type of option is appropriate for the neighborhood?
- How will redevelopment affect my property values?
- Will there be increased traffic?
- How will the redevelopment help the local economy?
- Will this project jump-start other redevelopment or reuse projects in the area?
- What will be the impacts on the local community during construction?

### **Possible Community Engagement Activities**

- Communicate early and often with the community; potential developers; and local, state, and federal agency stakeholders
- Notify local officials and first responders of site activities
- Coordinate with appropriate local, state, and federal development, planning, and Brownfields contacts
- Ask for the community's help on redevelopment options
  - Possible venues:
    - face-to-face interactions
    - door-to-door flyers
    - planning workshops (e.g., charrettes )
    - press availabilities
    - news conferences
    - site tours
    - public meetings
    - robo calls
- Provide maps and designs of potential reuse options

In addition to the information discussed in the previous activities and scenarios, [Community Engagement Resources \(Toolbox\) For Underground Storage Tank Programs](#) is available on the [Community Engagement And The Underground Storage Tank](#) web page. This web page provides additional resources and includes several examples where communities were actively involved in the site cleanup efforts and proved to be valuable partners in the decision process.

## **Examples Of State Public Participation Policies And Guidance**

In December 2009, EPA's Office of Solid Waste and Emergency Response (OSWER) launched its [Community Engagement Initiative \(CEI\)](#) and released an [Action Plan](#). The purpose of these efforts was to encourage meaningful participation by all stakeholders in government decisions on land cleanup, emergency preparedness and response, and management of hazardous substances and waste.

In May 2010, OSWER issued an [Implementation Plan](#) that outlined specific actions to achieve the goals and objective of the CEI. As part of this initiative, OUST reviewed and analyzed a sample of states' community engagement policies or processes to determine the extent to which those processes: enhance transparency; produce outcomes that are responsive to community concerns; are commensurate with the circumstances of a release; and align with community needs and long-term goals. The resulting [Overview of State Community Engagement Plans And Websites](#) is available on the [Community Engagement And The Underground Storage Tank Program](#) web page.

Considering that one approach does not fit all, several states developed specific guidance or policies to address public participation for varying site conditions. Note: Most of these plans apply to all waste sites in the state, not just LUST sites. Below are samples of several states' approaches to tailoring community engagement to site circumstances:

- California characterizes cleanup sites into three levels and describes public participation activities for each category. (California Environmental Protection Agency Proposed Recommendations for a Public Participation Policy, May 2005)
- California recommends early coordination with local agencies if the site cleanup and redevelopment are closely linked and occur at roughly the same time. Early coordination is more efficient and can simplify the process from the public's perspective.
- Illinois uses a tiered approach to community engagement depending on how many potable well systems are potentially impacted by contamination. Illinois requires the development of community relations plans and fact sheets regardless of the stage of cleanup.

- New Hampshire must notify property owners with drinking water wells and owners/operators of public water supply wells regarding potential sources of groundwater contamination. New Hampshire maintains a database system (ONESTOP) which allows the public access to information, reports, and correspondence submitted for remedial sites. The public can provide input to New Hampshire's decisions through ONESTOP.
- New Jersey has a public notification and outreach timeline for contamination discovered during the course of work on a regulated UST that was not in response to a known release, but which triggers remedial activity. (Public Notification and Outreach Guidance for Retail Gasoline Service Stations)
- North Dakota conducts public participation activities at all LUST sites. The amount of effort to accomplish objectives of its public participation plan varies by site based on: number of tanks; location of tanks; environmental damage; attitude of the responsible party; level of community concern; threat to health; impact on the economy; effect on property values; odor from leaks; and aesthetics of cleanup.

## Conclusion

Community engagement at UST sites varies and is dependent on many factors including site location; severity of the release; impact to drinking water supply; or impact to the local community or environment. The community engagement activities outlined in the UST regulations will be appropriate for many LUST cleanups. EPA recognizes that states often go beyond these requirements and tailor community engagement efforts to specific circumstances and needs at the site. However, there are certain site conditions that may warrant enhanced community involvement and states should use their best professional judgment in those situations.

The examples identified in this document are not inclusive, but rather are based on readily available information. EPA encourages and welcomes additional ideas and input regarding tailoring community engagement to site circumstances and is committed to sharing this information on the [OUST Community Engagement And The Underground Storage Tank Program](#) web page as well as through other venues. By communicating real-life approaches and experiences, communities, states, and EPA can benefit from this collective knowledge. Please contact Barbara Grimm-Crawford ([grimm-crawford.barbara@epa.gov](mailto:grimm-crawford.barbara@epa.gov)) for details.