Best Practices for Effective Public Involvement in Restricted-Use Decommissioning of NRC-Licensed Facilities

Developed for:

The U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Decommissioning Branch
Rockville, Maryland

Submitted by:

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TUCSON, ARIZONA

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June 30, 2002

Acknowledgements

The authors wish to acknowledge the assistance of the following NRC staff in providing background information on the NRC decommissioning process and specific information on NRC licensees considering restricted use decommissioning, in reviewing drafts of the report, and in providing overall project guidance:

Chip Cameron, *Special Counsel*
Larry Camper, *Chief, Decommissioning Branch*
Ken Kalman, *Project Manager, Special Projects Section, Decommissioning Branch*
Robert Johnson, *Project Manager, Special Projects Section, Decommissioning Branch*
Scott Moore, *Chief, Special Projects Section, Decommissioning Branch*
Phyllis Sobel, *Project Manager, Environmental Performance and Assessment Branch*

The valuable suggestions of outside reviewers of an early draft of the report are also greatly appreciated:

Patrick Gwin, *Cherokee Nation, Tahlequah, Oklahoma*
Craig Harlin, *Director of Regulatory Affairs Sequoyah Fuels Corp., Gore, Oklahoma*
Diane Henshel, *Indiana University, Bloomington, Indiana*
Richard Hill, *Save the Valley, Madison, Indiana*
Dave Mashek, *William J. Green & Associates, Pittsburgh, Pennsylvania*
Martha Bean, *Public Involvement Practitioner, Seattle, Washington*
Jill Lipoti, *Director, NJ Radiation Protection Program, Trenton, New Jersey*

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Executive Summary

This report is designed to offer guidance and advice on the best practices for achieving effective public involvement in the Nuclear Regulatory Commission's (NRC) decommissioning program. The guidance is applied specifically to restricted-use decommissioning, that is, to developing decommissioning plans for those NRC-licensed facilities considering restricted future uses of its site as part of the plan (under 10CRF20.1403). However, the guidance can be applied to a variety of NRC-related activities where public involvement is important.

The report describes proven approaches and outlines best practices for meaningful public involvement in general, and then focuses on the challenges of applying these principles within the framework of the NRC regulations for restricted-use decommissioning. The intended audience includes members of the licensee's team involved with managing the public involvement program at a specific site, in particular, the site manager. NRC and Agreement State staff members who review and approve decommissioning plans constitute a secondary audience.

Basic Principles

Effective public involvement entails a carefully crafted program of coordinated activities. The design of the program begins with a situation assessment, where (1) the "public" at a particular site is explored and characterized, (2) public needs and expectations for involvement are determined, and (3) the goals of the program are established. The program is then fashioned to match the program goals with the public's needs and expectations. An effective public involvement program has the following general features:

- Carefully developed relationships between the licensee and the public, designed to build and maintain trust;
- Information provided in accessible and appropriate formats, with training and interpretative assistance available as needed; and
- A variety of processes (committees, forums, meetings, polling, etc.) designed to meet the goals of the program and the needs of the public.

Public involvement should start early and become an integral part of facility operation over the life of the facility. Herein lies one of the major challenges for licensees seeking restricted-use decommissioning if such a long-term public involvement program has not been established early on or has not been successful.

The licensee's primary goal is to comply with NRC regulations and to propose a decommissioning plan that will be approved by the NRC – one that ensures the health and safety of the community and protects the environment. Working with the public should be embraced for its value in creating a workable and effective plan. Since long-term stewardship is a critical component of any plan for restricted uses at sites with residual contamination, the public necessarily will be involved once the plan is in place. Including the public in the planning process is essential, yet the expectation for influence in the decision-making process by some groups

and individuals may be unrealistic within the NRC framework. Mobilizing public engagement at this stage will be a challenge where a long-term successful public involvement program is not already in place, or where the public is skeptical of the regulatory process or the licensee's motives. A special effort will be needed to meet this challenge.

Licensees should view the NRC regulations as the minimum required for the degree of public involvement (the public provides comments on the proposed decommissioning plan and the licensee responds and records how the information was used to modify the plan). A greater degree of involvement and influence is not only allowed by the NRC, best practices encourage greater involvement in order to develop a workable decommissioning plan that will be effective once implemented. This could perhaps take the form of a citizen advisory group or a collaborative multi-stakeholder decision-making body whose objective is a consensus decommissioning plan.

The use of professional public involvement practitioners to help plan, manage, and conduct a public involvement program can help ensure its effectiveness. Similarly, the use of independent technical experts can prove effective in helping the public understand the often highly technical issues surrounding decommissioning, especially where the licensee has not gained the public's trust. On the other hand, trained and experienced members of a licensee's public involvement team who have earned the public's trust can be effective process managers and facilitators as well. Collaborative multi-stakeholder advisory or decision-making processes are special cases. For these, public involvement practitioners acting as neutral facilitators, independent of the licensee, are a crucial ingredient for success. Because third-party neutrals do not have a stake in the outcome of the decision, they have a better opportunity for gaining the confidence of all parties and facilitating a fair and open process.

An evaluation of the public involvement program should be planned when the program is designed. Evaluation includes monitoring the program while it is being conducted, adjusting it based on feedback, and measuring its effectiveness at the end.

Summary of Best Practices

Following is a summary of the best practice key points for planning and implementing an effective public involvement program.

Guiding Principles

- Public involvement should never be a process to persuade the public about the soundness of a decision; rather, it is an opportunity for shared learning and for evaluating options.
- The licensee needs to be honest and forthcoming about what is really on the table for discussion, taking into account the public's likely desire to be involved and to influence the plan. Be clear about which aspects of the decision are set and which are subject to public influence.
- Public involvement should include a role for the public in implementing decisions.

Assistance and Training

- An experienced public involvement practitioner can assist the licensee in all aspects of a public involvement program and lend credibility to the program; members of the licensee's staff trained and experi-

enced in public involvement can also be effective program managers and process facilitators. An independent, neutral facilitator should be engaged to guide any collaborative processes that may be part of the public involvement program.

- All members of the licensee's staff should receive some training in public involvement, particularly in answering questions from the public and the media.

Situation Assessment – Characterizing Members of the "Public," their Concerns, and their Desired Level of Involvement

- A situation assessment is an opportunity to create, re-establish, or strengthen personal relationships between the licensee and key members of the community.
- A chart of the affected "public" at each site should be created, starting with a list of all of the potential impacts relevant to the plan, and then adding the key individuals and groups associated with each impact.
- The assessment starts by contacting community leaders and proceeds by asking at the conclusion of each meeting or interview who else should be contacted.
- Members of the public should be approached in their own communities. People lead busy lives and some may be suffering from "process fatigue." The assessment process should be efficient and convenient as possible.
- In addition to identifying who should be included in the public involvement process and the key substantive issues, the situation assessment should focus on how members of the public would like to participate, from simply wanting information to seeking direct involvement in decision making.
- One or a few members of the licensee's staff should be identified as key contacts – individuals to talk with when members of the public call to ask questions or seek information.

The Level of Public Involvement – From Information Exchange to Collaborative Decision Making

- Soon after the situation assessment has been completed, the licensee should determine what it considers to be the appropriate level of public involvement using the NRC regulations as a minimum requirement as well as the results of the situation assessment to gauge the public's expectations. This decision and its rationale should be thoroughly communicated to the public.

The Public Involvement Program Plan

- A written public involvement plan can serve as a guide to participants throughout the process and provide assistance to late joiners in catching up.
- Finding constructive ways for members of the public to get involved in developing the program plan will enhance their experience and satisfaction with the program.
- Program evaluation should be built in up front. Evaluation results should be used to continually assess and improve public involvement.
- The structure of the program (i.e., the information exchange and collaborative problem-solving modes and forms) should be designed to fit program goals and site-specific circumstances.

- The plan should create opportunities for genuine dialogue. Dialogue is the key to establishing effective relationships, creating common understanding of information, sharing of values, and developing proposals or consensus recommendations.
- If the public involvement program does not provide complete and accurate information, public opinion will be largely formed by information from outside sources.

Introduction

Chapter 1

The U.S. Nuclear Regulatory Commission (NRC) licenses companies for operations involving radioactive materials. Licensees who wish to decommission their facilities and terminate their licenses must follow procedures prescribed by the NRC. Where the licensee proposes to leave residual contamination on and restrict future uses of the site, NRC regulations require that the licensee engage the public in discussing the proposed decommissioning plan. This report describes "best practices" for developing a public involvement program, with particular application to restricted-use site decommissioning.

"Public involvement" covers a broad range of possible activities and desired outcomes – from simple exchanges of information to collaborative stakeholder engagements that produce consensus agreements. Designing the "right" form or forms of public involvement requires identifying the specific purpose of public involvement and then accommodating the public's needs and expectations in achieving that purpose within legal and regulatory frameworks. Successful public involvement will hinge on whether the public believes that the organization asking for its participation is sincere and the degree to which decisions that are eventually made have the potential to be influenced by the public's input.

The term "public" also needs to be defined. Words like "public," and "community" refer to individuals, organizations, companies, agencies, and governments. Some members of the public will be affected (or perceive themselves as being affected) by a decision, or will have a role in implementing the decision. (Note also that "community" can have various geographic scales of reference, from very local to national or even international.) This subset will be called "stakeholders." Some stakeholders will also be active participants (or "parties") in the decision-making process. A public involvement program will embrace all elements of the public.

Public involvement should be viewed as a coordinated program of processes and activities aimed at achieving a clearly defined set of objectives. Where, when, and how public involvement is conducted can be as important as the final outcome, because the experience of being involved often plays a major role in how participants view the outcome of their involvement. The best practices for public involvement must address all aspects of the program: assessment, program planning, program implementation, and evaluation.

Readers are encouraged to consult other guidance documents on public involvement with application to health, safety, and environmental issues. A focused bibliography is included as Exhibit 3. Of particular note are the following guidance documents:

Building Consensus Through Risk Assessment and Management of the Department of Energy's Environmental Remediation Program, National Research Council, 1994.

Constructive Engagement Resource Guide: Practical Advice for Dialogue Among Facilities, Workers, Communities, and Regulators, U.S. EPA, Office of Pollution Prevention and Toxics, June 1999.

Stakeholder Involvement & Public Participation at the U.S. EPA: Lessons Learned, Barriers, & Innovative Approaches, U.S. EPA, Office of Policy, Economics, and Innovation, January 2001.

This report is intended to be a guide for NRC and Agreement State licensees, in particular, members of the licensee's public involvement team. It provides a framework for organizing a public involvement program within the context of decommissioning licensed sites under restricted future use conditions. It also provides guidance on whether and when to use public involvement practitioners and for some situations, independent process facilitators. This report should also be helpful to NRC and Agreement State staff involved in reviewing and approving decommissioning plans for effective compliance with NRC regulations governing public involvement.

Chapter 2 describes core characteristics of effective public involvement programs in the context of hazardous material sites.

Chapter 3 moves from a general discussion of public involvement to the specific regulatory context of NRC's restricted-use decommissioning program and the special challenges it presents. The decommissioning and license termination process is described, with particular emphasis on NRC's requirements for public involvement in developing restricted-use decommissioning plans. The NRC requirements are depicted as framing a public involvement effort; the utility of developing a robust program within this framework to meet the special challenges of restricted-use decommissioning is described in broad terms.

Chapter 4 provides specific guidance on planning and implementing an effective public involvement program for restricted-use decommissioning.

Chapter 5 presents a series of frequently asked questions to reinforce several of the key themes presented in the guidance.

Effective Public Involvement Programs

Chapter 2

2.1 Why Involve the Public?

Government agencies routinely involve members of the public in decisions that affect their lives, because fundamentally, the public has a right to be involved. Moreover, better decisions often result. Members of the affected public bring local knowledge of their community and its resources to bear and may be in a unique position to help implement decisions and monitor their effects. A recent study by Resources for the Future examined 239 cases of public involvement in environmental decision making and concluded: "Involving the public not only frequently produces decisions that are responsive to public values and substantially robust, but it also helps to resolve conflict, build trust, and educate and inform the public about the environment."[1]

Public involvement can be implemented at a variety of levels depending upon the desired goal. The diagram below is taken from a U.S. EPA report on public involvement[2] and illustrates how increasing levels of public involvement are based on the purpose of the public involvement program:

Exchange Information → Develop Recommendations → Reach Agreements

Determining the "right" level of public involvement will depend on the needs of all participants, the goals of the convening organization, the opportunities and constraints imposed by rules and regulations, and time and resource constraints.

The higher the level of public involvement, the more influence the public has on the decision at issue. But even when an appropriate level has been determined, program effectiveness can vary widely in different settings. As a prelude to the focused discussion in the following chapters on public involvement in the context of restricted-use decommissioning, this chapter summarizes general characteristics of effective public involvement programs in the broad context of hazardous sites or facilities that create risks to the surrounding communities. For this discussion, the fa-

[1] *Democracy in Practice: Public Participation in Environmental Decisions, Resources For The Future*, Washington, DC, 2002, Thomas C. Beierle and Jerry Cayford.

[2] *Report on the Common Sense Initiative Council's Stakeholder Involvement Work Group*, U.S. EPA, June 3, 1998.

Best Practices Key Points

- Public involvement must never be approached as a process to persuade the public about the soundness of a decision. Rather, the public and the decision makers should be engaged in learning from each other and in evaluating options. The focus of dialogue should be on those areas of decision making where there is a genuine opportunity for the public to help shape the proposed plan or project.
- Effective public involvement requires a planned program of activities and dialogue opportunities; it is not simply a loosely connected series of events.
- Effective public involvement includes a continuing role for the public in shaping and implementing decisions and monitoring their outcomes and effects.

cility owner is assumed to be the organizer and convener of the public involvement program.

2.2 A Programmatic, Long-Term Approach to Public Involvement

Effective public involvement cannot be achieved through any single event or even a series of events or activities. Rather, public involvement should be viewed as a program of coordinated activities that seeks to generate a broad understanding of public interests and values and to improve decision making by incorporating public input. If done well, the public will be engaged in productive dialogue with decision makers, and learning will be a two-way affair.

Effective public involvement will result in an investment by the public in the decisions reached. It will start early in project development and extend beyond planning and decision making to include an ongoing role for the public during implementation of the decisions and the management of long-term site activities.

2.3 Characteristics of Effective Programs

There are three key elements to a meaningful public involvement program: relationships, information, and processes. As illustrated in Figure 1, these elements provide a framework for building a successful public involvement program characterized by:

- Forums for genuine dialogue,
- Shared understanding of values and perspectives, and the issues to be resolved,
- A genuine opportunity for the public to influence decision making.

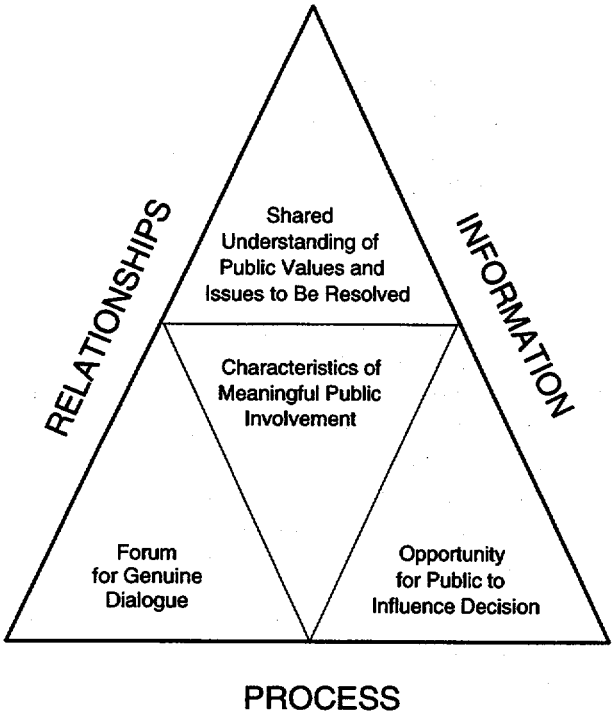

Figure 1: Public Involvement Framework

2.3.1 Relationships

The most important element of any public involvement program is the relationship that the facility owner/operator establishes with the public. The attitude of the sponsor in seeking involvement with the public sets the tone for the entire program and will determine if and how the public chooses to get involved. Successful public involvement almost always means starting early in the project-development process, and in many cases, continuing well after the project is completed. Some facility owners maintain a permanent community advisory group to provide both a monitoring and feedback functions during ongoing facility operations and to serve as a sounding board for new initiatives. (This may be especially important at restricted-use sites to ensure public comfort with the application of long-term site stewardship, including the adequacy of institutional controls.) Establishing good relations is a matter of building trust with the public, of which some members may be openly skeptical of facilities that handle dangerous materials.

Best Practices Tips

Important Behaviors for Building Trust

- Recognize and respect cultural diversity of groups and individuals.
- Always deal with the public honestly and openly.
- Recognize, acknowledge, and work to overcome existing barriers to effective dialogue – in particular, recognize that the public often sees itself as relatively powerless when facing a large corporation and/or a government agency.
- Seek out opportunities to create an ongoing dialogue with the public.
- Create an open door for public inquiries and discussion.
- Never play one part of the public against another.
- Ensure that all members of the public are given the same opportunity for access and involvement.
- Help to ensure that all stakeholders are talking to each other.
- Never make promises that cannot be kept. Always keep promises that have been made.
- Be honest and open about the decisions to be made.

Best Practices Tips

Important Behaviors for Developing Effective Public Information

- Provide the public with a balanced, comprehensive, and accurate understanding of issues.
- Respect the public's time availability and develop information accordingly.
- Explain technical issues without talking down to the public, while recognizing the diversity of educational backgrounds and relevant technical expertise among members of the public.
- Do not underestimate the public's ability to understand fundamental concepts underlying complex technical issues, but do recognize that some members of the public will need assistance and perhaps training to do so – and provide it. Members of the public do not need to become experts, but they do need sufficient information and the context for interpreting it in order to understand and discuss the full implications of alternatives.

2.3.2 Information

Accurate and comprehensive information is the lifeblood of public involvement. Unless the public fully understands the decision-making process and has a balanced understanding of all alternatives and their ramifications, it will be unable to provide meaningful input.

2.3.3 Process

An effective public involvement program integrates relationships and information to create opportunities for shared learning and dialogue among all stakeholders. Such meaningful engagement is aimed at developing common understandings and effective evaluations of issues, developing proposals and recommendations, and if appropriate, reaching a consensus. Accomplishing these objectives requires process training, skill, and attention to how public involvement activities are conducted. Effective public involvement processes are created by:

- Establishing clear goals and expectations (what decisions are at issue) for the public involvement program as well as for outcomes of the activity.
- Making sure that those who wish to participate are provided the opportunity, and if a collaborative process is employed, the appropriate stakeholders are at the table.
- Using tools and techniques that are appropriate to the program's goals and objectives.
- Creating opportunities for shared learning and the development and evaluation of alternatives by establishing forums for meaningful dialogue.

Restricted-Use Decommissioning – Challenges and Requirements

Chapter 3

3.1 Public Involvement Goals and Challenges

Public involvement in the NRC restricted use-decommissioning context presents three special challenges.

FIRST: Owners of some NRC-licensed facilities have a history of poor relationships with the surrounding community. This creates an immediate hurdle for future public involvement when these facilities move into the decommissioning phase.

SECOND: Licensees choosing restricted use as the preferred decommissioning option will, by definition, leave some residual contamination at the site after decommissioning. As a result, some if not most members of a community adjacent to a contaminated site will oppose restricted-use proposals, even at those sites where an ongoing and effective public involvement program is in place. No one wants contamination by radioactive or toxic materials in their community.

THIRD: The public is likely to be skeptical about the value of their input. If the decision has already been made about restricting future uses, they will question the usefulness of getting involved at this stage.

The licensee's dialogue with the public should aim at sharing all of the information on which the proposal for restricting future uses is based. Only after community members are given the opportunity to fully understand and evaluate all aspects of the problem and alternative solutions, including the risks and costs of excavating, treating, transporting, and disposing of contaminated materials off site, is the public in a position to weigh the relative cost and benefits of residual contamination and restricted future site uses. Some members of the public still may disagree with restricting future uses rather than decontaminating the site, but everyone will be operating from the same information base.

A broader goal of involving the public in decommissioning decisions is to achieve the most cost-effective and socially acceptable long-term decommissioning solution. The public's role in achieving this goal is multifaceted:

- The surrounding community, because it is most directly impacted by decisions that are made, can articulate public values, interests,

Best Practices Key Point

The facility licensee should be honest and forthcoming about the "decision space." What is really on the table for discussion? Understand the public's desire to be involved and to influence the plan, explore the value of including the public in a collaborative process, decide on the appropriate level of public involvement, and then be clear about which aspects of the plan are set and which are subject to public input.

and behaviors that should be acknowledged and accommodated in the decommissioning plan to the extent possible.

- The community's understanding and knowledge of site conditions and possible routes of exposure to contaminated materials are essential to designing a long-term plan that protects public health and safety.
- Public acceptance of the plan will be important for maintaining stewardship of the site over the long term.
- Participation of the surrounding community will be a key ingredient for successful implementation of the plan.

To achieve these goals requires extensive public dialogue in an open and honest forum – the essence of effective public involvement.

Clearly, the licensee wants to move forward with the proposed decommissioning plan and obtain NRC approval. To achieve that goal, a public involvement program must be implemented per NRC regulations as described in Section 3.2. But given the public involvement challenges the licensee may face, going beyond minimally meeting the NRC requirements – describing the proposed plan, recording public reaction and reporting the licensee's response – will likely be necessary to meaningfully engage the public.

This means that the licensee should be open to new information and new ideas, including the option of unrestricted future use of the site following complete decontamination. However, without new information presented by participants in the public involvement program that opens up feasible, unrestricted use alternatives, the discussion is likely to focus on ways to modify the proposed plan. In the best case, community consensus on a modified plan can be achieved. In any case, the community will better understand the rationale for the plan, recognize how their interests were considered, and be more likely to accept the final proposal if they had a meaningful opportunity to shape it. Without a genuine and effective public involvement effort, a licensee's attempt to satisfy at a minimum the NRC's public involvement requirements is likely to result in a battle to defeat the proposed plan rather than an engagement to ensure that important public values and interests are incorporated into the decision process and the final plan. If done well, the public involvement process will provide all stakeholders an understanding of the life-cycle impacts associated with all reasonable decommissioning alternatives and an opportunity to express their concerns and evaluate ways the plan can be modified to accommodate them.

3.2 The Decommissioning and License Termination Process

Figure 2 illustrates the NRC site decommissioning process. The licensee is responsible for developing and submitting the decommissioning plan within one year of notifying the NRC of its intent to decommission. The public is involved in the planning process (Step 1 in Figure 2) as specified in the NRC regulations (10 CFR Part 20 Subpart E: Section 20.1403) with respect to restricted-use decommissioning. These regulations focus on the human health and safety issues of the plan. As specified in 10 CFR Part 20 Subpart E: Section 20.1405, the NRC is responsible for reviewing the decommissioning plan for compliance with applicable NRC regulations (Step 2). NRC's NMSS Decommissioning Standard Review Plan (NUREG-1727) contains specific information on requirements for site analyses, waste management planning, environmental monitoring, financial assurances, and other elements of the licensee's decommissioning plan.

The NRC is also responsible for preparing an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) for the entire decommissioning process. NEPA includes significant opportunity for public input as well.

Finally, Figure 2 depicts the process for monitoring and surveying the site after the decommissioning plan is implemented and for terminating the NRC license. For restricted-use sites, site controls must be maintained for extended periods of time after license termination.

From the perspective of the licensee, the NRC requirements for public involvement in restricted-use decommissioning target human health and safety issues as contrasted with environmental impacts. Likewise, the focus of this best practices report is on public involvement with health and safety issues. To set the broader context, NRC's environmental impact evaluation role and the public's involvement therein are briefly described in the discussion that follows. Note, however, that the public may not appreciate the distinction in the regulations between two separate processes based on type of impact (health and safety versus environmental). Thus, the complete array of issues is likely to surface when the licensee begins the public involvement program required in NRC's health and safety regulations, and the licensee should be prepared to address them.

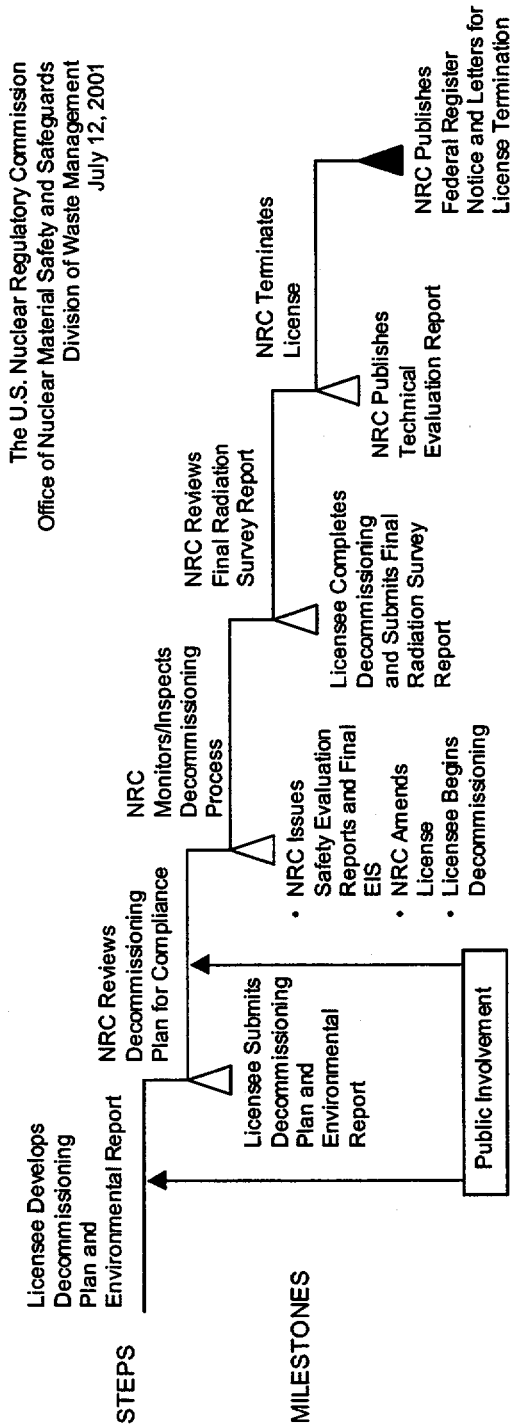

Figure 2: NRC Licensing Steps for Site Decommissioning

3.2.1 Public Involvement with Respect to Health and Safety Issues

Role of the Licensee

The relevant portions of the NRC regulations [10 CFR Part 20 Subpart E: Section 20.1403d(2)] read as follow:

The licensee shall document in the LTP (License Termination Plan) or decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated, as appropriate, following analysis of that advice.

(1) Licensees proposing to decommission by restricting use of the site shall seek advice from such affected parties regarding the following matters concerning the proposed decommissioning —

(i) Whether provisions for institutional controls proposed by the licensee:

(A) Will provide reasonable assurance that the TEDE (total effective dose equivalent) from residual radioactivity distinguishable from background to the average member of the critical group will not exceed 25 mrem (0.25 mSv) TEDE per year;

(B) Will be enforceable; and

(C) Will not impose undue burdens on the local community or other affected parties.

(ii) Whether the licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site;

(2) In seeking advice on the issues identified in Sec. 20.1403(d)(1), the licensee shall provide for:

(i) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement or disagreement among the participants on the issues.

These regulations contain important requirements and expectations for public involvement in plan development.

The licensee shall document in the LTP (License Termination Plan) or decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated, as appropriate, following analysis of that advice.

While consensus is not required, community input must be solicited and considered by the licensee. The NRC expects the public to provide advice on the issues under consideration, and the licensee is expected to incorporate that advice if it is "appropriate" to the actions under consideration.

(i) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;

This and the previous section refer to involving "individuals and institutions" and "a broad cross section of community interests." The affected community will likely include land and business owners, community interest groups, local and state governments, schools, public and private agencies, and the public at large. The public involvement program will need to create an understanding of the diverse perspectives, interests, and concerns present in the community and ensure that all are given due consideration in the decommissioning process.

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented;

The licensee will have to provide the opportunity for meaningful dialogue among the community interests identified and the information necessary to ensure that dialogue participants are informed and knowledgeable about the issues. The emphasis is on discussion rather than the simple exchange of information or solicitation of viewpoints.

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement or disagreement among the participants on the issues.

The licensee must provide feedback both to active participants in the public involvement process and to other potentially interested members of the public regarding the nature and results of discussions with the public and how the public input affected the final decision.

The licensee is responsible for implementing the public involvement program to meet the NRC requirements. As such, the licensee will be responsible for the following activities, at a minimum:

- Identify the individuals and institutions in the community who may be affected by or have an interest in the decommissioning.
- Create and disseminate all necessary information to those individuals and institutions so that they can understand the specific issues identified in the regulation.
- Establish a public forum that will allow meaningful dialogue on the issues to take place among all community interests.
- Provide complete and ongoing feedback to the public on the results of community discussions and the influence of the community input on the final proposed plan.
- Document the results of the public involvement program.

Role of the NRC

Requirements for the NRC regarding public involvement in the restricted-use decommissioning process are found in Section 1405 of the regulations (10 CFR Part 20 Subpart E: Section 20.1405). Official NRC activities begin upon receipt of the LTP.

Upon the receipt of an LTP or decommissioning plan from the licensee, or a proposal by the licensee for release of a site pursuant to Sec. 20.1403 or 20.1404, or whenever the Commission deems such notice to be in the public interest, the Commission shall:

(a) Notify and solicit comments from:
(1) Local and State governments in the vicinity of the site and any Indian Nation or other indigenous people that have treaty or statutory rights that could be affected by the decommissioning; and
(2) The U.S. Environmental Protection Agency for cases where the licensee proposes to release a site pursuant to Sec. 20.1404.
(b) Publish a notice in the Federal Register and in a forum, such as local newspapers, letters to State of local organizations, or other appropriate forum, that is readily accessible to individuals in the vicinity of the site, and solicit comments from affected parties.

Finally, the NRC staff evaluates the effectiveness of the licensee's public involvement program under 10CRF20.1403. This evaluation is part of

the review of the licensee's proposed decommission plan. The results of the public involvement program must be found acceptable before the plan is approved and before decommissioning activities are begun.

Beyond complying with the regulatory requirements, the NRC needs to understand that the public has entrusted the Commission with ensuring public health and safety, in part through its effective involvement in the decommissioning process. To acknowledge and reflect this trust and to provide a meaningful basis for reviewing the licensee's public involvement program, NRC staff should take the following steps to play an active role in the licensee's public involvement program:

- Attend every public meeting and event.
- Act as a resource during public dialogue, and ensure that the issues under consideration are properly understood within the context of NRC regulations.
- Foster relationships with key members of the public to ensure ongoing awareness of public issues and concerns.
- Provide the public with ongoing access to NRC staff to answer questions and provide information.
- Work with the public to identify appropriate agencies and/or possible avenues of participation for any issues of concern that are outside NRC's purview.

3.2.2 Public Involvement with Respect to Environmental Issues

As part of the restricted-use decommissioning process (summarized in Section 3.2.1), NRC is required to prepare an Environmental Impact Statement (EIS) as specified in NEPA. The proposed decommissioning plan becomes the "preferred alternative" in the EIS, and the NEPA process provides an opportunity for the public to comment on a much broader range of issues than human health and safety alone – for example, how the plan would affect wildlife; air, water and land resources; and historic assets in the community.

The Council on Environmental Quality (CEQ) oversees the implementation of NEPA requirements in each federal agency. Public involvement is a major component of the CEQ's Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508). Federal agencies are required, to the fullest extent possible, to encourage and facilitate public involvement in agency decisions that affect the quality of the human environment [40CFR1500.2(d)]. Agencies must also make diligent efforts to involve the public in preparing and implementing their NEPA procedures [40CFR1506.6(a)].

Required public involvement activities related to the draft EIS include:

- Writing the draft EIS with the public in mind,
- Circulating the draft EIS,
- Providing public notice of availability,
- Soliciting public comments,
- Holding at least one public hearing,
- Considering and responding to public comments on the draft EIS,
- Filing the final EIS with U.S. EPA and making it available to the public,
- Publishing and disseminating the Record of Decision, and
- Making available to the public copies of any Mitigation Action Plan that is prepared and any relevant monitoring results.

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Guidance for Planning and Implementing Public Involvement Programs

Chapter 4

4.1 Overview

An effective public involvement program must be carefully planned and designed. It begins with deciding who should lead the effort and who should be involved from the licensee's staff. A site-specific situation assessment is then conducted to determine the public's needs and any limitations and constraints on the public involvement program, and proceeds with establishing a clear statement of program goals reflecting both the licensee's and the public's input. A site-specific program is then tailored to achieve those goals within the identified limitations, with members of the public involved in its design.

4.2 Decide Who Should Lead the Effort

The licensee is responsible for all aspects of the public involvement program associated with developing the plan for restricted-use decommissioning. Determining who will design and manage the program as well as what assistance will be needed to implement it is critical. Consider contracting with a public involvement practitioner to assist with all aspects of the program, including conducting the situation assessment and facilitating the entire process. Where past attempts to involve the public have not been wholly successful, and where a multi-stakeholder collaborative advisory or decision-making process will be part of the public involvement program, the independence of the practitioner must be assured. This may mean hiring the practitioner through an independent third party[3]. Using an independent public involvement practitioner does not substitute for interacting directly with the public. Work with the neutral to identify ways to make contact and begin or reestablish relationships with the public.

Neutrals facilitators work only to ensure that the process is run well, not to advocate for a particular outcome. In order to better understand the role of the third-party neutral, familiarize yourself with the International Association for Public Participation (IAP2) Code of Ethics for Public Participation Practitioners (see Exhibit 1).

[3] The U.S. Institute for Environmental Conflict Resolution manages a roster of qualified facilitators, and can assist in selecting and contracting with them.

Best Practices Key Points

- All members of the licensee's staff should receive training in the public involvement process, particularly in answering questions from the public and the media.
- One or more personal contacts should be identified for people to call. It is important that the public has an individual to talk with when they call to ask questions or seek information.
- An experienced public involvement practitioner can assist in all aspects of a public involvement program and is often in a better position than the licensee to conduct the situation assessment and to facilitate the process. Practitioners must be independent and neutral if they are to guide a collaborative process. Independent technical experts also lend credibility to the public involvement program.

Best Practices Tips

Selecting and Using Public Involvement Practitioners and Technical Experts

- Select a practitioner with specific experience in developing public involvement programs related to environmental cleanup.
- For practitioners who will guide multi-stakeholder, collaborative process, look specifically for experience as a neutral facilitator of such processes.
- Get referrals for practitioners and technical experts from both agency personnel and the public.
- Explore ways to involve the public in the selection process. A selection panel that includes members of the public is one approach. (This is probably not practical for the practitioner who conducts the up-front, situation assessment work.)
- Outline the process and identify the specific criteria to be used for selection of technical experts so that the public understands how the selection will be made. Ask the public to suggest additional criteria to be used in the process.
- Get the practitioner involved as early as possible. You may want to consider getting help with the situation assessment from one practitioner and

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It may also be advantageous to identify one or more third-party technical experts to support the public in understanding the key issues surrounding decommissioning. Some of these issues can be highly technical, and the public is often concerned about receiving accurate and complete information. Providing the services of one or more independent technical experts to respond to the public's questions and to summarize technical information can be highly beneficial to understanding of and trust in the information.

The licensee's site manager typically manages the public involvement program. With appropriate training and sufficient experience, the site manager or a senior staff person can also serve other roles, such as assessor, conveners and facilitator. The key to success, however, is the ability of this person to gain the trust and respect of all participants in the public involvement program. A skeptical public may demand completely independent practitioners and experts.

Regardless of who leads the effort, everyone on the licensee's staff (managers, technical staff, and support staff) should have some training in public involvement. Such training will identify the roles of the various participants and provide instruction on how to answer queries from members of the public and the media on the nature of the program as well as on specific issues and concerns. Each member of the licensee's staff who will have contact with the public should be thoroughly versed in the NRC regulations and the licensee's plan to develop a public involvement program.

4.3 Conduct a Situation Assessment

4.3.1 Purpose

The next step in designing a public involvement program is the situation assessment. The following questions should be addressed:

- Who should be involved?
- Who wants to be involved?
- What type and level of involvement do different members of the public desire?
- What are the main issues and concerns in the community?
- What is the perception of the public toward the licensee, NRC, other regulatory bodies, and the decommissioning process?

The answers to these questions should be sought directly from a representative cross section of the public and be used to help design the public

involvement program. If a public involvement program is already in place or has been used in the past, take this opportunity to informally evaluate its effectiveness by asking members of the public the same questions posed above. In addition, it is important to be clear about the constraints on the process and to communicate these constraints to the public from the outset of the project:

- What specific issues can and cannot be addressed through public involvement?
- What are the legal, financial and other constraints on public involvement?

The situation assessment may be the first opportunity for the licensee to establish (or reestablish) relationships with the public. Experiences during the assessment will set the tone for the public involvement program that emerges from the assessment. Although the primary purpose of the assessment is to solicit, not provide, information, it is important to have a clear understanding of the degree to which you are willing to use public input in the decision-making process. The NRC regulations only outline the minimum requirements for public involvement. Preparing to clearly articulate to what extent the public may be able to influence the final proposed decommissioning plan, as well as legal and regulatory constraints on decision-making, will help prevent unrealistic expectations by the public. If the role of the public in decision-making is uncertain at this point, the assessor should be prepared to summarize how and when "decisions on decision making" will be made and how the results of the situation assessment will be used in this process.

4.3.2 Identify the Public and How They Would Like to Get Involved

As noted previously, the terms "public" and "community" are used interchangeably in this report to describe everyone (individuals, organizations, companies, agencies, governments) in a geographic area. We do distinguish two subsets of the public:

Stakeholders: those members of the public who will be, or perceive themselves to be, affected by the decommissioning plan, or who could affect its implementation, and

Participants: those stakeholders who participate in the public involvement program.

Note that public can have a broad geographic scale of reference, from very local (I live next to the site) to national (I'm a member of a national group with a keen interest in facility decommissioning or a particular natural resource). Regardless of distance or nature of interest in the project,

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then seeking help with the planning and implementation stages from another. However, it is very important that the practitioner who implements the program plays a significant role in its planning.

- Work closely with the practitioners and experts to ensure they understand their roles and responsibilities, being mindful of their need for independence when facilitating collaborative processes and interpreting technical information.

Best Practices Key Point

The situation assessment is an opportunity to (re)establish relationships. Use the process of identifying community interests and concerns to create personal relationships with members of the public.

Best Practices Tips

Identify Potential Groups, Institutions, and Individuals from a List of Potential Impacts

Start by preparing a written template or chart of potential impacts of the proposed decommissioning plan, including:

- Public health and safety
- Livelihood or employment
- Property values
- Local economic vitality
- Environmental resources
- Nuisance issues, such as noise, odor, traffic congestion
- Social equity
- Community reputation
- Aesthetics
- Community culture or history
- Other issues specific to the site or community

Once all of the potential impacts are identified, write down all of the groups and individuals in the community who may be concerned with these impacts and seeks ways to contact them.

no member of the public should be excluded from the public involvement process.

While all members of the public who wish to participate need access to the program, it is important to recognize that not all will choose to do so at the same level. Many factors will bear on this choice:

- The degree to which the individual or group perceives that they will be directly affected,
- The strength of their convictions about specific issues,
- The degree to which the individual believes their participation will be worthwhile,
- The degree to which the individual trusts the public involvement process,
- The amount of time the individual has available, and
- The degree to which the individual believes others in the community are already adequately representing his/her interests in the process.

As a general rule, the more intense and time-consuming the activity, the fewer regular participants will be involved regardless of the intensity of feeling in the community. Relatively few people will choose to get involved in very time-consuming activities such as regular meetings of advisory groups. More people will choose to get involved at less frequent focus groups and public meetings and many more individuals will track progress through media reports and other forms of information exchange.

How should you go about characterizing and identifying the public at a specific site? The regulatory language specifies that advice should be sought and incorporated from "...individuals and institutions who may be affected by the decommissioning...." and requires "...participation by representatives of a broad cross section of community interests who may be affected by the decommissioning."

Note that the NRC regulations governing the licensee's responsibilities for public involvement in restricted-use decommissioning only require public discussion of health and safety issues. However, the public will view impacts of decisions of the future use of the site in a broader context. It is not reasonable to expect that the public will distinguish different types of impact based on government regulations or to delay expressing their concerns until the NRC's NEPA process is underway. Be prepared to engaged the public on a much wider range of issues and suggest ways that concerns about issues not directly related to human health and safety could be raised in NRC's EIS process under NEPA (see Section 3.2).

As a starting point, identify those members of the public who are active in the community or have expressed interest in the site in the past. Lists of such individuals and groups are often available from previous public involvement efforts at the site. Check with the NRC and state and local agencies to see if their records provide additional information. Start with the community leaders, both political and nonpolitical, and get referrals to other individuals and organizations.

Don't forget to include public institutions in your identification of relevant groups. Institutions include state and local governments and agencies. Particularly relevant are environmental regulatory bodies, especially where radioactive materials on the site also may be hazardous based on their physical or chemical characteristics, and where air and water routes of exposure may be regulated under air and water pollution laws. The U.S. EPA may be a relevant agency from this perspective. Similarly, state and local agencies that regulate land use will have an important role in controlling future uses of the site under restricted-use conditions.

After meeting with community leaders, it is important to expand the dialogues to all groups that are potentially affected by decommissioning. In addition to those already known or identified by referral, seek out other individuals and organizations that are active in the community but may not have taken an interest in the site. Such organizations may include churches, schools and colleges, civic and philanthropic organizations, environmental groups, businesses, and many others depending on the nature and interests of the community. Use a variety of approaches to identify potentially interested members of the public and schedule interviews.

Where possible, talk to individuals and groups in their communities – at their homes and offices, at meetings of existing organizations, and in small group settings at convenient locations. Special approaches may be needed to reach and engage groups that are or historically have been or perceive themselves to be low on the power spectrum (politically, economically, educationally, or otherwise). Literacy is an issue, especially in some rural areas. Identify minority groups and culturally distinct subgroups in the area and learn about their cultural communication norms. Seek advice from leaders of these groups or from experts at universities or relevant government agencies in the area or state. Remember that Native American tribes are sovereign entities and should be treated the same as state governments. Two U.S. EPA publications are excellent guides for involving cultural and ethnic minority groups and tribes in public involvement programs: *The Model Plan for Public Participation* and *Guide on Consultation and Collaboration with Indian Tribal Governments and the Public Participation of Indigenous Groups and Tribal Members in the Environmental Decision Making* (*see* Exhibit 3: Bibliography, page 55).

Best Practices Key Points

- In most communities, potential participants are most likely those that are already actively involved in the community. Start with community leaders. Always end meetings and interviews by asking who else should be contacted.
- The only way to fully understand community concerns and issues is to ask community members directly.
- Talk to the public on their turf. Focus on how they would like to participate. Recognize that members of the public will seek involvement at all levels from merely wanting information to seeking direct involvement in decision making.

As the number of identified individuals expands, supplement personal interviews and discussions with telephone interviews and possibly with a formal survey as discussed in Section 4.5. Use this opportunity to provide information to the public so that they have an appropriate context to answer questions about their potential participation, and then find out how they would like to be involved:

- Are they interested in simply learning more and staying abreast of the process or would they like to become engaged in a collaborative process?
- What types of information and activities would be most helpful to them?
- What are the constraints to their involvement?
- Who would be effective in a collaborative process such as serving on a citizen advisory board?

All members of the public should have the opportunity to get involved, and no set of interests or viewpoints should be given precedence. This is why it is very important to engage the full spectrum of community interests. If not, the most vocal or strident viewpoints often receive an inordinate amount of attention and can be incorrectly perceived as the majority viewpoint within the community.

4.3.3 Identify Public Concerns and Interests

- What are likely to be the main community concerns about decommissioning?
- On what issues does the community feel it is most important to be involved?

While most communities will share the basic concerns about health, environment, and economic impacts, it is important to identify those specific issues of importance in each community, as these will drive public interest and help shape the design of the public involvement program.

Ask members of the public about their specific concerns and how they relate to specific conditions at the site and in the community, the relative priority of these concerns, and how the concerns relate to underlying community values. This is not only important baseline information about the community, but as noted in the introduction to this section, gathering it provides an initial opportunity to develop relationships and engage the community in informal dialogue. Always provide a name for the interviewee to contact for follow-up information.

Since it is important that individuals feel comfortable in expressing themselves freely, this information is best obtained in person through one-on-

Best Practices Tips

Keep Track of Community Interests

Make a detailed list of all of the distinct interests and issues that were identified within the community during the situation assessment. Continually update this list as new issues and interests are identified. Identify at least one member of the public under each heading with whom you have established an ongoing relationship. In the event that a citizen advisory board will be used in the public involvement program, this list can be used as a starting point to select board members.

one interviews and in small informal settings as described in general above and in more detail below. Communication by e-mail and telephone can also be used to reach more people in larger or geographically dispersed communities as necessary, but every effort should be made to maximize personal contact. If time permits, a formal community survey could be conducted. These communication and information collection methods are discussed in more detail in Section 4.3.4.

4.3.4 Use a Variety of Methods to Gather Information

Tailor the suite of methods used in the situation assessment to the community. Large, diverse communities will require a variety of methods to obtain the desired information.

Interviews

- Conduct in-person interviews whenever possible.
- Go to members of the public at times convenient for them.
- Visit existing groups at their regular meetings.
- Whenever possible, have managers and technical staff participate in interviews, to meet members of the public, hear community issues firsthand, and provide answers to community questions.
- Make sure interviewers have the authority and information needed to answer basic public questions.
- Prepare and have on hand written information that addresses basic questions the public is likely to have.
- Provide the opportunity for personal interviews whenever requested by the interviewee.
- Use telephone interviews as a backup or in cases where the size and scope of the potentially affected public precludes in-person meetings.

Community Surveys

- Engage a professional in survey design and data management and analysis to assist in the survey process.
- Use surveys as an overview tool to help design public involvement programs but not as a tool to develop statistical data or evidence of community disinterest.
- Keep the questionnaire short and simple.
- Ask existing community groups to distribute and collect surveys for better response.

Best Practices Key Point

People lead busy lives and participants in previous public involvement programs may be suffering from "process fatigue." Make the assessment process as efficient and painless as possible for the participants.

Best Practices Tips

Use Various Approaches to Reach the Public

- Attend and participate in regular meetings of local organizations.
- Visit churches and other meeting places in the geographic area of the site.
- Conduct zip-code based mailings.
- Meet with teachers and send information home with students.
- Write feature stories in local periodicals on the decommissioning process and the opportunities for public involvement.

Best Practices Key Point

Use the results of the situation assessment to mesh public desire regarding their level of involvement with time and cost considerations, and in the case of a desire for the highest level of involvement, the licensee's willingness to share decision-making authority.

Best Practices Tips

Selecting the Level of Public Involvement

- Develop a written goal statement for public involvement. Be clear and consistent. Write key messages down and repeat them throughout the process.
- Respond to the specific participation needs that were identified by the public in the situation assessment phase by letting the public know how information will be provided, how meetings and events will be scheduled, and how decisions will be made.
- Develop a diagram that clearly outlines the decision process, roles, and responsibilities, including key dates and opportunities for public input. Include the broader context of discussions between NRC and licensee that relate to the development and evaluation of the decommissioning plan.

Focus Groups (Small, Informal Discussion Groups)

- Identify groups by area of interest or concern.
- Ask community groups to invite participants and help sponsor these discussions.
- Consider using a third-party facilitator to encourage discussion and record the results.
- Have key staff as well as NRC staff in attendance to listen to community issues firsthand.

4.4 Select the Appropriate Level of Public Involvement

A range of public involvement levels was introduced in Chapter 2 – from simple information exchange to agreements reached by collaborative negotiations among stakeholders. Deciding on the appropriate level of public involvement in the NRC decommissioning context is ultimately the licensee's call. Whether or not to go beyond the minimum level of involvement required by the NRC regulations should be based on the public's interests and desires, the time and resource constraints for the program (see Section 4.12), and the licensee's comfort level with sharing decision-making authority. It also depends on the "decision space" – what the licensee is willing to put on the table for discussion. Some members of the public may want the licensee to reconsider restricted use altogether – something the licensee may be unwilling to do. In this case, the licensee should be clear about this from the beginning. Nevertheless, there should still be ample opportunity to fine-tune the plan and the licensee should honestly seek the public's ideas about, and participation in, implementing the decommissioning plan. The level of public involvement could still be high, but it would be focused on those issues that are amenable to discussion and final decision making.

Two points are worth repeating:

1) The goals should be both to gain NRC approval for the proposed plan and to design the most cost-effective, long-term plan that protects human health and safety and the environment.
2) Public involvement should never be a process to persuade the public about the soundness of a decision already made.

The situation assessment will reveal the range of the public's desire for involvement. Ultimate public satisfaction will be largely determined by how well the public involvement program met their needs. Offering too much or too little involvement will lead to dissatisfaction. Where there is a strong desire for full involvement in shaping and implementing the plan, try to accommodate that desire to the extent practical.

The IAP2 Public Participation Spectrum is a helpful tool in selecting an appropriate level of public involvement (see Exhibit 2). The IAP2 Spectrum is organized to show increasing potential for public influence on the decision, in this case, the proposed decommissioning plan.

NRC regulations indicate participation at about the *Involve* level. At this level the public is engaged directly with the licensee in exchanging information, there is an expectation that public input will affect at least health- and safety-related aspects of the proposed decommissioning plan, and the licensee will provide direct feedback on how public input influenced the proposed plan. The licensee may decide to involve the public to a greater degree in decision making, perhaps at the *Collaborate* level on the IAP2 Spectrum. This level suggests that a formal advisory board would be established and that the licensee would be a resource, or that the licensee might serve as a co-equal participant in a decision-making group ("participatory decision making" in the Spectrum's terminology). Recognize that the levels on the IAP2 Spectrum represent a gradient and not distinct, exclusive categories. Time and available resources to support the public involvement program should also be considered, although these are not absolute commodities and they should not be used as an excuse to use the minimum level as a default. Keep in mind that the time and cost to complete a program at any level of involvement is also dependent on the specific program design (see Section 4.12).

Greater public involvement suggests greater acceptance and "ownership" of the decommissioning plan by the public, and presumably, involvement in plan implementation. But it also implies less direct control by the licensee. Reaching consensus among the group participants should be the goal. This is where a skillful and neutral facilitator can be invaluable. Whichever participatory level is adopted (at or beyond the *Involve* level), the selection should be based on an explicit rationale and carefully articulated goals for the public involvement process. The level and the associated goals should be thoroughly discussed with the public so that its expectations are appropriately established. Anticipate that some members of the public will want to debate the merits of the choice if it does not accord with their needs or desires for involvement in shaping the plan. However, once the level is selected it will help set the expectations of all participants in the process.

4.5 Include the Public in Planning for Its Involvement

The more the public is involved in deciding how it will participate, the greater the level of public acceptance of the ultimate process that is put into place. In addition, participants are likely to better understand the purpose and goals of the public involvement activities if they are involved

Best Practices Tips

Get the Public Involved in Planning

- Consider a small informal group of key members of the public to provide input and feedback to planning concepts and ideas.
- The results of the situation assessment are very important in planning for public participation. Make a point of going back to the public to follow up on issues raised and suggestions for structuring the public involvement process.
- Be sure to provide direct feedback on how public input was used in developing a plan for public involvement.

Best Practices Key Point

A written public involvement plan can serve as a guide to participants throughout the process and provide assistance to late joiners in catching up.

Best Practices Tips

Making an Effective Plan

- Make the public involvement plan a public document.
- Make the plan visually simple to portray key concepts and information effectively.
- Keep the plan up-to-date to serve as a vehicle for communicating what was done and achieved.
- Include a diagram that clearly outlines the decision process, roles, and responsibilities, including key dates and opportunities for public input.
- Make the plan available on a Web site or as an e-mail attachment for easy access.
- Ask the public to review a draft of the public involvement plan to get feedback on what is to be done and to ensure their understanding of the process.

in planning the process. This level of understanding will translate into broader participation. Consider establishing a steering committee to help develop the plan.

4.6 Prepare a Written Public Involvement Plan

All key elements of public involvement planning should be captured in a single summary document that outlines all of the aspects of public involvement that are important to both the planners and the participants. Think about how to present each of the following in ways that are useful to the process:

- Goals and expectations for public involvement in the restricted-use decommissioning process,
- Individuals and groups to be involved,
- The decision process and how public involvement will be incorporated,
- Planned public involvement activities and the objectives for each one,
- Detailed schedules and time lines for activities and public input,
- Public information needs and how they will be fulfilled,
- Specific roles and responsibilities of participants in the process,
- How licensee and NRC public involvement programs relate to each other, and
- Detailed contact information (be sure to get permission of public participants before placing their contact information in public view).

Putting in writing all of the elements of a public involvement plan provides a number of benefits. A written plan is a blueprint for organizing the public involvement program and a vehicle for communication with the public and for establishing common expectations among all participants.

4.7 Plan for Evaluation Up Front

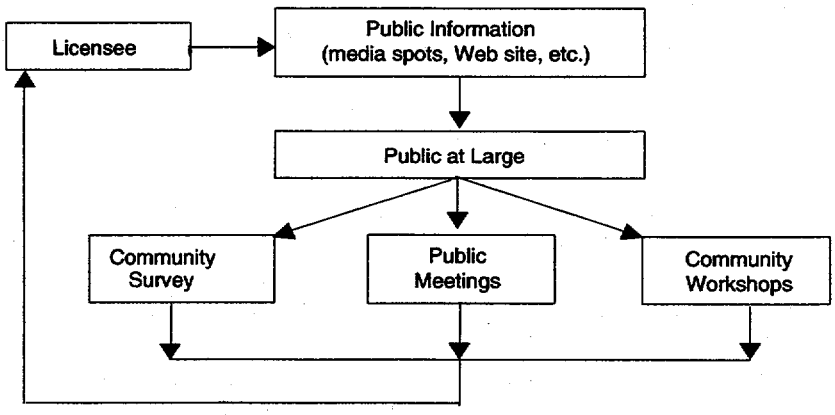
Rarely does a public involvement program work exactly as planned. Events may turn out quite differently than anticipated. Public involvement objectives may not be achieved as quickly or efficiently as anticipated. Even worse, the public may be reacting very negatively to aspects of the public involvement program without the licensee's knowledge. Conversely, when things go well, it is equally important to understand why.

It is important to build and incorporate an ongoing evaluation function from the very beginning of the public involvement program. If evaluation and assessment is begun too late, public positions may harden and the ability to resolve important issues may become much more difficult.

The best approach to evaluation is to stay in direct contact with participants in the process and use a variety of formal evaluation and informal monitoring tools to gauge their satisfaction with the process. Having a written public involvement plan and specific public involvement objectives is important to determining whether those objectives are being met.

4.8 Use Public Involvement Forms, Modes, Tools, and Techniques Appropriate to the Goals and Level of Involvement

The public involvement plan should provide the structure for the program. It should be an organizing framework for exchanging information and engaging members of the public in dialogue. Because different members of the public will seek involvement to different degrees, it is important to identify how each of these needs will be met and how all of the activities will be coordinated. An example structure is illustrated below.



In the above example, the licensee provides information on the proposed decommissioning plan to the public at large through an information campaign and exchanges information (provides information, solicits ideas, and concerns, advises) through complementary modes – a community-wide survey, public meetings, and community workshops on specific topics. The licensee then records the public input and reports to NRC on how and why the public input was or was not used to modify the proposed plan. This example has elements of both the *Consult* and *Involve* levels of public impact in the IAP2 Spectrum (Exhibit 2).

Best Practices Key Point

Evaluation should be used to continually assess and improve public involvement. The public involvement program needs to be flexible enough to respond to changes in information and new issues that impact established goals.

Best Practices Tips

Issues to Monitor

- Is the public involvement program addressing the issue most important to the public?
- Is public information meeting the public's needs?
- Do members of the public feel they are being treated fairly and honestly?
- Is public input reaching the appropriate decision makers?
- Is the public receiving adequate feedback on its input?

Evaluation Techniques to Consider

- Each public involvement event should have specific objectives within the overall public involvement program, whether it is to ensure public understanding of an issue or to have a creative dialogue. Use tools such as short

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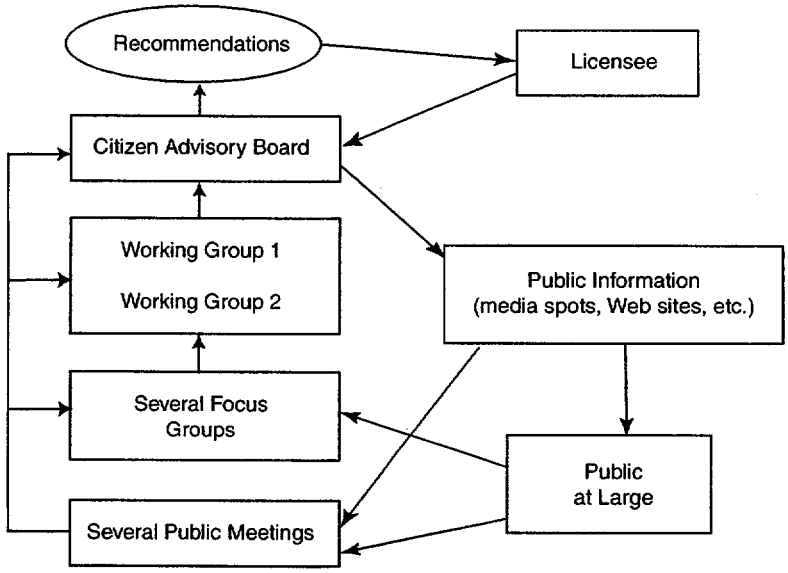
questionnaires or brief interviews after each event to gauge how well those objectives were met and if additional activities are required before moving on in the process.

- Conduct a staff debriefing immediately following each activity to go over the feedback and results of the event.
- Invite staff or community members who are not actively involved in the program to attend events and provide outside viewpoints as to what worked and what did not.
- Be sure to provide feedback to the public when their input is used to make a change in the process.
- Include opportunities for feedback in all public information materials so that people can make suggestions for improvement or additions.
- Consider conducting a formal end-of-process evaluation to assess the effect of the program and to provide broader learning from the experience. Questionnaires could be developed or an independent group hired to conduct the evaluation.

A second example displays more collaborative elements.



In this example, a citizen advisory board is comprised of representatives of each key community interest as identified in the situation assessment, with the licensee providing information and acting as a resource to the board. Working groups are organized as needed around specific issues; they could be strictly subgroups of the advisory board or could include nonboard members as well. Separate, small focus group meetings are held to collect information from and probe attitudes of a sample of the public at large, and larger public meetings provide an opportunity to exchange information directly with the public at large. Involving the advisory board directly in the planning and implementation of public meetings helps to ensure the integrity and success of the meetings and coordination among interests. The results of the focus group discussions and the public meetings are shared with the working groups and the advisory board. A public information program is needed to address the information needs of the public at large and is coordinated to address the information needs of all stakeholders. It is important that the progress of the working groups and the advisory board be fed back to the public in an iterative process. Finally, a set of recommendations regarding the decommissioning plan is presented to the licensee, who then changes the proposed plan based on which recommendations are accepted and reports to the NRC.

The second example featuring a citizen advisory board supports a *Collaborative* level of public involvement in terms of the IAP2 Spectrum (Exhibit 2), with the licensee serving as a resource to the board and the board producing recommendations to the licensee. It also has some elements of the *Involve* level. As discussed in Section 4.4, the public in-

volvement plan has to fit the goals of the program. Other elements of the example reflect specifics of the local situation – local issues and concerns, composition of the public and their information needs, for example. It is the combination of overall structure and process tools and techniques used to meet the needs of the public that make up the site-specific public involvement program.

A third example is a modification of the second, where the licensee is an equal participant on the advisory board and commits to adopting a board-developed decommissioning plan as its proposal to the NRC. This reflects further movement toward the IAP2 *Collaborate* level.

Following are descriptions and discussions of the primary modes and forms of public involvement (as illustrated in the three examples) and the supporting tools and techniques that can be used in a public involvement program.

4.8.1 Formal Citizen Advisory or Collaborative Decision-Making Boards (Depending on the Level of Public Involvement)

Key Characteristics

- Both types of boards have formal memberships that need to be representative of the broad range of community interests.
- Local and state governments and regulatory agencies, could act as full participants or as *ex officio* members. Their involvement is crucial to insure that the recommended or accepted plan is feasible from a broad regulatory perspective.
- The licensee could be a resource (advisory board) or an equal participant (decision-making board).
- Both boards operate under an agreed charter and ground rules.
- In general, the membership of advisory and decision-making boards is fixed and needs to stay intact over a period of time to conduct joint learning, review of proposed actions, and make recommendations.

When to Use Them

- Communities with little history of effective collaboration may need the structure of a formal board to assist with effective communication.
- Collaborative decision-making boards are best used where government agencies and the public has the opportunity for significant impact on the decision (i.e., shaping the decommissioning plan).

Best Practices Key Point

Fit the forms and modes of public involvement (i.e., its structure) to the circumstances. Match the structure to the goals. At higher levels of public involvement, more modes will be required to reach each group at the level of desired involvement.

Best Practices Tips

Integrating Multiple Public Involvement Activities

- Do not strive for consensus within an advisory group if you do not plan to use the results. If diverse groups of people work hard to achieve a consensus position and their input is not given full consideration, they will feel betrayed.
- Recognize that participants in public involvement activities have likely attended similar events in the past, which may have been run differently or had different goals. Be very clear at the beginning of each event or activity as to the specific goals and objectives and how the process will work.
- Get agreement that the objectives are worthwhile and keep these objectives in front of all participants as the process moves along.

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- Think of how all the forms and modes and specific tools and techniques can work together. Information developed for participants at a particular meeting can be designed to support outreach to individuals who were not able to attend the meeting. Meetings can be taped for later viewing on videotape or on public access cable television.
- Make personal invitations to as many of the key members of the public as possible to participate in public involvement activities. If people decline or are unable to participate, ask them for references regarding who they think would be able to participate and bring their particular concerns and interests to the table.

Important Considerations

- The board needs to focus on specific goals, objectives, and operating ground rules that need to be clearly established and agreed to by all participants up front.
- Up-front commitment that the board's results will contribute to shaping the plan is essential.
- Decision makers (licensee, NRC or state regulators, EPA in some situations, local environmental land use control agencies, etc. as applicable) need to actively engage in the dialogue – even if relevant regulatory agencies are only *ex officio* members – and make clear those issues that are not amenable to public input, while at the same time not steering solutions to a specific outcome.
- Board deliberations should be facilitated by a trained, experienced, and independent facilitator.
- The board needs to stay focused on its main objective and avoid attention to administrative factors and small issues.
- The convening process must be reasonable and acceptable to all potential participants.
- It takes time for a board to establish effective relationships, learn all of the key elements of an issue, conduct effective dialogue, and develop useful recommendations. An advisory board is not an appropriate form if sufficient time is not available.
- It is important for the advisory board to support its recommendations with a detailed rationale so that the broader public understands the deliberation that took place and the reasoning behind all recommendations.
- If consensus is sought, allowance should be made for minority opinions if consensus is not achieved. If consensus is not the goal, be clear about this up front and design advisory board activities to produce a range of recommendations or input on specific issues.

4.8.2 Less Formal Working Groups

Key Characteristics

- Working groups do not have formal membership requirements; membership can be somewhat fluid.
- They meet regularly over a period of time to focus on a particular issue or set of issues.
- The focus is on learning and developing a range of opinions and

options; consensus recommendations may or may not result from the group's deliberations.

When to Use Them

- Working groups can be useful where there is insufficient time to convene a formal board.
- They can also be used as adjuncts to formal boards as a way to manage a large number of issues for advisory board action or to address issues that are ancillary to main decisions.

Important Considerations

- Even though they are not formal boards, it is important to seek broad participation representing a range of perspectives on the issue.
- The group needs to focus on clear goals, objectives, and operating ground rules that need to be established and agreed to by all participants up front.
- Active participation by all key decision makers (licensee and NRC or state regulators, U.S. EPA in some situations, local environmental and land use control agencies, etc., as applicable) as *ex officio* members is useful.
- A trained and experienced facilitator should guide the group's discussions.
- The group needs to stay focused on its main objective and avoid attention to administrative factors and small issues.
- Active participation by technical and senior staff is important to ensure dialogue is accurate and public questions are answered in a timely fashion.
- The results of working group discussions should be recorded and reported to advisory boards and the public at large.

4.8.3 Community Workshops and Conferences

Key Characteristics

- These are stand-alone larger events aimed at community learning and dialogue.
- Participation is open and aimed at large community turnout.
- Workshops and conferences are major activities of shared community learning conducted with sufficient time for the public to generate input prior to decision making.

When to Use Them

- They can be used in conjunction with advisory boards and working groups to bring the rest of the community up to speed, to describe results and challenges faced by the board, and to get broader public input on particularly challenging or controversial issues.

Important Considerations

- Foster dialogue by using facilitated break-out groups to focus on particular areas of interest.
- Use interactive and hands-on learning techniques to the maximum extent possible.
- Use comfortable, open spaces that are free from physical barriers and allow for interaction of participants.
- Think in advance how the learning opportunities and materials can be employed for individuals who did not attend.
- Use active participation by technical and senior staff to ensure that dialogue is accurate and public questions are answered in a timely fashion.
- Record the results of workshop and conferences and report them to advisory boards, working groups, and the public at large.

4.8.4 Small Group Dialogues (Focus Groups)

Key Characteristics

- Presentations and dialogues are conducted with small groups of people throughout the community to allow for informal, two-way communication.

When to Use Them

- Use throughout the program to reach as many groups and individuals as possible as a supplement to other public involvement activities.
- Use to effectively augment larger efforts, create and maintain relationships with the public, and foster broader public involvement.

Important Considerations

- Conduct focus groups at public venues away from the site.
- Try to maximize the use of existing meetings and activities within the community.

- Involve a wide variety of personnel as resource persons, from technical staff to senior decision makers.
- Identify opportunities for regular interaction with specific groups in the community.
- Record the results of focus group discussions and report them to advisory boards, working groups, and the public at large.

4.8.5 Larger-Format Public Meetings

Key Characteristics

- These are large meetings to provide information, answer questions, and gain public feedback and input.

When to Use Them

- Use as adjuncts to other forms of public involvement or if the other forms are not being used effectively, or if directed to by law or through public request.

Important Considerations

- Try to establish as interactive an atmosphere as possible.
- Create informal time at the beginning and end of the formal comment periods.
- Have the individuals present who can answer key public questions.
- Use the public workshops and conferences to create better opportunities for genuine learning and dialogue.
- Record the results of public meetings and report them to advisory boards, working groups, and the public at large.

4.8.6 Technology-Based Tools

Key Characteristics

- These are computer-based tools to disseminate information or gather public input from large and diverse sources.
- They include Internet-based information servers, real-time computer polling, and electronic surveys.

When to Use Them

- Use them only as a support to the overall public involvement program.

Important Considerations

- Not all potential participants have access to the Internet or are comfortable using computer-based applications.
- Fact sheets and other information can be digitized and placed on-line to provide broader access and reduce costs.
- Hard-copy duplicates of all information provided on-line should be made available for those without Internet access.
- Consider working with key groups in the community to help create opportunities for Internet access.

4.9 Create Forums for Genuine Dialogue

Unfortunately, many of the formats commonly used in public involvement programs do not foster effective dialogue. Formal public meetings and even more formal public hearings are often designed for everyone to "have their say" but do little to foster learning and understanding and informed commentary.

The following table identifies some of the key elements of genuine dialogue characteristics of small group settings and contrasts them with mistakes that are often found in public meetings.

Key Elements of Genuine Dialogue	Common Characteristics of Effective Small Group Discussions	Common Mistakes of Public Meetings that Work against Genuine Dialogue
Conversation allows exploration at the values level.	It provides the opportunity to learn and appreciate each other's values, interests, and concerns.	Monologues and superficial dialogue can result in extreme positions and often hard feelings.
Participants work together to craft alternatives.	It fosters joint effort on crafting alternatives and solutions that address public values and concerns.	It does not encourage movement beyond position-taking on previously developed alternatives and/or solutions.
True two-way communication occurs.	Two-way conversation leads to broader understanding of different viewpoints.	A series of consecutive speeches does little to create shared understanding.

Best Practices Key Point

Dialogue is what makes public involvement work. It is the key to establishing effective relationships, creating common understanding of information, sharing of values, and developing proposals or consensus recommendations.

Best Practices Tips

Organizing for Effective Dialogue

- Ensure that the attitude of all individuals working directly with the public is positive and sincere; organizers must want to hear the public's viewpoint and share essential information.

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Key Elements of Genuine Dialogue	Common Characteristics of Effective Small Group Discussions	Common Mistakes of Public Meetings that Work against Genuine Dialogue
Participants listen to understand each other.	Group dynamics encourage attentive listening.	Many participants simply wait for their chance to speak and pay little attention to others.
Participants get the information they need to enhance their understanding of issues.	Feedback addressing issues and concerns is immediate.	Feedback is delayed or incomplete; participants often leave the meeting feeling that they were not heard and their questions were not answered.
Participants trust each other.	A trusting environment is created where people are able to explore their thoughts and ideas.	People are "on stage" and have limited time to express their ideas and are forced to communicate for maximum effect.
Participants feel that they are working together to achieve a common goal.	A sense of connection is created leading to trust of other participants.	Participants often are not "at the table" but are separated from agency staff by a table or raised dais.
Participants learn together to achieve a shared knowledge base.	Shared learning over time leads to a common understanding of the problem.	Lack of shared learning leads to wide variation of understanding among participants.
Participants have the time to achieve the above elements.	Time is available to explore issues fully.	Time is limited and participants are often cut off.

Effective dialogue is an ongoing process and requires a significant commitment by all parties. It cannot be achieved at single or infrequent and disconnected events, but rather must begin early and run continuously throughout the public involvement process. Effective dialogue can happen at many venues – informal meetings, presentations, in answering questions, conducting surveys, and during any public involvement event – but is most effectively fostered within small, ongoing groups.

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- Set up regular meetings with key members of the public; focus the discussion with an agenda but always provide ample opportunity for comments and questions and answers.
- Find opportunities to share time outside of official meetings by attending community events and allowing the public to engage in informal dialogue.
- Begin and end formal public events with opportunities for more informal dialogue; provide food as an enticement to hang around and chat.
- Create opportunities for one-on-one interactions.
- Look for ways to increase staff and community capacity for dialogue (process skill building, technical training, and/or resources).
- Use of a meeting facilitator is helpful in establishing relationships with all parties, and in facilitating group meetings.

Best Practices Key Points

- If the public involvement program does not provide complete and accurate information, public opinion will be largely formed by information from outside sources.
- If the organization or sources of information are too difficult for the public to access, they will find other sources.

4.10 Provide Balanced, Complete, and Accessible Information

As noted previously, the ability of the public to understand all of the issues under consideration is critical to successful public involvement. Generally, public involvement programs are designed to focus on the technical and substantive issues of site contamination. Just as important, however, is the public's understanding of process-related issues - how will the public be involved and on what schedule. Information must be created that satisfies both the process and the technical needs of the public. The general information requirements should have been identified in the public involvement plan, but it is important to reconsider and update these requirements as the plan unfolds.

If the information provided is inadequate, the public will seek and find information from other sources including the media and public interest groups. There is a great risk that this information will be skewed to support a particular viewpoint. In developing information it is important to ask the following questions:

- How can information best be provided to ensure understanding at each point in the public involvement process?
- What needs to be done to make sure the information is accurate, complete, and trusted by the public?
- What kind of feedback will members of the public require to understand how their input was used and what decisions were made?

Public concerns and interests will certainly include the specific issues identified in the NRC regulations that must be addressed by the licensee:

- The level of residual radioactivity,
- The enforceability of institutional controls,
- The long-term burdens on the local community or other affected parties, and
- The sufficiency of financial assurances to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site.

In order to understand the answers to these questions, and to engage in effective dialogue, the public will also need to understand the broader regulatory, legal, financial, and technical context of the decommissioning plan.

How Does the Decommissioning Process Work and How Will Decisions Be Made?

The public needs to be able to understand the complete process for decommissioning, the relative roles and responsibilities of the various participants, what will be required of them, and the opportunity for their input to influence the process and decisions. This discussion will have already been initiated with some members of the public at the point of program implementation. To facilitate the public's understanding of the decommissioning process:

- Provide a clearly written description of the rule and a brief history, purpose, and context for the rule.
- Provide a clear understanding of requirements, procedures, timing, roles, and responsibilities between NRC and the licensee.
- Describe how the decisions will be made, what has already been decided, and what can still be influenced.
- Describe who will make what decisions, now and in the future.
- Create a clear understanding of the public's role and potential for impact on decommissioning decisions.
- Describe clearly what is on the table for the public's consideration and what is not.
- Describe the public involvement program for this site.

What is Proposed in the Decommissioning Plan for Future Land Uses and Final Land Configuration?

It is crucial that the community understand how the land can and will be used following decommissioning and who will manage the long-term plan. Because the plan will determine the condition of the site and the risks to the community for a very long time, the public needs to understand and evaluate what the plan specifies for land uses on the site and/or land-use decision making. Be prepared to provide information on the following questions:

- Who will make what land-use decisions, now and in the future?
- How do these decisions affect opportunity for long-term use of lands?

[4] For a comprehensive discussion of technical information in collaborative processes, see "Managing Scientific and Technical Information in Environmental Cases - Principles and Practices for Mediators and Facilitators." A copy can be downloaded at the U.S. Institute's Web site: www.ecr.gov.

Best Practices Tips

Creating Effective Public Information

- Ensure that the licensee's public involvement manager works closely with the public involvement practitioner (if one has been hired), and with both the internal and external technical experts in order to frame technical questions and present technical information in clear, simple language.
- Ensure that technical experts and interpreters are accessible to the public and that technical issues are understandable.[4]
- Create opportunities for community involvement in gathering and presenting information and get feedback on the information that is developed.
- Create an information "map" by recognizing the full scope of information needs and layer information to allow the public to access it at their desired level of detail.
- Create information in language and formats the public can use.
- Establish an "information legacy" that allows new participants to catch up and future generations to understand.

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- Seek efficiency by understanding how a common information base can fulfill many needs, such as presentation to the public, decision makers, and regulators.

- What will be permitted and not permitted under the various land-use scenarios?

What is Being Proposed for Site Cleanup and Cleanup Levels?

In general, the public will resist any attempt to leave contamination on site. A full understanding of what would be left on site and in what condition under the proposed plan is critical to gaining public acceptance. The NRC standards are fairly technical and do not mean much to the public without substantial interpretation and comparison to more familiar situations and risks. Discussions of risk should be conducted with sensitivity; be careful not to imply value judgments on the acceptability of risks or the relative importance of voluntary versus involuntary risk[5]. Be prepared to provide information on the following questions:

- What are alternative standards and what is the rationale for considering them?
- What do the regulations in 10CFR20.1403 really mean for the community?
- What do the technical terms and cleanup levels identified in the regulation mean for neighbors of the site?
- What will be left behind, in what form, and how will it be controlled?
- How will final cleanup levels be assured and monitored?
- How will migration of contaminants be prevented?
- What happens if something goes wrong, who responds and how, and who has financial responsibility?
- How do these levels compare to other contamination and risks in everyday life? (Again, be careful not to make a value judgment about the acceptability of risk; only provide information about the level of comparable risk.)
- How will nonradioactive contaminants be managed and how do those cleanup levels relate to the radiation cleanup levels?
- How do the total risks of this approach compare to the risks of complete removal of wastes, including construction and transportation risks?

[5] See Exhibit 3 for references to risk communication literature.

What is Proposed in the Plan for Long-Term Stewardship, Including Long-Term Land Ownership, Management, Institutional Controls, and Funding?

The public needs to have a complete understanding of how this land will be managed over the long term and the degree to which the community can be assured that all proper measures will be taken to assure community health and safety, and a clean environment. Be prepared to answer the following questions:

- What is long-term stewardship and how does it impact the community?
- What are the site-specific components of long-term stewardship?
- Who is responsible for each of the components of long-term stewardship?
- How will long-term stewardship activities be financed and how will this financing be assured?
- What are the specific institutional controls that are required to assure long-term health and safety; how will they work; and how will they be maintained over the long term?
- How will long-term stewardship requirements be formalized in a long-term stewardship plan?

4.11 Ensure that Information Is Delivered Effectively to All Interested Parties

It is important to identify public information needs and create multiple pathways to meet as many of the needs as possible. Doing so does not necessarily have to be expensive or complicated. Once good information is developed, it can be delivered through many distribution channels.

4.12 Balance Program Needs with Time and Financial Constraints

Delivering a public involvement program that is both effective and responsive to time and financial constraints can be a difficult balancing act. Given all the assessment, design and planning, and program implementation activities described in this and previous chapters, how long will an effective public involvement program take to execute and how much will it cost? These are extremely important questions but ones that are difficult to answer in the abstract. Much will depend on the size and

Best Practices Tips

Effective Delivery of Public Information

- Ask members of the public what would be best for them. Recognize the variety of ways the public accesses information and identify preferred sources. While you will not be able to accommodate all ideas, a good information base can be easily manipulated to fit many outlets.
- Identify and use existing community organizations and resources, such as newsletters, mailings, and bulletin boards.
- Make sure at least some level of information goes directly to people's homes. This information should be short and concise and aimed at providing the most important information or providing regular updates.
- Use wide-scale mailings of information and community workshops to keep the wider community informed on issues and up to speed on activities, even if an advisory board is used.
- Start a comprehensive mailing list from the very beginning of the process and add every group and individual who expresses any interest in the process. Make sure that all interested members of the public are kept up to speed on all

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activities and opportunities to participate.

- Use presentations at existing meetings of local organizations to find a receptive audience. These are often the most efficient venues.
- Rehearse public presentations to ensure all key information is included and makes sense. Ask members of the public to attend the rehearsals to identify areas needing improvement.
- Provide extra materials at meetings for participants to distribute to other interested individuals.
- Use local media sources that will print or play detailed information, such as local access cable television, community shopper news, and local newspapers.
- Establish information repositories that are simple, well-designed, and organized; contain high quality take-away materials; are staffed by friendly and knowledgeable people; and are personally promoted by key leaders and organizations.
- Establish a comprehensive on-line resource. This is likely the one place where a person will be able to access the full content of your "information map." However, do not fail to recognize the presence of a significant digital divide. Work to train key community groups in how and where

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diversity of the community, the complexity of the issues, the history of public involvement regarding the facility, whether a public involvement practitioner is hired to assist with planning and implementation, the nature of the program (the level of public involvement, the number and type of program modes and forms, and the extent of the public information campaign), and how long it will take to exchange information, deliberate issues, and reach an end point.

As a point of reference, the U.S. EPA guidance document[6] on a closely related type of collaborative process – "constructive engagement" – offers a working discussion of how to estimate time requirements. For a process that involves one practitioner, two staff members, and six participants, and the following phases: assessment (called "convening" in the guide); six plenary and committee meetings over the course of one year; and follow-up activities to fine-tune agreements, explain the results to others, and the like; the following time commitments are estimated:

Role	Convening Hours	Participating Hours	Follow-up Hours	Total Hours
Assessor (1)	140	--	--	140
Participants (6)	180	432	96	708
Staff (2)	240	264	48	552
Facilitator (1)	--	132	24	156
TOTAL HOURS	560	828	168	1,556

These estimates should only be used as a starting point. They are likely to be low when compared to a decommissioning public involvement program, in particular for the assessment phase. Moreover, they do not include time to develop and implement a public information campaign or to hold informal meetings, such as those with working and focus groups.

Other cost considerations include:

- News media announcements (although these are often considered public service announcements)
- Designing and operating Web sites
- Preparing, printing, and distributing informational materials

[6] *Constructive Engagement Resource Guide: Practical Advice for Dialogue Among Facilities, Workers, Communities, and Regulators*, U.S. EPA, June 1999. "Constructive engagement" is the name given by the Computers and Electronics Sector to a collaborative problem-solving process at a site among facility owners/managers, workers, community members, and regulators regarding environmental, health, and safety issues.

- Developing and administering survey instruments; analyzing and reporting survey results
- Preparing and distributing meeting minutes and progress reports

With respect to the regulatory time frame, the licensee has 60 days to notify the NRC once operations have ceased, and one year from that date to submit a decommissioning plan. This relatively short time frame for preparing the plan, including planning and implementing the public involvement program, suggests that the licensee should begin preparatory work well before ceasing operations. Preparatory work could include drafting a preliminary decommissioning plan, developing a work plan and schedule for the public involvement program, and even starting the situation assessment. The presence of an effective, ongoing public involvement program will streamline this preparatory work.

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they can access the information.

- Establish points of contact for answering questions in person or on the phone; make sure the public has access to knowledgeable personnel.
- Create specific and accessible packets of information for the media. Meet regularly with reporters to ensure their ongoing knowledge of the project and always have a designated person available to take media calls. Strive to provide reporters timely information which accommodates their tight deadlines.

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Frequently Asked Questions

Chapter 5

How do I get the public involved?

- Most important is to first understand why members of the public are reluctant to get involved: Is it because they do not care about the issues, because they feel their involvement will not matter, because they do not feel they have the time (or some other reason)? Talk personally with key community members representing a variety of perspectives, not just the ones you hear from regularly. Ask them what they think.
- Once you have pinpointed the reasons the public is not getting involved, address them directly by working with the public to explore opportunities to overcome the barriers.
- Try to find a few individuals in the community who are willing to work with you to start some informal dialogues among community groups.
- Get on the agendas of regularly scheduled meetings held throughout the community or get existing community groups to sponsor special meetings to talk about the site. Ask community members directly how they want to be involved and work with them to create those opportunities.

How do I recover from past failed attempts at public involvement?

- You must be sincere in wanting public involvement and be open to accepting and using public input to the decision.
- The best approach is to start small and work on building up relationships, one individual or group at a time. Attend lots of meetings in the community. Be open to public questions and foster one-on-one dialogue.
- Work at training your staff and ensuring that everyone is aware of their responsibilities toward, and the importance of, public involvement.
- Seek out respected individuals or groups in the community who are interested in the process and are willing to assist in getting public involvement restarted.
- Hire a public involvement practitioner to work with you to develop a specific plan for recovery based on the site-specific issues.

How do I keep one participant from monopolizing the process?

- It is important that the response is handled as a process issue and not seen as an attempt to stifle an individual's right to speak. Here is another important value of working with an experienced facilitator, especially one who both is and

is perceived as truly neutral. They are in the best position to handle these types of problems.

- It is important to establish clear ground rules up front that cover the fairness of the process and the right for everyone to participate equally. All participants need to agree to abide by the ground rules, and it is the job of the facilitator to enforce them.
- Talk with other participants and determine whether they consider this participant's behavior to be a problem. The level of response needs to be gauged accordingly.
- An individual who is monopolizing the process is often feeling that they are not being heard. The facilitator should meet separately with the individual to explore the problems and see if it can be addressed within the context of the process.

Should I as the licensee be at the table (in a collaborative process) or just be there as a resource?

- This is usually one of the first questions asked. The answer is: It depends on the degree of shared decision making you desire and are comfortable with. If you are conducting a collaborative process among all stakeholders, then you are appropriately an equal participant in the process. If, on the other hand, you want to use public recommendations only as input when shaping the final plan (per the minimum requirements as expressed in the NRC regulations), then a resource role is appropriate.
- In either case, it is very important that you engage directly in dialogue with the public to ensure that there is common and full understanding of issues and to keep false expectations from being developed about issues that are not on the table for discussion.
- The more that decision makers directly interact with the public, the better they will understand the public's issues and concerns and the better the public will understand the decision process and rationale.
- Be careful, however, to be respectful of the public's positions and not to simply try to persuade the public of the "right" decision. Do not dominate the conversation or intimidate individuals from offering insights or asking questions. Abide by the ground rules and let the facilitator manage the discussion.

How can I get the public to grasp technical information on risk, dose levels, and analytical techniques?

- Effective risk communication is a learned skill. Most public participation professionals with experience in environmental contamination should be able to provide guidance and support.

- Seek out independent technical experts, local academic institutions, and experienced members of the public to assist in making technical presentations and talking with the public about technical issues.
- Carefully prepare staff who will be explaining technical issues to the public. Make sure they are able to present information in simple, straightforward terms without appearing to "talk down" to the public. Rehearse their presentations.
- The purpose is not to make members of the public experts but to provide them with the background information they need to understand the nature of the issue, uncertainty surrounding it, and how the issue relates to specific decisions. Sufficient time must be given to educating participants before moving to analysis and decision making.

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Exhibit 1

IAP2 Code of Ethics

for Public Participation Practitioners

The International Association of Public Participation (IAP2) Code of Ethics for Public Participation Practitioners supports and reflects IAP2's Core Values for the Practice of Public Participation. The Core Values define the expectations and aspirations of the public participation process. The Code of Ethics speaks to the actions of practitioners.

Preamble

As members of IAP2, we recognize the importance of a Code of Ethics, which guide the actions of those who advocate including all affected parties in public decision-making processes. In order to fully discharge our duties as public participation practitioners, we define terms used explicitly throughout our Code of Ethics. We define stakeholder as any individual, group of individuals, organization, or political entity with a stake in the outcome of a decision. We define the public as those stakeholders who are not part of the decision making entity or entities. We define public participation as any process that involves the public in problem-solving or decision-making and that uses public input to make better decisions.

The Code of Ethics is a set of principles, which guide us in our practice of enhancing the integrity of the public participation process. As practitioners we hold ourselves accountable for these principles and strive to hold all participants to the same standards.

1. **PURPOSE.** We support public participation as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body.
2. **ROLE OF PRACTITIONER.** We will enhance the public's participation in the decision-making process and assist decision-makers in being responsive to the public's concerns and suggestions.
3. **TRUST.** We will undertake and encourage actions that build trust and credibility for the process and among all the participants.
4. **DEFINING THE PUBLIC'S ROLE.** We will carefully consider and accurately portray the public's role in the decision-making process.
5. **OPENNESS.** We will encourage the disclosure of all information relevant to the public's understanding and evaluation of a decision.
6. **ACCESS TO THE PROCESS.** We will ensure that stakeholders have fair and equal access to the public participation process and the opportunity to influence decisions.
7. **RESPECT FOR COMMUNITIES.** We will avoid strategies that risk polarizing community interests or that appear to "divide and conquer."
8. **ADVOCACY.** We will advocate for the public participation process and will not advocate for a particular interest, party, or project outcome.
9. **COMMITMENTS.** We will ensure that all commitments made to the public, including those by the decision-maker, are made in good faith.
10. **SUPPORT OF THE PRACTICE.** We will mentor new practitioners in the field and educate decision-makers and the public about the value and use of public participation.

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IAP2 Public Participation Spectrum

Developed by the International Association for Public Participation

Increasing Level of Public Impact

Inform

P2 Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solution.

Promise to the Public:
We will keep you informed.

Example Tools:
- Fact sheets
- Web sites
- Open houses

Consult

P2 Goal:
To obtain public feedback on analysis, alternatives and/or decisions.

Promise to the Public:
We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.

Example Tools:
- Public comment
- Focus groups
- Surveys
- Public meetings

Involve

P2 Goal:
To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.

Promise to the Public:
We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

Example Tools:
- Workshops
- Deliberative polling

Collaborate

P2 Goal:
To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

Promise to the Public:
We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

Example Tools:
- Citizen Advisory Committees
- Consensus-building
- Participatory decision-making

Empower

P2 Goal:
To place final decision-making in the hands of the public.

Promise to the Public:
We will implement what you decide.

Example Tools:
- Citizen juries
- Ballots
- Delegated decisions

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visit www.iap2.org

Exhibit 2

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Bibliography

Exhibit 3

Guidance on Planning and Implementing Public Involvement and Related Programs

U.S. EPA Public Involvement Web site
www.epa.gov/epastake/involvework.htm

Summaries of and links to several public involvement manuals and tools, and references to other relevant Federal agency Web sites.

Constructive Engagement Resource Guide: Practical Advice for Dialogue Among Facilities, Workers, Communities, and Regulators, U.S. EPA, Office of Pollution Prevention and Toxics, June 1999 (available through the EPA Web site).

Assists potential participants in making informed decisions about whether to get involved in a particular type of collaborative process involving facility operations in communities. The guide provides a basis for estimating costs and benefits, and detailed suggestions on how to conduct the process.

Stakeholder Involvement & Public Participation at the U.S. EPA, Lessons Learned, Barriers, & Innovative Approaches, U.S. EPA, Office of Policy, Economics, and Innovation, January 2001.
www.epa.gov/stakeholders

Identifies key cross-cutting lessons learned, pinpoints unique barriers and ways to overcome them, and highlights innovative approaches to stakeholder involvement and public participation. This effort is based upon a review of over thirty formal evaluations and informal summaries from across EPA that describe and/or evaluate Agency stakeholder involvement and public participation activities.

Social Aspects of Siting RCRA Hazardous Waste Facilities, U.S. EPA, Office of Solid Waste and Emergency Response, EPA530-K-00-005, April 2000. www.epa.gov/epaoswer/osw/index.htm

Developed for industry and state and local government use to heighten their awareness of quality of life concerns faced by communities near RCRA hazardous waste management facilities. The document offers examples of quality of life concerns raised by environmental justice communities when facilities are sited. The document also shares experiences and creative mechanisms that have been developed in order to work effectively with communities, as well as encourages businesses and government agencies to address community concerns early, collaboratively and compassionately.

RCRA Public Participation Manual, U.S. EPA, Office of Solid Waste and Emergency Response, 1996.
www.epa.gov/epaoswer/hazwaste/permit/pubpart/manual.htm
A comprehensive compendium of strategies, tactics, tools and techniques for public participation. It also contains a wide variety of resources such as EPA policy memoranda, lists of contacts, fact sheets, and examples of public notices and press releases.

Risk Communication

University of Cincinnati Risk Communication Bibliography excellent.com.utk.edu/~mmmiller/bib/html

Building Consensus Through Risk Assessment and Management of the Department of Energy's Environmental Remediation Program, National Research Council, 1994.
www.nap.edu/readingroom/books/doe/index.html
The results of a U.S. DOE workshop on assessing and communicating risk in the context of collaborative efforts in remediation activities by DOE, the states, and other stakeholders. Conclusion: With rigorous, consistent, and continuous inclusion of stakeholder groups in the effort, risk assessment can become an important element of consensus building for key decisions in the remediation of DOE sites. Through this consensus-building process and perhaps through a new organizational setting for risk assessment, the credibility of DOE can be improved.

Industry Risk Communication Manual: Improving Dialogue with Communities, B.J. Hance, Caron Chess, & Peter M. Sandman, Lewis Publishers, Inc., June 1990.
Focuses on the "hows" rather than the "whys" of risk communication, in particular, ways to present technical information in lay terms

Communicating With and Involving Minority Groups and Tribes

The Model Plan for Public Participation, U.S. EPA, Office of Environmental Justice, EPA-300-K-00-001, February 2000. www.epa.gov/oeca/ej/main/nejacpub.html
A framework for EPA and other agencies on how to ensure that decisions affecting human health and the environment embrace environmental justice, ensuring the effective and meaningful involvement of all affected communities or interested parties. Included are the Core Values for the Practice of Public Participation and the Environmental Justice Public Participation Checklist. The Model Plan was developed in 1994, by the National Environmental Justice Advisory Council (NEJAC), a federal advisory committee to the EPA.

Guide on Consultation and Collaboration with Indian Tribal Governments and the Public Participation of Indigenous Groups and Tribal Members in the Environmental Decision Making, U.S. EPA, Office of Enforcement and Compliance Assurance, November 2000.
es.epa.gov/oeca/main/ej/fgconsult.html
Prepared by the National Environmental Justice Advisory Council, the Guide is designed to help its readers better understand the necessity and principles for effective consultation with tribal governments and the meaningful involvement of tribal communities and tribal members in public participation processes. Consultation with tribes is defined and contrasted with public participation.