

memorandum

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DATE: September 20, 1985

REPLY TO
ATTN OF: RW-1

'85 OCT -1 P4:13

SUBJECT: Guidelines for Interactions with Community and Local Governments

TO: Distribution

I am pleased to transmit the enclosed principles for guiding our interactions with community and local government groups.

As we move toward site characterization and a number of key program decisions, it is inevitable that the interest level of local groups will intensify.

It is my personal belief, bolstered by our recent site tours, that community leaders and local officials are keeping an open mind. This places an extra burden on us to keep local citizens and leaders informed and to search out ways to benefit from their advice and participation as we move forward. With these guidelines in place, Project Offices are in a position to move forward in a pro-active manner consistent with the particular needs and circumstances of their individual States and communities.

Finally, I am advised that this document benefited from several reviews and meetings between Project Offices and Headquarters staff and from discussion with States and Tribes at a recent interaction meeting. We intend to work closely with our primary contacts among the affected States and Tribes while following these overall principles. I commend your efforts and am pleased to forward the Guidelines for your implementation.

Ben C. Rusche
Ben C. Rusche, Director
Office of Civilian Radioactive
Waste Management

Attachment

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INTERNAL GUIDELINES FOR INTERACTIONS
WITH COMMUNITIES AND LOCAL GOVERNMENTS

United States Department of Energy
Office of Civilian Radioactive Waste Management
September 20, 1985

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INTRODUCTION

High-level nuclear waste and spent fuel disposal activities have the potential to create strong public concern. The health, environmental and political considerations associated with nuclear-related programs must be carefully considered. Because of the public concern about any nuclear-related facility, it is important to inform citizens of ongoing and planned activities, and encourage their involvement and participation in those activities. Actively involved citizens, who are informed, and are aware of program requirements are better able to participate in the national nuclear waste disposal effort.

The Nuclear Waste Policy Act provides a comprehensive approach for interactions between the Federal government and affected States and Indian Tribes. While the Act does not provide such comprehensive instructions for interactions with communities and local governments, OCRWM is committed to interactions with all affected parties. This commitment is expressed in the Mission Plan's statement that "successful implementation of the nation's civilian radioactive waste management program requires an informed and involved public, especially in those States and communities that may host a facility or may be along transportation routes." (Section 4.1.1.).

The Office of Civilian Radioactive Waste Management (OCRWM) will endeavor to provide communities and local officials with accurate and understandable information, and will provide regular opportunities for citizens to comment on and provide input to various technical and operational aspects of the program. OCRWM is committed to establishing and maintaining effective relations with States, Tribes, communities, and local governments in activities conducted under the Nuclear Waste Policy Act. Effective public participation will enable OCRWM to take local concerns into account in the planning of site or transportation activities associated with waste disposal, and will result in more effective interactions. At the same time, it will ensure that citizens have accurate information to enable them to follow, monitor, and affect program decisions.

These Guidelines provide principles for interactions with local populations. Interactions with communities and local governments are the responsibility of the OCRWM program's implementing offices. The Guidelines provide policy direction to these implementing offices, while preserving their ability to tailor local interactions to fit a given situation, taking into account the social and political context and the history of local involvement in the program. Project Offices conduct community and local interactions within overall program resources which must be husbanded prudently. Careful planning by implementing offices should ensure that adequate resources are available to foster effective interactions with local representatives.

PURPOSE AND SCOPE

The siting of any type of public facility is typically of the greatest interest to the citizens who reside in the immediate area. These Guidelines provide principles that apply to DOE interactions with communities and local governments "that may host a facility or be along transportation routes." (Mission Plan Section 4.1.1.).

The Mission Plan includes the following outreach and participation goals that apply to local parties:

- "identify the changing information needs of Governors, State legislators, the governing bodies of interested and affected Indian Tribes, local governments, industry and environmental groups, other interested organizations, and the general public as the waste management system is defined, designed, and implemented;
- communicate accurate, understandable information about the program to these groups;
- encourage active involvement of interested and affected parties in program activities." (Section 4.1.1)

- "assure that assessment of impacts and plans for mitigation are developed with understanding of, and sensitivity to, the concerns of States, Tribes, and local communities and with the cooperation of affected groups." (Section 4.3.1)

These Guidelines provide principles for implementation of the Mission Plan goals for involving affected communities and local governments in the OCRWM program. The Guidelines are intended to achieve these purposes:

- assure that the OCRWM program is a responsible, responsive, and flexible party in interactions with communities and local governments;
- promote comparability and equity in the activities implemented for different communities and local governments by the different offices responsible for OCRWM programs;
- provide opportunities for communities and local governments to develop productive working relationships with OCRWM.

Scope

These Guidelines apply to OCRWM interactions with affected communities and local governments in the first and second repository programs and, if

approved by Congress, the monitored retrievable storage (MRS) program. In the application of these Guidelines, it is appropriate to reemphasize the program's intent to interact extensively with appropriate State and Tribal governments.

The implementing offices for the first and second repository programs under the Office of Geologic Repositories (OGR) are:

- Basalt Waste Isolation Project (BWIP);
- Nevada Nuclear Waste Storage Investigations (NNWSI);
- Salt Repository Project Office (SRPO);
- Crystalline Project Office (CPO).

Oak Ridge and Richland Operations Offices share responsibility for interacting with the Office of Storage and Transportation Systems for MRS. The transportation of spent fuel and nuclear waste to facilities developed under the NWPA may have impacts upon a number of communities and local governments. OCRWM will interact with these communities and local governments by providing (both routinely and upon request) general transportation information and reports of program activity and progress. As particular transportation issues or situations indicate, OCRWM will interact with specific communities on a more focused basis.

Definition of Affected Local Parties

The Nuclear Waste Policy Act defines the term "unit of general local government" as "any borough, city, county, parish, town, township, village, or other general purpose political subdivision of a State." Community organizations may include:

- neighborhood associations;
- civic organizations;
- professional and business associations;
- religious organizations;
- service organizations;
- interest groups
- educational groups.

KEY PRINCIPLES

The key principles identified in these Guidelines serve as the foundation of OCRWM's interactions with affected communities and local governments.

Implementation, however, will be tailored by the implementing offices to meet individual program requirements.

Implementing offices will identify affected communities and local governments, key local officials, interest groups, and citizens who have an active interest and involvement in OCRWM's waste disposal program.

1. COORDINATION WITH STATES AND AFFECTED INDIAN TRIBES

Implementing offices comply with the provisions of the NWPA for interactions with State and Tribes, and coordinate with States and Tribes when interacting with communities and local governments.

Implementation of the NWPA provisions for interactions with States and Tribes will continue to be of the highest priority for the OCRWM program.

Interactions with States and Tribes include coordinating with them on activities involving communities and local governments.

To coordinate with States and Tribes, implementing offices will:

- adhere to the mechanisms established by State, Tribes, communities, and local governments for coordinated approaches to interactions;
- notify States and Tribes in advance, whenever practical, of interactions with communities and local governments that may lead to the establishment of new policy or formal agreements; or when advance notice is not practical, provide notification as soon as possible.

2. COMMUNICATION Implementing offices establish effective channels of communication with affected communities and local governments.

The community and local government relations effort at a particular location must be tailored to the distinctive and individual characteristics of the site or the surrounding area. Effective communication is established by means of regular and frequent contacts between the implementing offices and the communities and local governments. The OCRWM presence in the local area should be visible and consistent. Implementing offices should initiate interactions as well as respond to requests from communities and local governments.

To establish channels of communication, implementing offices may:

- jointly develop ongoing interactive communication mechanisms for two-way communication between DOE and local affected parties to supplement mandated public hearings.
- identify roles and responsibilities of DOE and communicate them to the public;
- plan meetings at convenient times and places that encourage participation and plan meeting formats that encourage a productive exchange of viewpoints;
- provide meeting materials to the expected participants sufficiently in advance to enhance discussion;
- provide feedback to the community how their input has been considered in the development of program decisions.

3. PROVISION OF INFORMATION Implementing offices establish mechanisms for the provision of adequate and timely program information to affected communities and local governments.

Information that is provided should be directed at the needs of the communities and local governments. Technical information should be provided in clear language, and the use of acronyms should be minimized.

To provide NWPAs-related information, implementing offices may:

- notify communities and local governments of upcoming events;
- maintain contact with community leaders regularly by telephone and/or in person;
- brief local officials in advance of significant activities;
- hold interactive public meetings, such as workshops, in addition to hearings;
- hold meetings with concerned or interested individuals, e.g., landowners;
- develop and provide publications, exhibits, and film, slide, and video presentations;

- establish and operate effective community information offices;
- provide participants for community organizations' meetings and other small citizen groups' meetings;
- present news releases and press conferences to describe significant developments or to announce the beginning or completion of important activities;
- respond to correspondence in non-technical, clear language and in a timely manner.
- provide information to communities and local governments on NRC, EPA, DOT, and other Federal agencies' roles, responsibilities, and activities in the nuclear waste management program.

4. COOPERATIVE NEIGHBOR POLICY Implementing offices demonstrate the OCRWM program's cooperative neighbor policy.

The cooperative neighbor policy is demonstrated by openness regarding site activities, site visits and siting problems. To demonstrate this

commitment, implementing offices may:

- conduct site tours for local officials, media, and community organizations to explain in detail the site activities, problems and planned solutions;
- establish mutually acceptable procedures for contacting the appropriate authorities about activities and issues at the site;
- explore opportunities for local business development in relation to the OCRWM program;
- explore opportunities for development of national/international centers for NWPA-related research and technology;
- respond to community initiatives regarding opportunities related to the program;
- demonstrate sensitivity to community objectives in comprehensive plans, local governments' budgets and other documents.
- cooperate with State and local authorities to plan for the maintenance and upgrading of public facilities, e.g., roads, fire and police facilities, schools, and utilities;

5. EDUCATION AND TRAINING

Implementing offices support and cooperate with affected communities and local governments to establish education and technical training programs to respond to community needs.

Implementing offices will consult with local community leaders to determine community interest and need for education and training related to the nuclear waste disposal program.

For education and training, implementing offices may:

- consult with local educators and community leaders to determine appropriate support to local school systems, including provision of curriculum materials and speakers;
- consult with communities and local governments to determine need and appropriate support for emergency response training;
- consult with communities and local governments to determine need and appropriate support for job training;
- consult with communities and local governments to determine need and appropriate support for training in government procurement practices.

6. FINANCIAL ASSISTANCE

Implementing offices administer the financial assistance programs specifically mandated by the NWPA or otherwise determined to be necessary to support the program.

Financial assistance provisions under NWPA include support to enable States and Tribes to participate in program activities, grants-equal-to-taxes, and impact assistance grants to mitigate socioeconomic impacts.

Implementing offices will encourage the States to channel financial assistance to local governments for local participation, and will encourage the communities and local governments to seek financial assistance through the States. DOE will provide funding for the States to support local participation. DOE will examine alternate means for funding local governments or combinations of local government only in the event it is unable to do so through normal State channels.

In the implementation of these financial assistance responsibilities, implementing offices will be guided by the NWPA, applicable Federal regulations, DOE financial regulations, and OCRWM financial guidelines.

7. MAJOR STUDIES AND PROGRAM MILESTONES

Implementing offices establish a process for involving affected communities and local governments in major studies and program milestones.

The OCRWM program will involve communities and local governments in major program studies and milestones including:

- Scoping process for the Environmental Impact Statements;
- Monitoring and Mitigation Plans;
- GETT program development;
- Land acquisition plans.

To involve affected communities and local governments, implementing offices may:

- involve communities and local governments in the early planning stages;
- involve communities and local governments in consideration of national, State, Tribal, community and local government standards and objectives to be used in the formulation of basic study assumptions;
- involve communities and local governments in data collection;

- provide opportunities for communities and local governments to review preliminary study findings;
- provide opportunities for communities and local governments to be involved in impact assessment and in developing plans for mitigation.

8. APPROACHES TO ADDRESS PROGRAM OPERATING QUESTIONS AND CONFLICTS

Implementing offices work with affected communities and local governments to address (a) program operating questions associated with program activities, and (b) conflicts arising between DOE and affected communities and local governments.

Approaches to addressing program operating questions and conflicts may include:

- day-to-day operating contacts and processes between DOE and communities and local governments;
- workshops for communities and local governments to obtain local input on specific program elements such as: transportation routes; emergency preparedness and response planning; indemnity; public health and environmental monitoring procedures; shipment notification procedures; decommissioning and decontamination planning.
- the Consultation and Cooperation (C&C) Agreements with States and affected Indian Tribes;

9. LOCAL INTERACTION PLANS

Implementing offices prepare Facility-Specific Outreach and Participation Plans for interactions with affected communities and local governments and plans for communities and local governments affected by transportation.

As specified in the Mission Plan, Facility-Specific Outreach and Participation Plans will be prepared by implementing offices for the communities and local governments affected by the first and second repository programs and the monitored retrievable storage program. The Transportation Institutional Plan will describe the projected framework for interactions with communities and local governments affected by transportation.

The above plans may address the following elements:

- involvement of local groups in major studies and program milestones;
- schedule for planned activities;
- provision of information;
- education and training;
- good neighbor policy;
- financial assistance;
- approaches to address program operating questions and conflicts;
- documentation of interactions.

The facility-specific plans and the interactions plans for the transportation program will be submitted for review and concurrence to the responsible DOE Headquarters Office, and then to OPIO. The plans will be made available to the public, and the communities and local governments will be asked to comment, on an informal and continuing basis, on the effectiveness of information and participation activities. The plans will be reviewed and updated periodically as program needs dictate.

10. DOCUMENTATION OF INTERACTIONS Implementing offices document interactions with affected communities and local governments.

Interactions with communities and local governments are documented by the implementing offices. This documentation provides a public record of the implementation of the facility-specific plans and the interaction plans for transportation. This documentation also preserves institutional knowledge, promotes consistency within the program, and provides an historical NWPA record for licensing and other activities.

Materials that serve as documentation include:

- major program reports and publications;
- log of interactions;

- meeting agendas and summaries;
- public hearing transcripts;
- financial documents;
- correspondence;
- educational materials;
- press releases.