

STATE COMMITMENT TO PUBLIC PARTICIPATION NEW YORK'S PROGRAM

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ABSTRACT

New York's approach to developing a new low-level radioactive waste disposal facility demonstrates a commitment to responsibility for waste generated within its borders. There is a strong, legislated commitment to meeting federal milestones and "starting from scratch" to select a suitable site and disposal method. Equally strong is the State's commitment to meaningful public participation. A statewide program is underway, including public information and education and interactive techniques. The public participation program is fully integrated with the technical and policy activities of the New York State Low-Level Radioactive Waste Siting Commission at all levels. The program is designed to progressively tailor techniques and coverage to the steps in site and method selection, and will focus most intensively on the communities where four sites are selected for full characterization.

THE SITING COMMISSION'S MESSAGE

New York is "going it alone" in developing a needed low-level radioactive waste disposal facility. The facility will serve only New York's low-level waste generators; it will be sited, licensed, built, and operated by New York State agencies; and it will be the long-term responsibility of still another New York State custodial agency. The message sent by the Low-Level Radioactive Waste Management Act of 1986, as enacted by the New York General Assembly, was one of full State responsibility and control.

To carry out that objective, the Act established a new organization the New York State Low-Level Radioactive Waste Siting Commission. By law, the Siting Commission must incorporate a significant level of public participation in its program to select a site and disposal method for the disposal facility. When that site and method have been certified as acceptable by the New York State Department of Environmental Conservation, the State regulatory body, the Siting Commission's job will be done. Since its inception, and with a commitment to continue until that point of certification, the Siting Commission is going far beyond the legal requirements to incorporate public ideas and preferences in its decisions.

The Siting Commission believes that the formula for successful facility siting and development must include a well-conceived methodology, excellent technical decisions, and a pervading sensitivity to public values. As formalized in detailed plans for site and method selection (Plan for Selecting Sites for Disposal of Low-Level Radioactive Wastes, Plan for Selecting Methods for Disposal of Low-Level Radioactive Wastes, November 1988), the Siting Commission's approach includes all three critical ingredients. This paper will describe the elements of public participation that are included at each step in the overall process, and indeed drive the process at times. It will describe activities that have occurred to date and those planned for the remaining steps. The State's commitment to public participation runs as deep as its commitment to total responsibility for the low-level radioactive waste

generated within New York's borders.

PROGRAM TARGETS DIFFERENT LEVELS OF INTEREST

Because the program must begin at the broadest statewide level, a great deal of thought has gone into characterizing the types of groups and individuals that will be involved. Techniques for informing and involving those differing "constituencies" must, of course, also vary. We began by planning a program that provided information and educational opportunities from the beginning, but in parallel began the process of substantive involvement as well. Key groups identified in this early stage included the following:

- Elected officials at the federal, state, and local (county) levels throughout the State
- Interest groups of all types at the statewide and local levels
- Environmental management councils in each county of the State
- media outlets (print, electronic) throughout the State, as a method of reaching the general public with information.

These were considered to be the primary groups that were identifiable and likely to be interested in the issue at the broadest planning level. In addition, the involvement of the Low-Level Radioactive Waste Advisory Committee provides a broadly representative group of individuals able to provide ideas and insights based on their backgrounds and affiliations.

Considerable Siting Commission activity took place before any geographic designations were made in site selection. The groups described above were the target audiences for both information and involvement during development of site and method selection plans, that included definition of criteria, differential weights, and methodologies.

Little change in target audiences occurred with the completion of the first step in site screening, statewide exclusionary screening. Only those factors irrefutably defined in regulation were used to reduce the area of the State by 30 percent as a starting point for site selection.

Information on those results was focused through the groups described above.

The first significant geographical decisions were made in December, when the Siting Commission identified ten candidate areas across the State for further study. Each area, ranging in size from about 50 to 150 square miles, appeared likely to contain potentially suitable sites and was identified to be assessed in more detail. At this stage, a major change in target audiences also occurred. We identified elected officials from each candidate area, including Congressional delegations, State Assemblymen, additional county contacts, town officials, and city governments.

As we proceed to collect additional data on those candidate areas, and to interact with the identified local officials and citizens, the list of interested/concerned parties continues to grow. In each candidate area, a hierarchy of local officials is developing, as some organizations and individuals formally or informally designate one or a few of their colleagues to represent their ideas. For example, the county administrator in some areas serves as the focal point for comments, input, and contact with the Siting Commission. For informational purposes, and for continued interactive contacts, we are maintaining a growing list of interested parties.

The general citizenry, notably absent at earlier stages, has now emerged within the candidate areas with considerable interest. While it was not possible at the statewide stage to identify a large proportion of citizens, it is very reasonable within smaller geographic areas to build a mailing list of thousands of individuals who are interested.

The next steps in the overall process involve selecting eight potential sites from within the candidate areas, evaluating those more closely, and selecting four candidate sites for full characterization. In parallel, we will be refining and adding to the knowledge of local contacts and interests, and beginning to better understand the formal and informal leadership structures within those communities. It is to be expected that not only will existing groups and community leaders maintain an involvement, but also that new groups specific to the project may arise and need attention.

All of this will culminate in ultimate selection of one site for certification by the Department of Environmental Conservation, requiring a continuing relationship and a growth in negotiation as a tool by the agency responsible for licensing, constructing, and operating the facility, the New York State Energy Research and Development Authority.

The Siting Commission believes that this tiered approach to identifying interested groups and individuals is appropriate to the statewide-to-single-site type of effort that is underway. In the next section, we discuss the methods and techniques that we are using to inform and involve people at all of those levels.

INFORMING AND INVOLVING SEPARATE BUT SUPPORTING OBJECTIVES

The Siting Commission's general approach to public information materials and their dissemination is to provide a basic understanding of the need for the facility, the basics

of its design, operation, and safety features; and the process used to develop it. Public information is not public participation, but it is hard for people to participate meaningfully, or certainly constructively, without some understanding of the proposal. Many people, of course, have no intention of reading our material or watching the videotape or slide presentation because they are in immediate opposition to a facility anywhere or indeed to radioactive materials of any kind. Those with a genuine interest in learning about it, however, have access to a range of public information materials.

An 18-minute overview videotape presentation on the role and mandate of the Siting Commission, the general process underway, and the type of facility that is envisioned can be used as an introductory presentation for meetings or speaking engagements, or on its own. Plans are in place to run it on cable or public television as well, and multiple copies are available so that it can be distributed widely.

A basic slide presentation covering many of the same points is also available, and expands the explanations of the steps in the process and the progress to date. One of the advantages of use of a computerized geographic information system (GIS) in site selection is the range of color maps and graphics that can be easily produced. The slide presentation includes graphic versions of many of the criterion maps and maps showing results of screening that are produced by computer as part of the site selection task. It is updated as progress occurs in the fast-paced project schedule, and can be modified to fit different audiences and timeframes.

We tend to rely also on large-format posters to repeat some of the graphical materials, placing them on easels or tabletops for informal sessions. Similarly, models of the available disposal technologies have been built by the Department of Health and are used often by the Siting Commission and other groups in public settings. Although an exact method for disposal will not be selected for some time, the generic types of disposal methods can be better understood through review of the models.

Like many other organizations involved in the low-level waste issue, the Siting Commission has organized the basic information into factsheet format. Single page, front-and-back factsheets describe the program, the Siting Commission's responsibility, and issues like disposal technology options and health risk. As the program proceeds, additional topics will be covered as well, depending on the interest demonstrated in various issues. The factsheets are normally distributed in a special Siting Commission folder with a brochure describing the program in general terms.

Quarterly, a four-page newsletter is distributed to the rapidly growing mailing list. It offers a format for topical discussions, announcements of meetings and material availability, and other rapidly changing items such as schedule status. Particular emphasis has been placed on profiling the five appointed members of the Siting

Commission, who represent truly diverse and well qualified backgrounds for the responsibility they have been assigned.

Extensive use of the media to reach the general public has been underway all year. Media releases, information kits, and briefings are scheduled to maximize the accurate and extensive coverage of the issues. Staff spend a great deal of time talking with the media to provide information and, hopefully, dispel some of the misinformation that arises periodically. For events such as public meetings, we also spend the extra dollars for display advertising, rather than just using legal notice positioning. While you will always find people complaining about not enough publicity for an event, it is very useful to reach people through the regular advertising sections of their hometown papers.

Coincident with identification of the ten candidate areas, the Siting Commission's toll-free information line was put into service. With daytime staffing and after-hours answering capability, the telephone line is available to citizens who want to request information, express opinions, or ask questions. Demand has been high, and it does require considerable staff time to research and respond to many questions. Nevertheless, the line provides quick responses to many citizen concerns, building credibility for the people and process involved in the Siting Commission's program.

All of these are modes of information. Though important, they are really just foundations for actually involving the citizens of New York in the program decisions. We began early in the process to provide those opportunities for participation as well. An early step was a workshop held for the members of the statewide advisory committee and invited members of local government and interest groups. Approximately 30 participants spent almost three days last summer in highly interactive workshop sessions to understand and refine the proposed plans for site and method selection. We created exercises and appropriate reporting forms to structure the participants' input so that it could most usefully be integrated into the program. Of special interest was the exercise to enable participants to personally assign differential weights to both site and method selection criteria, which proved to be highly successful and served as excellent input to the Siting Commission in formulating their final plans. In addition to the substantive input received from workshop participants, we also received a great deal of benefit from the teamwork element of the workshop. The participants developed a better understanding of the complexities and tradeoffs inherent in the Siting Commission's job, and the Siting Commission and its staff and contractor received valuable insight into public values and concerns.

Before the candidate areas were identified, the Siting Commission held public information meetings statewide to introduce the program and the players, outline the process, and invite public participation. Comments were specifically requested on the site and method selection plans. The meetings were a combination of informal open-house type interaction, using posters and handouts, with a full range of technical staff present to talk to citizens. We also included a more formal presentation by the Siting Commission, with time for questions and comments by the public. Reaction

was generally good to the mixed format, although some "professional meeting attendees" objected to the open-house format because it deprived them of a microphone and a forum. Its purpose was to allow people who may not be used to speaking in public to have a more comfortable way to ask their questions, and also to introduce the Commission members and staff as "real people" who will be making recommendations and decisions that are sensitive to public concerns. We also scheduled and publicized media briefings prior to the public meetings to allow the media in each area more detailed opportunities to learn about the issue.

Attendance at these meetings was, not surprisingly, not enormous. The people who came were extremely interested in the issue and the program, and were able to hold intensive discussions in many cases. Since no geographic designations other than statewide exclusionary screening had yet taken place, people were not aroused to great interest in general.

The next step was selection of the ten candidate areas, and public meetings were held in those areas in January. It is fair to say that interest and attendance increased geometrically, and some meetings had thousands of attendees. This made the opportunities for dialogue with attendees very difficult, and the meetings served mostly to allow citizen questions and statements. In those areas on the same days, the Siting Commission also held much smaller briefings for local officials that were substantive in nature, and allowed for establishing and building some excellent channels of communication. We were careful in identifying the ten candidate areas to first notify local officials in each area, even before public announcement at the Siting Commission's regular, open-to-the-public meeting. In that way the officials were able to receive an immediate package of information, ask many inevitable questions, and prepare for general citizen questions. The reaction to this was good, and the relationships with local officials are off to good starts.

WHAT ARE THE NEXT STEPS?

While the statewide public participation program was a formidable effort in itself, the more locally centered program that will now take place will continue to take a lot of resources, a lot of effort, and a lot of commitment. With a much smaller community to address, even at the candidate area level but certainly at the potential and candidate site levels, we will be able to work more intensively with groups and individuals on a longer-term basis. We plan to hold further meetings in formats that will meet Siting Commission and community needs. This will include smaller meetings, workshops, and briefings, and will be accomplished whenever possible through networking via existing community groups. We will continue to work closely with local officials on a straightforward, trusting basis, and will key off their concerns to address the more general public as well.

When the eight potential sites are narrowed to four this summer, we plan to establish local information offices in each community to serve as information sources, conduits to Siting Commission staff and Commissioners, and a voice in the community. We will also use those offices from which to base site characterization activities, so information will

be available on current technical activities in that area. Personal rapport with residents of the areas will be the prime criterion for selecting staff in those offices, and we do not underestimate the efforts required to service those communities satisfactorily. Still, this person-to-person communication function, supported by Siting Commission staff and Commissioners at a centralized level, will be the key at the point of site characterization.

LOOKING DOWN THE ROAD WILL IT WORK?

The program is well underway, but a great many challenges lie ahead. New York is confident that this

commitment to real consultation with its citizens, combined with a defensible site and method selection process and a thorough environmental assessment and licensing program, will be accomplished. We are facing these challenges with enthusiasm and tenacity, and with a higher energy level, and anticipate success.