

CONDUCTING FIVE-YEAR PLAN AND TRI-PARTY AGREEMENT COMMUNITY OUTREACH ACTIVITIES AT THE U. S. DEPARTMENT OF ENERGY RICHLAND FIELD OFFICE

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ABSTRACT

For cleanup to succeed, the public must be informed and involved. Both the Tri-Party Agreement and the Five-Year Plan require significant public interactions. The Tri-Party Agreement has a community relations plan, and the Five-Year Plan has a rigorous community outreach agenda. Both recognize that the public must get every reasonable opportunity to learn about and to voice opinions about DOE's cleanup activities.

Beginning this year, our Five-Year Plan public participation action plan will fold in all DOE Environmental Restoration and Waste Management outreach activities at Hanford. This supports the need we recognize to coordinate public involvement activities sitewide.

BACKGROUND

Since 1943 the Department of Energy (DOE) and its predecessor agencies have used the Hanford Site near Richland, Washington, to produce plutonium for defense purposes as well as energy research activities. These activities have resulted in substantial amounts of radioactive, hazardous and mixed wastes.

The magnitude and complexity of Hanford's wastes present tremendous challenges. For example, the Hanford Site has 64 facilities for treating, storing or disposing of hazardous wastes subject to Resource Conservation and Recovery Act (RCRA) permitting or closure requirements. The Hanford Site has four separate areas on the Environmental Protection Agency's (EPA) National Priorities List under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). We have about 1420 separate waste sites that need to be cleaned up. This number grows regularly as we find more places where wastes have been buried, dumped, or stored. Most of the waste sites are now inactive.

On May 15, 1989, the DOE, EPA, and the Washington State Department of Ecology (Ecology) signed the Hanford Federal Facility Agreement and Consent Order (1), commonly called the *Tri-Party Agreement*. In this landmark agreement DOE, EPA and Ecology agreed on a comprehensive plan and schedule to clean up the Hanford Site. A primary reason for the agreement was to eliminate the potential conflict and confusion from the application of both RCRA and CERCLA cleanup requirements at the same site, especially a site as large and complex as the Hanford Site. Since the Hanford Site is not yet in full compliance with RCRA, the agreement integrates RCRA and CERCLA cleanup provisions. It also establishes a schedule to achieve full RCRA compliance.

The Tri-Party Agreement is the blueprint for cleaning up the Hanford Site. It drives the planning and budgets.

In August 1989, the Department of Energy published its Environmental Restoration and Waste Management Five-Year Plan. The plan is updated annually. It describes how DOE will clean up DOE's nuclear waste sites and bring its aging facilities into compliance with today's environmental laws and regulations. The national five-year plan looks at the Department of Energy's overall program. Sites like Hanford have plans that tie into the national plan but focus specifically on the site's wastes and plans.

WHO IS INVOLVED?

Regulators

Ecology and EPA, as signatories to the Tri-Party Agreement, oversee the cleanup and permitting activities at Hanford. The agencies have oversight authority under three environmental laws: RCRA, CERCLA and the Washington State Hazardous Waste Management Act.

Indian Tribes

Tribes are involved in Hanford cleanup. The Hanford Site is on land ceded to the United States in the Treaties of 1855 with the Yakima Indian Nation and the Confederated Tribes of the Umatilla Indian Reservation (10, 11). Certain rights to resources were reserved to the treaty tribes. In addition, the Nez Perce Tribe has treaty-established fishing rights on the Columbia River (12). Other laws protect Indian rights at the Hanford Site.

We look to the three Indian nations for their assistance in the protection of their treaty rights and resources (cultural or other) that may be affected by Hanford cleanup activities, as well as for their unique cultural viewpoint. We have grants in place with the Yakima and Umatilla governments to help them participate in five-year plan activities. We are working with the Nez Perce government to set up a grant. The Tribes receive periodic briefings and access to reports about cleanup. The Tribes' involvement in Hanford's cleanup is

through participation in the Five-Year Plan rather than the Tri-Party Agreement because the Indian Tribes are not regulatory bodies.

Five-Year Plan Working Group

In 1989 we asked the states of Washington and Oregon, EPA Region 10, Yakima Indian Nation, Confederated Tribes of the Umatilla Indian Reservation, and Nez Perce Tribe to guide our Five-Year Plan activities. This group, which we call our Five-Year Plan Working Group, has guided and advised us on our public involvement activities and has received briefings on various programmatic issues. It has also been called our 'Mini-STGWG,' in reference to the Secretary of Energy's State and Tribal Governmental Working Group.

We gave careful consideration to the membership of this group. Its members represent governments, who in turn represent the interests of citizens in the states of Oregon and Washington, and members of the affected tribes. The EPA represents interests of citizens as a regulator.

We have had continuing discussions with this group about providing it a meaningful role. However, we have yet to agree what a meaningful role is. Their biggest issue is our inability to share cost projections as we prepare the Five-Year Plan.

Interest Groups

Hanford has many interest groups. The most involved are the Hanford Family in the Tri-Cities, Hanford Education Action League in Spokane, Heart of America Northwest in Seattle, and Columbia River United in the Columbia Gorge. Other groups also follow Hanford cleanup with interest. We recognize that we will never come to complete agreement with these groups. However, we are striving to maintain open channels of communication. They deserve to have easy and complete access to cleanup-related information as well as fast and complete answers to their questions.

Other groups who are involved in cleanup are companies that want to or already do cleanup work, including employees now working at Hanford; decision makers at Hanford, i.e., management; interested members of the general public; local government officials; and labor, business, and agricultural interests.

One of the lessons we are learning is to understand who wants to be involved in cleanup decisions and how they want to be involved. Hanford Site employees and people who want to work on Hanford's cleanup are among the audiences we are learning much more about.

HANFORD CLEANUP OUTREACH ACTIVITIES

Tri-Party Agreement

The laws the Tri-Party Agreement (RCRA, CERCLA) *implements* require opportunities for the public to get involved in decisions about remedial or permitting activities. Cleanup activities also fall within the requirements of the National Environmental Policy Act and the State Environmental Policy Act. These laws and their implementing regulations also require community involvement activities. We are meeting all the requirements of these various acts. A community relations plan (2, 7) addresses all the legal requirements for public involvement under these laws that apply to Tri-Party Agreement activities. This plan lays out the framework

for going beyond the minimum public involvement called for in these laws and regulations.

The plan requires that EPA, Ecology and DOE hold two public meetings each quarter. We hold the quarterly meetings in the Tri-Cities (Richland, Kennewick and Pasco, WA) and, on a rotational basis, in Seattle, Spokane, Yakima, and Vancouver, WA. Half the meetings are held in the Tri-Cities because Tri-Citians are most directly affected by Hanford cleanup activities. The Plan allows the three parties to evaluate the meetings annually to see if any changes are needed.

We also keep a mailing list to send information to people who are interested in Hanford cleanup. Ecology, EPA, and DOE publish a quarterly newsletter with meeting notices and writeups on cleanup topics. The mailing list has nearly 4000 names. We use this mailing list for Five-Year Plan public involvement needs and other mailings. We send cleanup documents to four information centers in the northwest. The community relations plan also describes and allows other outreach efforts if the three parties agree they are needed.

Five-Year Plan Activities

Public involvement in the Five-Year Plan means sharing the plan widely, answering questions about it and gathering comments on it, and integrating those comments into our planning. In general, we're getting very smart on how to share the plan and gather comments. Our next step is to do a much better job of integrating these comments into the decision making process.

In 1990 we went to 9 cities in Washington and Oregon, and we briefed the Oregon and Washington waste advisory councils and the Yakima and Umatilla Tribal Councils. Our meetings served largely as question-and-answer sessions. The resulting public comment documents reflects this. In 1991 we tried to do better. Survey research (see below) told us most people don't go to meetings to get information or influence decisions. So we tried to reduce our dependence on meetings and offer briefings to the groups who we knew wanted to participate in Hanford cleanup decisions.

We held four public meetings. We briefed Washington Nuclear Waste Advisory Council, Oregon Department of Energy, Yakima Indian Nation, Confederated Tribes of the Umatilla Indian Reservation, and the Nez Perce Tribe. We also offered briefings to citizen groups who follow Hanford cleanup issues closely, but none accepted the offer. They view the Five-Year Plan as a meaningless DOE exercise where DOE routinely ignores public comment. They prefer to influence DOE and the regulators through the Tri-Party Agreement.

We held meetings in old places and new places. We held a meeting in Kennewick because that's home base. We went to Portland because we felt we couldn't leave out Oregon. The new places were Ellensburg and Olympia. We went to Ellensburg because some community leaders wanted more cleanup information, and the Washington Nuclear Waste Advisory Council supported this idea. We chose Olympia because the past several Hanford meetings in the Puget Sound area were in Seattle, and we wanted to reach people, especially state employees, in the South Sound area. Our advocacy groups criticized us for not going to Spokane or Seattle. We based our decision on the fact that we had held a Tri-Party Agreement quarterly meeting in Spokane about 3 weeks earlier, and we have held many Hanford-related meetings in Seattle over the

past 12 months. We are trying to heal our relationships with these groups.

We tried a format new to us to increase opportunities for discussions and wider participation. At the recommendation of the working group and the Washington Nuclear Waste Advisory Council, we used breakout groups for topical discussions and hired an independent facilitator to guide the meetings. We took Department of Energy managers as well as staff on the road in response to public comments to involve decision-makers in the public interactions.

Ellensburg gave us mixed results. We have not had a Hanford-related meeting in this town, which is about 100 miles from Hanford, in at least 15 years if ever. Since Ellensburg is the home of Central Washington University, we hoped our meeting would help fulfill the Secretary of Energy's educational initiative. The turnout was very small--only 10 citizens attended. One, however, was a city councilwoman who had been the city's most vocal Hanford critic. She said the meeting participants' candor and sincerity changed her opinion about Hanford.

We used old and new ways to gather comments. The old ways included press releases, public service announcements, and large newspaper advertisements. We mailed detailed copies to the more than 500 people who expressed interest. The new ways included mailing a 30-page overview of the plan to 18,000 people. We distributed the overview at public events during the comment period. And, we had it available in the DOE's energy museum and public reading room in Richland. We included a prepaid comment response card in the overview. We received back a stack of them six inches high. Altogether, we received 346 comments (besides thanks and praise for the overview, and requests for more copies of the plan and overview).

Future Site Use Planning

Few issues at the Hanford Site will go untouched by the discussion of what to do with the lands once cleaned up. For many, future site use will dictate the focus and pace of cleanup, or "how clean is clean." For instance, if a particular cleanup site will be used to test new cleanup technologies, the standards could be entirely different than if the eventual intent is unrestricted use. We believe these decisions demand public involvement. In our democracy such decisions should not be made by unelected public servants without understanding and considering what the public thinks..

We involved affected governments at the outset of our planning. The two Tribes, Washington, Oregon, National Park Service, EPA, and three counties that Hanford lands cover agreed DOE should not make these decisions by itself. They agreed that Ecology, EPA and DOE should hire independent facilitators. The facilitators will identify and bring together the various interested parties to develop the framework to make sure the public participates in this important issue.

We do fairly well in gathering public input. Our challenge is to incorporate that input. Sometimes the input is contradictory. Sometimes decisions are beyond our control. We cannot make all the people happy all the time. But we know we can do better, and we try. The Bonneville Power Administration has shown how public involvement in the long run can improve decisions and reduce conflict. We are trying to implement some of the lessons Bonneville offers:

- Tying public involvement to decisions, and putting responsibility for it with the managers of the program that has the decision;
- Building teams to do public involvement;
- Getting senior management commitment to public involvement; and
- Developing relationships with the groups who have a stake in our decisions.

LESSONS LEARNED

Hanford began to open up to external input in the mid-1980s during the repository studies. We established our working group in 1989. In 1991 alone, we held 21 different public meetings. As we proceed, we learn.

An important lesson coming into clearer focus is our need to integrate all the public involvement activities at the Hanford Site. Programs at Hanford cannot compete for the public's attention. We recognize this need and are beginning to address it. We are increasing the connections between Tri-Party Agreement and Five-Year Plan activities. We are developing a sitewide task force of public involvement people so they can coordinate their activities better. We will use ongoing public information activities, like the Hanford Speakers Bureau, the tour program, employee publications, and news media outreach, to support all programs at Hanford with public involvement needs.

We learned some lessons from the Five-Year Plan meetings. People liked the small group discussions very well. Feedback showed us ways to improve them, too. We must continue to heed the message our anatomy gives us: we have two ears and one mouth. We must work to listen more and talk less. We can advertise the meetings more thoroughly and more creatively.

Another lesson we learned is that people who want to do business at Hanford make up a large part of our audience, and we must address their needs more effectively. The region's business community has tremendous interest in participating in Hanford's cleanup. And, the Hanford Site needs very specialized goods and services. We have held many vendor conferences to meet these needs, and we have a computer data base to help them. This underscores the point that we must increase the coordination between our program-targeted activities and the audience-targeted activities.

About 15,000 people work at Hanford. This group is a key audience of our cleanup plans. They want to understand the whole picture, and they want to influence the plans. Our future plans must take these needs into account. We are trying to give Hanford workers more information about Hanford cleanup. Employee publications run articles about cleanup frequently. We also sent to every Hanford employee a copy of the overview to the 1991 Hanford Site Specific Five-Year Plan.

We can learn from the Swedish experience with involving employees to influence nuclear power policy and public opinion. In a well-known 1980 referendum, Sweden decided to phase out nuclear power by the year 2010. After the referendum, public opinion toward nuclear power has shifted substantially. Wikdahl (8) reports the change has come about through the efforts of nuclear power authorities during the 1980s to give the public and their own employees good factual information on nuclear power.

We need to listen actively to the public's concerns and do our best to answer these concerns. Hanford's impacts to the Columbia River are a prevailing concern of our public. A concerned citizen in the Columbia Gorge summed it up: the river is the lifeline of the entire region. In response to this interest we are looking into the feasibility of holding a symposium to discuss Hanford's impacts on the Columbia River.

In the last two years two surveys have helped us learn how to improve our public meetings and how much people knew about and felt concerning the issue of Hanford cleanup. Both were directed primarily at Tri-Party Agreement activities. However, they have great relevance to the overall subject of Hanford cleanup.

The first study was by Bjorklund Business Relations of Portland, OR (4). Its subject was to improve Tri-Party Agreement quarterly meetings. The report's primary points were:

- Ecology, EPA and DOE need to decide what the goal of the meetings will be. Will it be for the purpose of informing, educating or soliciting input. The report did indicate that a public meeting can have all three of these as a goal. The critical thing is to decide the purpose before planning the meeting.
- The three parties need to identify their audience segments and define their needs, issues, and expectations. This supports the planning for the meeting and how it will be conducted.
- After the audience segments are identified, then strategies must be developed for communicating with these segments.

In response to this study the three parties, plus Westinghouse Hanford Company, have taken the time to identify our goals and what segments we will attempt to reach. In some instances this has proven quite worthwhile. It led us to deciding to use the breakout session format for our meetings. This format allows much more sharing of information and is not as intimidating as a large single-focus meeting. The recommendation to find strategies to communicate with targeted audiences led us into the second study.

Ecology contracted with Washington State University's Social and Economic Sciences Research Center to obtain opinions on Hanford and the Tri-Party Agreement cleanup (6). Researchers at WSU performed 681 telephone interviews of people who live in Washington and Oregon.

Some of the survey's findings surprised us. Fifty-one percent are somewhat or very interested in contributing to decisions about cleaning up Hanford. But most respondents, 64 percent, think we don't want to involve the public in cleanup decisions!

The survey showed most people get information about Hanford and the Tri-Party Agreement not from us, but from the mass media. The electronic media ranked first and newspapers ranked second. This reinforces our need to make sure the news media has access to our information, and find ways to improve it.

While the public calls for meetings, and we receive good feedback from those who attend, few of those surveyed ever went to meetings or said they would go to one to influence an

issue they cared about. While we improve how we conduct meetings, we also seek other ways to communicate.

The survey examined credibility. On the scale "1" meant very untrustworthy, "2" meant somewhat untrustworthy, "3" meant somewhat trustworthy, and "4" meant very trustworthy. Ecology ranked highest, with 3.11. A Northwest citizens advisory committee ranked second (3.05), and Hanford watchdog groups ranked third (2.95). Next came Hanford workers (2.94). At the bottom of the list were DOE officials (2.61), Hanford public speakers (2.41), elected officials (2.26), and Hanford private contractors (2.15). Most of these results didn't surprise us. But we were surprised that the public perceives Hanford workers as a rather credible source of information about the Hanford cleanup. This reinforces our need to inform and involve our own employees.

CONCLUSION

Public involvement is necessary for cleanup efforts to succeed. Success requires openness. Success requires the public to have access to the decision-makers. Public involvement must be early rather than late, a process rather than an event, and required in order to succeed. Information activities are necessary but not sufficient. We've also learned we must make great efforts to coordinate outreach activities in an agency as large as the U. S. Department of Energy, so that we all sing from the same sheet of music. If we continue to learn from the lessons our experiences give us, we can succeed.

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