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General Manager  
Rockwell Hanford Operations  
Richland, Washington

Dear Sir:

### OFFICE OF GEOLOGIC REPOSITORIES GUIDELINES FOR INTERGOVERNMENTAL AND PUBLIC PARTICIPATION ACTIVITIES

The attached DOE-HQ memorandum, subject as above, dated May 21, 1986, is forwarded for your information.

As recommended in the memorandum, copies of these Guidelines are being distributed to States of Washington, Oregon and Indian Tribes, and other groups who have an interest in the program (list attached).

If you have questions regarding the above, you may contact Mr. M. L. Powell or me on 376-5267, 376-5038, respectively.

Sincerely,

*J. E. Mecca*

J. E. Mecca, Chief  
Licensing, Environmental,  
and Safety Branch  
Basalt Waste Isolation Division

BWI:MLP

Attachment

cc w/attach:  
D. C. Gibbs, Rockwell

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JUL 31 1986

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JUL 31 1986

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United States Government

Department of Energy

# memorandum

DATE: MAY 21 1986

REPLY TO  
ATTN OF: RW-20

SUBJECT: Office of Geologic Repositories Guidelines for Intergovernmental and Public Participation Activities

TO: S. Mann, CPO  
J. Neff, SRPO  
L. Olson, BWIP  
D. Vieth, NNWSI

Attached are the Guidelines for Intergovernmental and Public Participation Activities for the Office of Geologic Repositories. The Guidelines establish the repository program's policy for participation activities to assist Headquarters and Project Offices in planning and implementing activities that inform and involve States, Indian Tribes, local governments, and the general public.

The Guidelines apply to participation activities during all phases of the program. Detailed guidance is provided on the facility-specific outreach and participation plans that are required by the Mission Plan. The Guidelines also address training for Headquarters and Project Office staff and their respective responsibilities in the planning, implementation, and evaluation of public participation activities.

I appreciate the assistance of the Project Offices in helping to prepare these Guidelines by providing comments at the October, December, and February Institutional/Socioeconomics Coordination Group meetings and by providing additional written comments. The first repository States and Indian Tribes were provided with the draft Guidelines at the February ISCG meeting and were invited to provide comments. Our objective in preparing the final Guidelines was to be as responsive to comments as possible and to establish broad enough guidance to allow for Project Office flexibility in tailoring activities to meet the particular needs and requirements of affected parties.

~~In keeping with the Department of Energy's objectives of openness and dissemination and cooperation, copies of these guidelines should be distributed widely to all relevant States and Indian Tribes and other groups who have an interest in the program.~~



William J. Purcell  
Associate Director for  
Geologic Repositories  
Office of Civilian Radioactive  
Waste Management

RECEIVED

MAY 30 1986

DOE-RL/BWI DCC

86-DOE-037

**OFFICE OF GEOLOGIC REPOSITORIES GUIDELINES  
FOR INTERGOVERNMENTAL AND PUBLIC PARTICIPATION ACTIVITIES**

**1.0 BACKGROUND AND PURPOSE**

This document provides general guidance for the repository program's implementation of the Nuclear Waste Policy Act of 1982 (NWPA) and the Mission Plan provisions for intergovernmental and public participation. The components of intergovernmental and public participation in the repository program include:

- o activities to inform and involve States, Indian Tribes, local governments, and the general public;
- o Consultation and Cooperation (C&C) agreements to govern DOE's relations with the States and with the Indian Tribes;
- o financial assistance to the States and Indian Tribes to facilitate participation.

The Office of Geologic Repositories (OGR) previously issued guidelines for C&C agreements and financial assistance. This document provides OGR guidance for intergovernmental and public participation activities to inform and involve States, Indian Tribes, local governments, and the general public.

These are general guidelines. Project Offices will develop plans to tailor these guidelines to the site-specific needs of affected parties.

**2.0 OBJECTIVES**

The repository program's intergovernmental and public participation objectives are to ensure that States, Indian Tribes, local governments, and the general public have the opportunity to:

- o receive adequate information on program activities to enable them to make informed comments and recommendations concerning technical and non-technical aspects of the repository program;
- o participate in activities related to the decision-making process for repository programs; and
- o receive feedback on how their participation has affected repository program plans.

These objectives can only be realized when there is fair and balanced presentation of information and when all parties have the opportunity to participate.

The repository program will take the initiative in developing activities that efficiently and effectively use available resources to enhance

public understanding and communication. Taking the initiative requires careful planning of activities. The repository program will develop plans for activities that are responsive to the expressed needs of interested and affected parties and that also support the objectives of the program.

### 3.0 GUIDING PRINCIPLES FOR PUBLIC PARTICIPATION

Guiding principles are intended to assist Headquarters and the Project Offices in the planning and implementation of intergovernmental and public participation activities that effectively and efficiently use available resources to involve and inform States, Indian Tribes, local governments, interested organizations such as industry and environmental groups, and the general public. The four guiding principles address notification, information products, interactions, and coordination with local parties.

#### 3.1 Notification

**Guiding Principle:** The repository program will provide timely notification of planned activities to designated representatives of States, Indian Tribes, and local governments, and to the general public.

Notification may be provided for the following activities:

- o major reports issued by the repository program;
- o major repository program decisions and activities;
- o major OCRWM program-wide activities that relate to the repository program; e.g., the request to Congress to authorize the monitored retrievable storage facility.

#### 3.2 Information Products

**Guiding Principle:** The repository program will provide information products that are accurate, understandable, timely, and responsive to the changing needs of States, Indian Tribes, local governments, and the general public.

The types of products may be provided include:

- o reports, fact sheets, and other publications;
- o press releases;
- o audiovisual presentations; and
- o exhibits.

The products may communicate information about the technical and nontechnical components of and the opportunities to participate in:

- o the radioactive waste management program as a whole;
- o the geologic repository program;
- o site-specific repository program activities.

Information products may be provided by means of:

- o meetings with interested and affected parties;
- o community information offices and public libraries where appropriate;
- o mailings to interested and affected parties.

### 3.3 Interactions

**Guiding Principle:** The repository program will encourage the active involvement of interested and affected parties by initiating activities that maximize opportunities for participation, that are consistent with program schedules, priorities, and resources, and that provide a fair and balanced presentation of information about the program.

Interactions with States, Indian Tribes, local governments, and the general public that will be guided by this principle may include:

- o DOE-sponsored public briefings, hearings, and interactive meetings;
- o briefings and other meetings co-sponsored by DOE and other Federal agencies;
- o DOE participation in meetings at the invitation of organizations, for the purpose of providing program briefings at:
  - regular meetings of State, Indian Tribal, and local governing bodies; and
  - meetings of organizations such as business, professional, educational, environmental, religious, service, and community groups.
- o special briefings and interactive meetings to discuss program plans, proposals, and reports with groups of:
  - elected and appointed officials of States, Indian Tribes, and local governments;
  - other community leaders;
  - affected parties such as landowners;
  - print and broadcast journalists and editors;
- o prearranged site tours for State, Indian Tribal, and local officials, journalists and news editors, representatives of interested organizations, and groups of the general public;
- o data collection for activities such as grants-equal-to-taxes and socioeconomic studies.

### 3.4 Coordination with Local Parties

**Guiding Principle:** The repository program will support the participation of local governments and other local parties and will support State government efforts to coordinate its participation with that of local governments. (This participation and coordination shall be consistent with the Mission Plan and OCRWM's Internal Guidelines for Interactions with Communities and Local Governments.)

Activities to coordinate participation may include:

- o cooperating to ensure that participants at all governmental levels are kept informed;
- o ensuring that all information routinely provided by DOE to the State is also provided directly to local governments if they so request;
- o where appropriate, notifying the State of policy issues raised by local governments and of DOE responses to those issues; and
- o funding for local participation.

### 4.0 PHASES OF ACTIVITY PLANNING AND IMPLEMENTATION

Public and intergovernmental participation activities for the repository program may be divided into four phases: (I) prenotification; (II) notification/nomination of "potentially acceptable sites" (PAS); (III) site characterization; and (IV) construction. The participation activities listed below for each phase are required by the Mission Plan or other OGR guidance.

Phase I  
Prenotification

During this phase, "potentially acceptable sites" have not yet been identified, but information gathering and screening work is being undertaken. At present, the second repository program is in this phase.

Phase II  
Notification/  
Nomination  
PAS

During this phase, "potentially acceptable sites" have been identified and States and Indian Tribes have been notified of this status. The first repository program currently is in this phase.

Phase III  
Site  
Characterization

During this phase, recommended candidate sites have been approved for site characterization by the President and site characterization activities are undertaken.

Phase IV  
Construction

During this phase, a site has been authorized by the Nuclear Regulatory Commission for construction of a repository and construction activities are undertaken.



The following are examples of public participation activities that may be conducted during Phases I through III (Phase IV will be covered in future guidance). Both Department and State/Indian Tribe/public involvement in these activities are described.

#### 4.1 Phase I - Prenotification

- o Information Requests and Other Correspondence - DOE will respond to requests for information from Congress, State and Indian Tribal officials, local citizens, representatives of interested groups, and the general public.
- o Development and Dissemination of Program Information - DOE will inform interested and affected parties on the nature and status of the program through:
  - documents required by the Act;
  - information products, including technical reports, pamphlets, brochures, bulletins, audiovisual presentations, and exhibits; and
  - press releases and news conferences;

The States and Indian Tribes may also want to develop and disseminate program information to various State, Indian Tribal, and local officials and the public and may request funding for this activity.

- o Briefings, Meetings, and Workshops - DOE will conduct briefings, meetings, and workshops for State, Indian Tribal, and local government officials, and for the public, and will participate in such activities conducted by other parties when appropriate. The States and Indian Tribes may request financial assistance to conduct briefings and workshops on program activities and to attend DOE meetings.
- o Public Hearings and the Solicitation of Public Comments - During Phase I, DOE may conduct public hearings to identify issues that should be addressed in key program documents and to receive comments on draft documents as appropriate. Financial assistance will be made available to States and Indian Tribes to review these materials and participate in formal hearings.
- o Coordination - States and Indian Tribes may want to coordinate with interested groups within the State, including the legislature, local governments, citizen groups, and other State agencies with an interest in the program. Funding for this activity may be requested through DOE's financial assistance program.
- o Planning - Plans will be developed for public participation activities associated with major program events and activities. An example is the Crystalline Project Office Implementation Plan for the Release of the Draft Area Recommendation Report.

Planning for public participation activities will also be reflected in other program documents, such as the Project Office budgets and resource documents.

#### 4.2 Phase II - Notification/Nomination of Potentially Acceptable Sites

Phase II activities may include all those activities listed under Phase I. In addition, community information offices may be established:.

- o Community Information Facilities - To provide a local source of information for citizens, community information offices may be established by DOE where determined appropriate. Where community information offices have not been established, information will be provided at DOE offices and at public libraries. These facilities will contain information on the civilian radioactive waste management program, including project documents, public information materials, and the names of DOE staff to contact for more detailed information. Under its public information program, a State or Indian Tribe may also request funding to establish a public information office.

#### 4.3 Phase III - Site Characterization

Phase III activities may include all those activities listed under Phases I and II. In addition, the facility-specific outreach and participation plans will be developed:

- o Facility-Specific Outreach and Participation Plans - Project Offices will develop plans that will specify how outreach and participation activities will address the needs of State, Indian Tribal, and local parties affected by the potential siting of a repository. These plans will be based on discussions and consultations with States, Indian Tribes, and local representatives. Once a plan is developed, Project Offices will ask these parties on a continuing basis to comment on the effectiveness of outreach and participation activities as they are implemented. State and Indian Tribes may request financial assistance for participation in these activities.

- Schedule for Development of Facility-Specific Outreach and Participation Plans

The repository program will initiate the development of the facility-specific outreach and participation plans after Presidential approval of the sites recommended for characterization. The plans will be completed 6 months after they are initiated.

- Content of Facility-Specific Outreach and Participation Plans

The outreach and participation plans may address the following activities:

- public hearings and other meetings to be sponsored by DOE on major program reports and events;
- public meetings, briefings, and workshops to be sponsored by DOE to maintain two-way communication between DOE and the States, Indian Tribes, and local governments;
- DOE participation at meetings sponsored by other organizations;
- information products to be provided by DOE to interested and affected parties;
- community information facility activities;
- data collection activities involving States, Indian Tribes, and local governments; and
- site activities, including site tours.

The outreach and participation plans will include a schedule of activities planned for the next year. Future annual schedule updates will be appended to the plans.

- Development of Facility-Specific Outreach and Participation Plans

The outreach and participation plans will be based on discussion and consultations with State, Indian Tribe and local representatives. The Mission Plan requires that these "informal discussions" with States, Tribe and local representatives determine:

- o "types of information they would like to receive during the characterization of a candidate site and the form in which they prefer to receive it (e.g., small meetings, fact sheets, progress reports, or briefings);
- o how they would like to provide comments on program activities (e.g., small meetings, workshops, hearings.)" (Mission Plan, Section 4.12, p. 131);

4.4 Phase IV - Construction

Phase IV activities may include all activities listed under the previous phases. Additional activities, if any, will be determined at a future time.

## 5.0 TRAINING

The potential for successful public participation improves when the staff responsible for planning and implementing activities have received training. The Program Management System Manual, which establishes OCRWM management policies and procedures, requires that "OGR and OSTs shall provide institutional interaction training to their Program element staffs and to their Project Office staffs" (page 57, PMS Manual). Headquarters and the Project Offices will continue to work together to develop training that will assist staff in developing, maintaining, and refreshing the skills and knowledge that enhance public participation, interactions on program milestones, including:

- o consultation and cooperation agreements;
- o grants-equal-to-taxes; and
- o monitoring and mitigation plans and impact assistance grants.

Training will be designed to provide:

- o an improved understanding of the intergovernmental context in which program milestones are to be achieved; and
- o practical information on ways of engaging in more responsive and effective consultation and cooperation interactions with States, Indian Tribes, local governments, and the general public, and on ways of avoiding and resolving disputes.

A combination of training techniques will be employed, including:

- o interactive group discussions;
- o case studies, including roleplaying;
- o brief oral presentations with questions and answers;
- o videotaped or filmed presentations;
- o hand-outs and reference materials.

## 6.0 COORDINATION BETWEEN HEADQUARTERS AND THE PROJECT OFFICES

Guidance is provided here on the public participation responsibilities of Headquarters and the Project Offices, and on the coordination of those responsibilities. The definition of the responsibilities is provided under Section 6.1. More specific guidance is provided in Section 6.2 on the sequence for coordinating public participation plans.

### 6.1 Definition of Responsibilities

Headquarters' responsibilities related to public participation are to undertake the following activities, in close coordination with Project Offices:

- o interact with affected parties through OGR management and technical staff to respond to policy questions and issues;
- o maintain regular contact with affected parties through the OGR Desk Officers;

- o develop guidelines and procedures for the public participation activities that are implemented by Project Offices;
- o review and concur on public participation plans prepared by Project Offices, including the facility-specific outreach and participation plans;
- o develop information products for the repository program as a whole;
- o review and concur on information products prepared by Project Offices;
- o participate in major repository events such as public briefings and hearings on program documents;
- o provide assistance and training to the Project Offices to enhance their implementation of activities;
- o develop guidelines for Consultation and Cooperation agreements;
- o develop guidelines for the negotiation, review, and award of grants to facilitate participation in outreach activities;
- o work with Project Offices on grant negotiations and grant awards; and
- o evaluate the effectiveness of outreach activities implemented by the Project Offices and meet on a quarterly basis with appropriate Project Office staff to discuss the Headquarters evaluation.

The responsibilities of the Project Offices, with the guidance and review of Headquarters are to:

- o hold discussions with States, Indian Tribes, local representatives, and other affected parties to identify their information and participation needs;
- o develop plans for public participation activities, including the facility-specific outreach and participation plans;
- o implement public participation activities, including briefings, meetings, workshops, and hearings;
- o provide quarterly status reports on public participation activities to OGR Headquarters;
- o design information products that are specific to particular facilities and audiences;
- o maintain community information services and otherwise maintain an efficient system for responding to information requests; and

- o consider the objectives of these public participation guidelines in the review of applications for financial assistance;
- o provide a 30 day schedule of upcoming public meetings in the weekly activity reports to Headquarters, and notify Headquarters by telephone of any meetings that are not included in the latest report but that will be held before the next report;
- o provide a report on public meetings to Headquarters in the form attached to these guidelines within two days after the meeting.

## 6.2 Sequence of Activities for Coordinating Plans.

Project Office planning of public participation activities must be carefully coordinated with Headquarters. The sequence for coordinating the development of public participation plans is described below for Phases I, II, and III, with any additional planning for Phase IV to be determined.

- o Planning for Phase I, Prenotification, and Phase II, Notification/Nomination of Potentially Acceptable Sites

The sequence for developing public participation plans in Phase I and II is as follows:

- With ample lead time prior to a major program event, such as the issuance of a major report, Project Offices develop draft plans for activities to inform and involve interested and affected parties;
- Headquarters reviews draft plans and provides comments;
- Project Offices modify the draft plans in accordance with Headquarters' comments;
- Project Offices discuss the plans with State, Indian Tribal, and local representatives; and
- Project Offices, following Headquarters' concurrence, implement plans.

- o Planning for Phase III, Site Characterization

The sequence for the development of facility-specific outreach and participation plans in Phase III is as follows:

- after approval of the recommendation for site characterization, Project Offices hold informal discussions to consult with State, Indian Tribal, and local representatives on their preferred approaches to public participation;

- based on the informal discussions, Project Offices draft the plans, and send the draft plans to Headquarters for review;
- Headquarters reviews the draft plans and provides comments to promote comparability, but not necessarily uniformity, given different site-specific needs among the projects;
- Project Offices discuss the draft plans with affected States, Indian Tribes, local governments, and the interested public;
- Project Offices modify the draft plans as determined appropriate and send them to Headquarters for final concurrence;
- Project Offices issue the final plans to State, Indian Tribal, and local representatives 6 months after initiating the planning process.
- Project Offices consult with the State, Indian Tribal and local representatives in developing the annual schedule updates and then provide the draft updates to Headquarters for concurrence.

#### **7.0 HEADQUARTERS CLEARINGHOUSE FUNCTION**

Headquarters will serve as a clearinghouse to inform Project Offices of intergovernmental and public participation activities that are being implemented throughout the repository program. Headquarters will distribute reports and other documents as appropriate from each Project Office to the other Project Offices, and will inform the Project Offices of intergovernmental and public interactions that are undertaken by the Headquarters Desk Officers.