

US EPA ARCHIVE DOCUMENT

More Information about the Policy

Copies of the Policy and the Framework for implementing it are available at <http://www.epa.gov/publicinvolvement/policy2003/policy2003.pdf> and <http://www.epa.gov/publicinvolvement/policy2003/framework.pdf>

The Web site for the "Internet Dialogue on Public Involvement in EPA Decisions" is <http://www.network-democracy.org/epa/epa-pip>

EPA's Response to Comments on the Draft 2000 Public Involvement Policy is available at <http://www.epa.gov/publicinvolvement/policy2003/response.pdf>

How to Improve Public Meetings and Hearings

"Involvement brings the pieces together" artwork is the creation of Erica Ann Turner, who contributed the work through an agreement between the Art Institute of Washington and EPA.



Involvement brings the pieces together

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How to Improve Public Meetings and Hearings

Goal:

- Enable the public and the Agency to share data, ideas, advice, and concerns
- Help EPA to gather input from a wide range of interested and affected parties
- Build a shared knowledge base about the community's various interests, ideas, and needs, helping the Agency to better understand and consider the issues related to a particular decision

The U.S. Environmental Protection Agency (EPA) issued its revised Public Involvement Policy in June 2003. The Policy's overall goal is for excellent public involvement to become an integral part of EPA's culture, thus supporting more effective Agency actions.

The Policy provides guidance to EPA managers and staff on how you can better involve the public in the Agency's decisions. This Policy outlines seven steps to effective involvement. This brochure offers suggestions to help you "get started" when conducting public meetings and hearings.

Meetings and Hearings

Meetings are less formal than hearings, but both can be daunting to the public. Though often not the best involvement practices for the situation, public meetings and hearings are the most common ways for individuals and communities to directly address EPA officials with their concerns. Permitting and rule-making processes rely heavily on these techniques.

"Public participation is vital to the quality and legitimacy of rule making. Information provided by the public will strengthen the content of rules and enhance the Agency's implementation and enforcement efforts. The Constitution guarantees that our law will reflect the will of the people. Participation in rule making extends this important principle to the development of regulations that carry the force of law."

Cornelius M. Kerwin
Provost and Professor of Public Administration,
American University
Fellow, National Academy of Public Administration

The purpose of a public meeting is to share information and discuss issues, not to make decisions. Public meetings should promote two-way communications and provide a means for all interested parties to ask questions and raise issues in an informal setting. Those settings include conferences, informational sessions, seminars, workshops, or other activities that do not require formal, previously scheduled presentations or a formal record of the proceedings.

Many laws and regulations require public hearings be held to provide a formal opportunity for the affected public to present comments and oral testimony on proposed EPA actions for the record. Non-judicial public hearings may be mandatory or discretionary and have specific requirements (depending on the project) for:

- Timing and content of the hearing notice
- Advance availability of pertinent documents
- Format and conduct of the hearing, including prior scheduling of presentations
- Record of the hearing (usually a verbatim transcript) on which the public may comment

Think through what will work best for your situation before you design a public involvement process to use either some type of public meeting or a formal hearing. Here are some specific differences between the two types of activities.

Public hearings are held:

- When requested by a member of the public during a public comment period
- During a public comment period following the issuance of a draft permit or major permit modification or at the selection of a proposed corrective measure
- When the level of community concern warrants a formal record of communication

Typically, the sponsor will prescribe a formal way to submit/present information and time limits on presenting comments at a public hearing.

Public meetings are less formal. Anyone can hold a public meeting, but typically the sponsor is a facility in the community, a member of the community or affected public, or EPA. Anyone can attend, there are usually no formal time limits on statements, and meetings can occur any time during the involvement process. Because they are open and flexible, meetings are preferable to hearings as forums for sharing and discussing issues. Comments made during a public meeting do not always become part of the official administrative record as would comments from a hearing.

Plan Your Work

How to Organize Your Public Involvement Hearings and Meetings

Be prepared. Know the issue, the community, and the technique you are using. Do some research. Get the logistics right for your goals. Select a meeting format, place, and time that suits those you want to attend, and plan accordingly.

- Know enough about the issue to talk about it clearly and know when you should ask the experts.
- Consult with EPA colleagues about their work with similar communities, public involvement techniques, and issues.
- Learn about the community or affected public's interest in and potential questions about the issue.
- Understand "the way things work here" by working with and through organizations like city councils, civic associations, churches, or other community groups.
- Try to develop relationships with existing community organizations, and ask them to help you reach potential participants.
- Choose the format that best suits those you seek to involve. If a hearing is not required, design the event to promote effective information exchange between the public and EPA.
- Choose a location and time convenient for the community or affected public.
- Decide on the most appropriate setting for the activity to ensure:
 - Participation from a wide range of the public that otherwise might not attend (e.g., host meetings at county fairs or other local functions)
 - Adequate space for the audience
 - Spatial layout that does not intimidate people (no raised stages; use a circle of chairs for small groups and keep presenters on same level as audience)
 - Reliable (previously tested) equipment (projectors, microphones, etc.) for the activity which allows the most effective and clear communications
- Consider transportation and parking costs, weather and seasonal activities, the community's cultural practices, and accommodations for the disabled.

"... public hearing formats sometimes are restrictive and some people just don't like coming forward to sit before a microphone and state their opinions."

David Weitz - Wisconsin Department of Natural Resources
2001 Dialogue on Public Involvement in EPA Decisions

Work Your Plan

- Advertise your activity well in advance of the event. In the publicity, describe how people can participate and how the sponsor will conduct the session.
- Prepare and distribute supporting materials that will help people understand the issue more easily.
- Make all relevant documents available for review before and after the event.
- Convene the event by clearly explaining its purpose, and for hearings, explain the formal procedure.
- State that EPA came to listen, and ensure that the Agency understands the participants' concerns.
- For meetings, mutually establish ground rules to help everyone stay focused on the issue.
- Clarify the roles of EPA and participants for the event and entire project.
- Have sign-in sheets that allow attendees to request information or check an "opt out" box to decline future mailings on this or other EPA issues.
- Describe issues and topics in terms of the audience's values, such as the rights and responsibilities of the community to know.
- Provide, if necessary, a facilitator and/or language translator who is trusted by the community.
- Urge everyone to speak in plain language.
- At meetings, have someone write a summary of the results and actions to keep track for future reference.
- Share meeting notes with attendees and make the hearing record accessible.

Alternatives to Meetings and Hearings

You can use these and other techniques first to familiarize the public with key technical terms and concepts and later to discuss issues and options in depth.

Citizen Advisory Panel/Committee/Group

Typically, members of these groups are community representatives from local government, business and civic groups, environmental organizations, and other stakeholders. They have regular meetings and access to the decision-making processes related to EPA's activities in their area.

The group may become an ongoing body that helps to improve communications to and from the community at every step of the EPA decision-making process.

When EPA forms such a group to provide advice, it is an advisory committee and subject to the requirements of the Federal Advisory Committee Act for public notice, open meetings, and record keeping.

Listening Sessions/Availability Sessions/Open Houses

At these informal forums, presenters erect displays or posters or share slide shows to illustrate their ideas or frame their issues. It is useful to have several EPA people attend to meet one-on-one with members of the public.

Workshops/Group Discussions

A workshop is one or several parallel small group issue discussions among members of the interested public and the event sponsor. Usually a discussion leader or subject expert guides the group process.

"...in today's America, different people are working on different schedules. There's no "best time" for public hearings... Trying to squeeze all citizens into the same schedule will be almost impossible. Be as flexible as possible."

Rev. Robert Francis Murphy, Clergyman -
Cape Cod, Massachusetts
Public Comments on the 2000 Draft Public Involvement Policy

Additional Resources:

Principles for Effective Communications with Communities About Ecological Issues. EPA, Document #236-F-96-001, Office of Policy, Planning, and Evaluation, January 1997. <http://www.epa.gov/ecocommunity/order9.htm>

Superfund Community Involvement Toolkit. EPA, Document #540-K-01-004, Office of Solid Waste and Emergency Response, September 2002. <http://www.epa.gov/superfund/tools>

Public Involvement in Environmental Permits: A Reference Guide. EPA, Document #500-R-00-007, Office of Solid Waste and Emergency Response, August 2000. <http://www.epa.gov/permits/publicguide.pdf>

The Model Plan for Public Participation. EPA, Document #300-K-00-001, Office of Enforcement and Compliance Assurance, Public Participation and Accountability Subcommittee of the National Environmental Justice Advisory Council (NEJAC), February 2000. <http://es.epa.gov/oeca/oej/nejac/pdf/modelbk.pdf>

Suggestions for Improving Public Participation in Community Involvement Activities. Missouri Department of Natural Resources, Division of Environmental Quality, Solid Waste Management Program. <http://www.dnr.state.mo.us/alpd/swmp/publicpartplan.pdf>

Other EPA Public Involvement Brochures

Introducing EPA's Public Involvement Policy
How to Plan and Budget for Public Involvement
How to Identify People to Involve
How to Provide Technical and Financial Assistance for Public Involvement
How to Do Outreach for Public Involvement
How to Consult with and Involve the Public
How to Review and Use Public Input and Provide Feedback
How to Evaluate Public Involvement
How to Improve Working with Tribes
How to Involve Environmental Justice Communities
How to Overcome Barriers to Public Involvement