

DEQ/ENERGY SOLUTIONS COMMUNICATION PLAN

February, 2011

Purpose

This communication plan outlines strategies and activities to proactively, consistently and effectively conduct public participation related to Energy *Solutions* activities which DEQ has involvement.

Opportunities and Challenges

Recent opportunities to engage stakeholders have provided added insight to the following perspectives:

- The image of Energy *Solutions* has generally improved, given what it had previously been. However, there still exists a healthy skepticism about its business practices and motives which strongly spills over on environmental issues.
- DEQ is generally seen as doing a good job and staff was seen as helpful and willing to talk to people when information is needed. However, there is also the concern that the legislature and Governor cause DEQ's approach toward Energy *Solutions* to vary, depending on current political thought.
- Many of those likely to be interested enough to either attend meetings about or comment on Energy *Solutions* issues have some knowledge about related topics. The challenge comes in that knowledge-levels are not always shared and/or people may not be as informed as they think they are.
- Environmental and special interest groups want to be actively involved in DEQ decision-making – especially on issues that change policy or would expand the current function of the facility.
- Issues which draw the general public's attention can be highly emotional and politically charged. Consideration must be given to how issues are talked about to ensure the reaction from either extreme does not prohibit progress.
- The perception is that Tooele County residents are less concerned than those living in other places along the Wasatch Front.
- Budgets and resources to do outreach are limited

Objectives

- Strengthen relationships with elected officials and key stakeholders to build and maintain their support.
- Proactively inform others.
- Ensure key internal and external stakeholders understand processes and/or issues, have access to information, help carry the message, share critical pieces of information back to DEQ, and support final outcomes.
- On critical and ongoing issues, communicate directly, effectively and often with targeted audiences. Always begin with "here's why we think you'll be interested" and, where appropriate, "what's in it for them."

Strategies

- Communicate first and regularly with key stakeholders
 - Anticipate so that we can tell our own story. Identify opportunities for public engagement and ensure that the level of engagement is balanced by the issue and its context.
 - Respect and value the expression of different perspectives.
 - Use listserv to e-mail public notices and key events/activities. Post the same information, along with any related documents which can be shared, on website.

- For critical issues, establish and use notification list – listservs, e-mails, phone calls, etc.
- Ensure that the Department PIO is in the loop.
- Communicate purposefully
 - Establish a quarterly calendar of key events and revisit regularly with technical team. Use the Public Process Triggers (Attachment B) to determine appropriate outreach approach.
 - Create and encourage use of a communication checklist for project managers
 - Tie communication expectations to team members' performance plans
 - Require dry runs and post mortems on all key meetings with an eye toward effective communication.
 - Conduct periodic training on media, interpersonal skills, and public presentation
 - As appropriate, use DEQ newsletter and website rotator.
 - Use feedback mechanisms to improve the stakeholder process and, as appropriate, the technical process.
- Communicate a simple and consistent message
 - Use a common, transparent approach for all *EnergySolutions* issues at DEQ.
 - Use the same template for each Division and for the Department fact sheet, based on the new web banner.
 - Ensure written materials and presentations are clear, audience appropriate and include as many of the message principles as can be practically worked in.
- Celebrate Success
 - Recognize, through a note or other means, when things are well-communicated.

Messages

To the extent practical, the following messages should be worked into all targeted communication:

Message 1: DEQ enhances Utah's public health and business environment by protecting our air, land, and waters.

Message 2: As public servants, we strive to be efficient, fair, and transparent.

Message 3: We aim for balanced decision-making. Anchored by the requirements of the law, we weigh public health benefits, taxpayer costs, and impacts to economic development and to our natural resources.

Message 4: We work collaboratively with others, drawing on their insights and expertise.

Message 5: Our staff are well educated, experienced professionals. We encourage them to use their best professional judgment to accomplish our mission.

Tool box

As appropriate, the following tools are available to use. Depending on the issue, the Office of Planning and Public Affairs will put together a simple, written strategy which makes use of any or all of the following:

1. Web
 - a. Maintain an *EnergySolutions* webpage for the Department
 - b. Develop and post information to enable all messengers to stay on the same page.
 - i. Health and science facts
 - ii. Schedule of progress and anticipated next steps
 - iii. Use approach for all *EnergySolutions* issues at DEQ
2. Listserv

- a. Use e-mail as a tool to communicate both regularly and on special issues with those who have actively indicated an interest by signing up.
 - i. Continue to maintain the established listserv for Energy*Solutions* Issues
 - ii. In addition, make use of any division/department listserv that may be appropriate
 - b. Target those perceived to be “critical” but have not signed up to ensure they are either added or notified in some other way.
3. Media Outlets
 - a. Proactively ensure that the PIO is “in the loop.”
 - i. Identify subject matter expert and contact information, if needed.
 - b. Provide written information to be used as notices, “interest” stories at key points in timeline, and occasionally as appropriate, editorial board information
 - c. Media training
 - i. Required for critical staff (key project managers, etc)
 - ii. Optional for those interested
4. Stakeholder Forum (as outlined on Attachment C)
5. Public Meetings
 - a. Proactively select format, considering objectives:
 - i. Traditional Public Hearing
 - ii. Open House format
 1. To learn in advance of a public hearing; or
 2. As alternative to public hearing (recorder provided); or
 3. As an educational tool
 - iii. Educational Seminars
 - iv. Feedback opportunities prior to finalization of key permits or policies
6. Call-down List Notification
 - a. Proactive notification of key stakeholders on critical issues. May either involve phone or e-mail, as appropriate.
7. Fact Sheets, Public Notices, and Presentations
 - a. Clearly written and effectively targeted.

Next Steps

1. Ensure that all those within DEQ who have Energy*Solutions* responsibilities within the organization are aware of the communication plan and the expectations. At key points with projects, OPPA will work with project managers to provide them the assistance they need to host a successful outreach event and/or provide information via the web or an e-mail list. With input from the programs, OPPA will prepare and send out a regular update via e-mail to all those within DEQ working on ES projects. The update will list of upcoming outreach events and contact people.
2. Include a Public Affairs person on Energy*Solutions* team meetings or establish regular item on periodic team meetings to discuss Communication Strategies and to:
 - Assess any recent messages (and any lessons learned)
 - Identify upcoming opportunities, potential road blocks.
 - Identify targeted next steps and assignments.
3. Establish a stakeholder forum for sharing information with key opinion leaders and stakeholder groups related to licensing and other environment issues at Energy Solutions. A second purpose would be to facilitate a better understanding of the technical issues and decisions before the Radiation Control and Solid and Hazardous Waste Boards related to Energy Solutions. This forum is not a substitute for Public Notice and Comment periods, but a mechanism for providing information and sharing perspectives on an ongoing basis. (See Attachment B)

ATTACHMENT A: Summary Of Interviews

Generally, we spoke with two types of people:

1. Those who claimed to know “a lot” of “everything” relating to *EnergySolutions* and who had been directly involved through regulatory activities (environmental, zoning), through legislative or lobbying activities, or who were involved in “watchdog” activities and therefore deliberately sought out information, mainly from GRAMA requests and from participation in board activities.
2. Those who felt they had limited knowledge, based on advertising and what was covered in the news media.

Almost all of those falling in the first category had no concerns with how *Energy Solutions* was operated. They did express the following concerns:

- Possible acceptance of waste that is significantly different than is currently accepted – including Class B and C wastes, depleted uranium and foreign and blended waste.
- Long-term protection of the site (in perpetuity)
- Impact of seismic events and other natural occurrences
- The inability of the Radiation Control Board to make decisions on long-term society issues that super-cede scientific and engineering considerations.
- Signed contracts for more waste than the site can hold.
- Limited public access to radiological incidents at the site
- Enforcement of Class A limits on received waste.

Those who had limited knowledge appeared to be most concerned about *EnergySolutions* accepting waste that is significantly different than what is currently being accepted, about the potential for a transportation accident, and – overwhelmingly – about Utah being perceived as a “dumping ground” and the impact that IT might have on economic development. We also heard – more than once – the concern that *EnergySolutions* contributed heavily to political campaigns and that this impacted how the company was handled.

Interestingly, the perception is that Tooele County residents are less concerned about *EnergySolutions* than are the people living in Salt Lake Valley and the Wasatch Front. Tooele residents, it was felt, are less concerned because they have a better understanding of what goes on at the site and have seen the company evolve.

People interviewed generally felt that DEQ is doing a good job and that staff is willing to talk to people when information is needed. A few were bothered by “so many anti-environmental legislators and government officials” and felt the DEQ’s attitude toward *EnergySolutions* varied, depending on who was in charge of the agency and who is in the Governor’s office. One person felt that DEQ erred on the side of granting *EnergySolutions*’ request even when state laws and rules could have been enforced to limit or restrict those activities.

Excluding staff and with very few exceptions, people interviewed had not participated in a public meeting. Those who had voiced concerns that the decision had already been made by the time it got to the public process and advocated improving the process by giving earlier opportunities for dialogue. Hearings were seen either as “well-run” or “cold and impersonal.” We also heard that people don’t read public notices so they weren’t aware of something that was going on and that the entire public process was too laborious.

The best ways to get information out, according to the comments we received, was to use e-mail blasts and the website. Other tools mentioned included tours and presentations to advisory or special

interest groups. While legal notices work for the public officials, extra steps need to be taken to get the attention of the general public. One person thought tours would be helpful and another expressed a desire to see an ombudsman's group or other credible third party also provide information. Finally, DEQ should be neutral in developing and distributing information. If EnergySolutions gets to draft anything, the environmental groups should be given the same opportunity.

Topics of interest include health, safety, educational information, new issues, and ways actions benefit Utahns and keep the State from becoming a dumping ground. Environmental groups would like to have electronic access to violations and radiological incidences, waste manifests (descriptions), waste volumes received, remaining site capacity, and quarterly activity reports.

While interest in the topic overall is limited, there are groups who want to know what is going on on a consistent basis. DEQ needs to be careful in providing the information that it does not slant things or leave the impression that "the sky is falling." There is some education on radiation-related topics that needs to take place as well.

Some felt that getting information from EnergySolutions may be the best because of its "knowledge level." However, we again need to point out the number of responses we received that indicated the public remains very skeptical of anything EnergySolutions says. The message should be geared toward "the middle of the road" audience and should be explained, giving some context.

One person had an interesting comment: "When our county commissioners hold a public hearing, 20 people will show up, most of them the press and EnergySolutions employees. I think most people think they know everything. They already have their opinions and made up their minds, which is based mostly on emotion rather than fact."

ATTACHMENT B: Public Process Triggers

The following circumstances may require a scoping meeting or other public process. FOCUS: Feedback; an opportunity to ask the question, “what are your concerns?”

- New process
- New license
- Adds to capacity
- Potential change to State policy
- Geographic expansion
- License renewal
- “Perceived” issue
- Decrease in environmental monitoring or sampling frequency

The following circumstances may not warrant going to go to scoping (but may be mentioned in stakeholder forum or if one is not close, mentioned on listserv).

FOCUS: For your information.

- Support function that does not increase capacity
- Increase in environmental monitoring or sampling frequency

Other considerations:

- As required by regulations, a response to comments summary will still be done for official public comments. These will be posted on the web, along with related documents.
- For other public processes where feedback is received. DEQ will keep a record of the feedback received and report the decision and why it was made.

ATTACHMENT C: Stakeholder Forum Proposal

Purpose

- Provide a forum for sharing information with key opinion leaders and stakeholder groups related to licensing and other environment issues at *EnergySolutions*. This forum is not a substitute for Public Notice and Comment periods, but a mechanism for providing information and sharing perspectives on an ongoing basis.
- Facilitate a better understanding of the technical issues and decisions before the Radiation Control and Solid and Hazardous Waste Boards related to *EnergySolutions*.

Membership

- Members of the Forum represent each of the various areas identified below.

ENVIRONMENTAL REPRESENTATIVE

HEAL Utah

LOCAL GOVERNMENT

Grantsville City

Tooele County

Tooele County Health Department

Salt Lake County

FEDERAL AGENCY

NRC

BLM

STATE AGENCY

Department of Environmental Quality (DEQ)

Department of Transportation

BUSINESS INDUSTRY

Energy Solutions

- Members are selected by the Director of the Utah Division of Radiation Control, Department of Environmental Quality (DEQ). Term of service is 2 years, with an opportunity for reappointment. A Member may be represented by a substitute or designee for a meeting if advance notice is given to the Chair. In such an instance, the Member is responsible for bring the substitute up to speed on previously considered issues for purposes of the scheduled discussion.
- In agreeing to participate, the Members will be expected not only to attend meetings but also to share information and provide perspectives from the groups they have been asked to represent.

Meetings

- Forum Members will be invited to sit at the table and participate in discussions. All meetings will be facilitated. Discussion will be focused on agenda items and limited to those issues over which DEQ has authority. Other issues raised may be referred to a more appropriate entity.
- The Forum will meet at least twice yearly, in the late afternoon/evening, and more often when necessary to ensure effective communication of information.
- Members of the public are welcome to attend meetings and listen to the presentations and to the forum discussions. Meeting agendas and summaries will also be posted on the DEQ website.

- Meeting arrangements will be coordinated by DEQ. The DEQ Director of the Division of Radiation Control will serve as chairperson and Radiation Control issues will be the primary focus. Other DEQ Divisions will participate as their issues arise. For certain issues, *Energy Solutions* may take the lead for a meeting. In these circumstances, the agenda will still be jointly developed and chaired by DEQ.
- No formal votes will be taken and it is recognized upfront that consensus may not be achieved.
- At the first meeting, the group will further define any other roles or responsibilities of stakeholders to ensure that the meetings remain cordial and that differing perspectives are given an opportunity to be voiced.
- A representative from DEQ Public Affairs will serve as staff support and help provide overall guidance and assistance with the process.