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THE FERNALD CITIZENS TASK FORCE: SHIFTING THE FOCUS

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ABSTRACT

In August 1995, the Fernald Citizens Task Force provided the U.S. Department of Energy (DOE), the Environmental Protection Agency (EPA), the Ohio EPA (OEPA), and FERMCO with cost-effective, implementable recommendations for addressing Fernald's most pressing issues. Fernald is now proceeding with an accelerated cleanup plan to make these recommendations reality. With its initial work plan complete, the Task Force confronted a new challenge: How to shift its focus from developing recommendations designed to influence Fernald's Records of Decision to advising project managers during remedial design and remedial action. This paper reports on the experiences of the Task Force, the DOE, Fernald regulators, and FERMCO as the Task Force made this shift. In the process, the parties encountered issues involving work plan development, membership, organization, and support resource allocation. Lessons learned as these issues were resolved are summarized. The Fernald experience supports the conclusion that "hands-on" citizen involvement in government decision-making at a major environmental remediation site can effectively transition from one area of focus to another.

INTRODUCTION

Under its original charter, the Fernald Citizens Task Force experienced unprecedented success as a U.S. Department of Energy Site-specific Advisory Board by recommending publicly accepted, cost-effective solutions to critical issues facing Fernald Environmental Management Project decision-makers. This success was the outcome of a deliberate strategy pursued by the Task Force Chair of focusing the Task Force's agenda on "big picture" issues. The Task Force incorporated its recommendations in a report delivered to the DOE in August 1995.

With its initial work plan completed, the Task Force confronted a new challenge: How should its members refocus their energies to further advance the ultimate remediation goal at Fernald?

This paper reports on interactions between the Task Force, the DOE, Fernald regulators, and FERMCO as Task Force members shifted their focus from developing recommendations designed to influence Fernald Records of Decision to a new role during remedial design and remedial action. In the process, the parties encountered and resolved work plan development, membership, organization, and support resource allocation issues. Their experiences provide insight into how "hands-on" citizen involvement in government can effectively transition from one area of focus to another.

BACKGROUND

In the 1980s, it was discovered that the Fernald facility had been contaminating local drinking water for many years. Citizen activism in reaction to disclosures of the contamination drew local and national news media attention and significant negative publicity critical of the DOE. In reaction, the DOE issued news releases and held public meetings to inform citizens of Fernald activities. Early public meetings typically provided forums for "Decide, Announce, Defend" style presentations by DOE

officials, which often resulted in citizen protests and accusations. Trust between the DOE and area residents was virtually non-existent. Prompted by separate lawsuits by the state of Ohio and area citizens, the DOE began to address contamination issues that had become a matter of public concern.

In 1991, the DOE and the EPA signed an Amended Consent Agreement, establishing key milestones and strengthening the framework for federal regulatory oversight of the Fernald cleanup. As work progressed under this agreement, DOE managers began to realize that direct citizen involvement was an essential ingredient to arriving at sound decisions.

In the spring of 1993, the DOE decided a citizens advisory board would be the most cost-effective means of obtaining focused stakeholder input on Fernald's most pressing issues. An independent convener was hired to identify potential Task Force members to represent the wide-ranging interests of Fernald's various stakeholder groups and to develop a draft charter for the Task Force, in conjunction with the DOE, the EPA, and the OEPA. The charter drafted by the convener, and ultimately adopted by the Task Force chair, charged the Task Force with developing recommendations on four far-reaching issues: future land use, remediation levels, waste disposition, and remediation priorities at the Fernald site.

The Task Force officially convened in August 1993. Early on, Task Force members recognized that a recommendation regarding future use of the Fernald property following remediation would give direction to its deliberations and provide a framework for other recommendations. During this time period, the Task Force also determined an independent consultant should be retained to provide the Task Force with technical and facilitation support. The Task Force chair guided the consultant in developing a work plan to promote productive use of time during the 18-month period preceding issuance of Task Force recommendations to coincide with the draft Record of Decision for Fernald's Operable Unit 5. A key to this work plan was the conscious decision of the Task Force not to review and evaluate each decision and piece of information that would be released by the DOE over that period of time, but to focus solely on developing its work plan in the time available.

VALUE ADDED THROUGH PUBLIC INVOLVEMENT

As the work progressed, the Task Force learned how site decisions were being made and how the Task Force might influence those decisions. Through direct participation at Task Force meetings, DOE and FERMCO project managers gained insight into stakeholder values and expectations. Major policy issues were discussed at length, and technical, economic, and political trade-offs were debated. These interactions ultimately yielded agreement between Task Force members and Fernald project managers on the direction the project should take. The Task Force's recommendations provided a blueprint for project managers to follow in remediating the Fernald site.

For DOE and FERMCO, the return on this investment in public involvement in the Fernald decision making process has been significant. By implementing Task Force recommendations, the project duration will be reduced from 25 years to 10 years, and United States taxpayers stand to save an estimated \$2.15 billion. These savings are determined by comparing the costs in dollars and time required for off-site disposal of all Fernald contaminated materials with the balanced approach recommended by the Task Force, which calls for disposal of Fernald's most contaminated materials off site and lesser-contaminated materials on site on an accelerated schedule. Equally important is the payback in terms of increased trust and confidence among Task Force members and project personnel. By their willingness to share information and adjust positions once the perspectives of others were heard, Task Force members and project managers set the tone for future cooperation in

support of the mutually beneficial goal of a remediated Fernald site.

FERNALD IN TRANSITION

During 1995, the Fernald project was in transition. The signing of the Operable Unit 5 Record of Decision by the EPA in December 1995 symbolized the conclusion of a decade-long study-and-planning phase at Fernald. The project had crossed that important threshold into the remedial design phase.

The delivery of the Task Force's recommendations in August 1995 also symbolized a turning point. With the urgency of meeting deadlines under its initial work plan removed, Task Force members could consider a future course of action. At their August 1995 meeting, a consensus emerged in support of refocusing the Task Force in a manner that would be productive and useful for project managers. Concurrently, DOE officials reiterated their perspective that the relationships between site personnel and stakeholders established during Task Force interactions were of great value and should be sustained.

At their September 1995 meeting, Task Force members discussed, in greater depth, issues relating to their future areas of focus and methods of conducting business. These issues included work plan development, membership, organization, and support resource allocation. How these issues were approached and resolved is discussed in the following section in a "lessons learned" format.

LESSONS LEARNED

Work Plan Development

Lesson Learned:

A focused work plan enables citizen participation to have the greatest impact on project decisions.

Discussion:

An important component of the original success of the Task Force was the ability of members to stay focused on their ultimate goal and particularly to understand how each activity fit into the process of achieving that goal. This was achieved through the development of a detailed work plan which identified all activities the Task Force would undertake, the information to be evaluated and the decisions required over time. The Task Force activities were clearly linked to ongoing site activities so members could see how their input would impact the real-time decision-making and cleanup of the site. By clearly outlining the role and importance of each meeting in the decision-making process, attendance was rarely an issue.

In discussing the future of the Task Force, members expressed an aversion to becoming "just another oversight group." It was generally considered important that a new work plan should include definite end products for each area of focus. The Task Force consultant was tasked with developing such an approach.

Informal dialogue among the Task Force chair, Task Force consultant, DOE officials, and FERMCO personnel occurred frequently during work plan development. Through these discussions, current and emerging issues were identified as candidates for Task Force focus. The Task Force chair reviewed the draft work plan with the DOE Fernald Area Office director to ensure it would result in relevant recommendations for project decision-makers.

At its December 1995 meeting, the Task Force refined and adopted the work plan. The work plan focused on the following issues: the engineered on-site disposal facility, waste transportation, environmental monitoring, natural resources, waste treatment, waste disposition, recycling, accelerated schedule/priorities, complex-wide issues, radium extraction, and economic development. For each of these issues, expected actions were identified. These actions are oriented toward developing recommendations or providing comments on these important issues. On all issues, Task Force dialogue and development of recommendations or comments have been scheduled in a timely manner to coincide with upcoming project activities and schedules.

Membership

Lesson Learned:

The Task Force should periodically assess its membership to ensure balanced representation and depth of expertise.

Discussion:

Upon submission of recommendations developed under its initial work plan, submitted to the DOE in August 1995, all Task Force members had the option to resign. None chose to do so. Instead, all expressed continuing interest and commitment to involvement on the Task Force.

The Task Force discussed the issue of membership at its September 1995 meeting. During the discussion, members considered the need to ensure balanced representation and depth of expertise among its membership. A determination was made that one additional member should be recruited. The Task Force chose to appoint a search committee to recruit candidate members. More than 850 announcements and applications were mailed to area residents, with ads being placed in the three Cincinnati-area daily newspapers. Eighteen applications were received, from which four finalists were interviewed to assess level of interest, experience, and proximity to the site. The entire Task Force approved the committee's selection at its December 1995 meeting, and the new member was appointed by the DOE later that month.

The membership review and recruitment process led the Task Force to reflect on its relationships with its constituencies and reaffirmed the need for continuing broad public participation activities independent of the DOE. Both diversity and continuity were considered keys to effective membership. Members acknowledged constant monitoring of community interests and positions is important to ensure the Task Force is representative of the entire community. A consistent membership is important to maintain institutional knowledge, continued cooperation and commitment. The addition of a new member as the Task Force shifts its focus has helped broaden the perspective and experience of the Task Force. This continuity was ensured in the original ground rules for the Task Force, which includes a provision for overlapping membership terms. The member search itself also identified the level of interest in the community in serving on the Task Force and helped identify individuals who might work with the task force over time.

Organization

Lessons Learned

Citizen groups should organize such that they can be flexible and responsive to changing needs.

Discussion:

To influence key decisions in the Fernald project's planning phase, the Task Force had adopted an

aggressive schedule under its initial work plan. Extensive monthly meetings involving the entire Task Force was essential during this work because of the strategic nature of the issues being considered and the time constraints under which the Task Force was working. With the delivery of recommendations under the initial work plan complete, the Task Force acknowledged it could "shift gears" and operate with less intensity. Two changes were adopted to enable the Task Force to relax its aggressive schedule while pursuing a broad range of issues under its new work plan.

First, the membership agreed the full Task Force would meet quarterly, rather than monthly. To ensure members were informed on a timely basis, the Task Force consultant was tasked with publishing a monthly newsletter on project status and issues of concern to the Task Force.

Second, the Task Force decided to utilize a committee structure to as great an extent as necessary. This enabled Task Force members to debate and discuss a broad range of issues concurrently and promote timely development of recommendations. It is also conducive to timeliness and responsiveness by the Task Force to emerging issues.

The next phase of Task Force activities will be focused more on reacting to site proposals and reviewing detailed design documents. A committee structure allows the Task Force to consider multiple issues concurrently and provides flexibility for scheduling meetings and addressing new issues as they emerge. In addition, the committee structure allows more direct interaction with other stakeholders interested in Fernald activities, simply because meetings will be conducted more frequently and less formally.

Technical Support

Lesson Learned:

Continuity in support resources is important to the success of the Task Force.

Discussion:

An important contributor to the Task Force's success has been full access to information relating to decision-making factors provided by the DOE and FERMCO. A side effect of this unconstrained access is the need to ensure the vast amounts of available information are synthesized into an understandable format consistent with Task Force needs. Task Force members realized this early on and requested DOE to provide for retention of an independent consultant support them. As work under the initial work plan progressed, the consultant became expert in meeting the Task Force's information needs.

The Task Force acknowledged that consistency of support would be a key element as it transitioned from one area of focus to the next. Consequently, it requested DOE to continue to provide for the services of the consultant selected to support the initial work plan. The DOE and FERMCO continue to provide access to information and work with the consultant to ensure information needs are met. FERMCO has designated an individual to provide liaison with the Task Force and the consultant. All parties recognize the importance of keeping information channels wide open.

Open, honest and trusted technical support has always been the backbone of the Task Force's success. Much of this support has rested on the work of the Task Force consultant and select FERMCO employees who have earned the trust of Task Force members over time and developed important relationships with the Task Force. The continued involvement of these individuals is key to the continuing confidence the Task Force has in the material it uses.

While the Task Force consultant works to collect, synthesize and distribute most of the information needed by the Task Force, individual members, particularly committee chairs, need to feel comfortable and confident in calling FERMCO and DOE personnel directly to ask questions, discuss issues or request information. It is through the constant give-and-take approach with the Task Force that many of the most important contributions to improving cleanup performance are made.

CLOSING

The performance of the Fernald Citizens Task Force provides compelling evidence that direct public involvement adds tremendous value to solving the difficult challenges confronting managers of environmental remediation projects. Though the main Task Force recommendations are in place, much of the critical action to implementing these decisions will be conducted during remedial design and remedial action at the site. In its reorganization, the Task Force has positioned itself to monitor progress, identify problem areas and ensure that the spirit of its recommendations are followed. The difficulties of maintaining an effective Task Force over the long term are significant, but in our view this continuity is essential. All parties recognize the importance of building on the success and credibility of the original mission by ensuring the effective implementation of the concepts and spirit embodied by the Task Force recommendations. Focus, teamwork, knowledge and self-discipline -- all of which are important ingredients of the Fernald Citizens Task Force's success -- are all difficult to replicate. The continuation of the Task Force is the most effective approach to ensuring balanced representation of local citizenry in decisions that will impact lives and livelihoods at Fernald for many generations.