

DEM Environmental Equity – Reuse of Contaminated Sites

Kick off Session
November 1st, 2006
New Commons
V1: 11/9/2006

The workshop was held among all people that had nominated themselves to participate in the environmental equity program. Anyone who wanted to participate could. The workshop centered on three discussions. Discussion one and two were done in parallel. Discussion three was with all the groups combined. Discussion one was about people's experience from past clean-up projects. Discussion two focused on a hypothetical clean-up case. In both conversations we were after lessons learned, applicable to the design of a new approach. Discussion three occurred among everyone present and centered on developing a sketch of a go-forward environmental equity program.

In the next month or so, people will be selected, by DEM, from the larger group of nominees (both invited and those that participated in the workshop) to serve in some formal capacity to implement environmental equity program.

This summary represents the nuggets the group presented at the end of the workshop. Additional data and insights will be drawn from the café tablecloths.

I. Based on Past Clean-up/Remediation Projects

What has Worked?

Personal approach – face to face, one to one
The use of a public repository for documents

What Has Not Worked?

Make information available and understandable early on. Availability of documents is spotty. Past public notice letter – content and distribution is not widespread.

Communication between agency and public has been incomplete. There has been little transparency in the process. What is required is an open and accessible process for community.

The process has been developer driven.

DEM lacks capacity to oversee investigation and clean up plans.

Agencies won't get involved unless they have someone to "pin on."

What are the Lessons Learned?

Engage the community from the start: Community petition to start process, based on concern of contamination. Right now, it's hard for DEM to get control before we know it's contaminated. When does the process start?

Community involvement is not wanted by agency workers or by developers. Community has to be a stakeholder and equal partners with resources and education. Developers must be required to engage community in planning before proposing project. What is known about the history of the site is in the community? Identify the stakeholders and their interests. Site becomes informational by posting notices at the site. Community needs money to hire its own experts. Community is always playing catch-up/reading.

Clean ups need to be more protective. Long term monitoring does not happen. Five years is required. We are concerned about the long-term environmental issues. Should private wells be tested as a broad spectrum? Do a pilot program?

Need access to public information. Educate the public so they are involved and ready to respond to the problem. Need political energy, resources, transparency behind regulators.

Communicate in "plain English"/non-technical; technical to English; English to other languages.

Structural racism drives outcomes.

Going forward, get government leaders to endorse: Governor's office support for an improved process. Get more municipal involvement as well.

Lessons can be learned from how DOT does it.

II. Using a hypothetical, sensitive use site with complex conditions to address

What issues must be handled in this hypothetical case?

How clean is clean? Who decides? Community input!

Funding: restrictions, time frames.

How much clean up? Who will pay?

Clean up and not build?

No due diligence. City needs to explain how it happened.

Why is project potential, the only way to clean up site?

What steps must be taken?

Ensure community involvement from the start and before we do anything. Educate the community about the problem. The community sets the agenda. Be proactive. Form a community coalition – neighbors, parents, school administrators, workers, environmentalists, grants people, business folk. Public outreach plan needs development. Stepped process with clarity on how and when public is engaged. It's continuous process.

Complete due diligence and issue prior communication to public? Evaluate risk. Let people know there are issues.

III. In summary, a go forward sketch of the environmental equity process?

Design a Standards-Driven Process

Environmental equity is not a process. It's a standard. Understand who's impacted. Avoid environmental racism. Collect some data, undertake an environmental health assessment. At what point is it clean enough to be safe? In effect, focus on equity of outcomes. In summary, it is an environmental process with equity as overlay.

Engage the Community and Experts Together

To make this work, we have got to get people in here to talk. Understand the basics rules. From all points of view: citizens in the community and experts with know how. We need to collect the facts and get educated.

Address Cumulative Health Impacts

Understand cumulative health impacts that might make new use, not possible and then the use is moved to someplace "cleaner." The pollution does not get resolved. So we have to address pollution at the source. And what if the economic benefit to the community of developing the site is significant?

Foster Standards that Evolve From Continuous Learning

Could have different standards in different communities based on risk of that community. Set standard at most sensitive risk as every standard should be the most protective. The standards can change over time based on what we learn.

Two views about risk. One view is risk assessments work. The other view, in the environmental community, is a debate about the use of risk assessments because it is viewed as a numbers game. Better to follow the precautionary principle of it is better to be safe than sorry.

DEM

Environmental Equity Process, 1st session...!!

Overview

Case study of a hypothetical future project...

issues to handle?

steps to take?

Examining past projects...

what's worked?

not worked?

lessons we can apply to a new process?

In summary, a sketch of the process?

Based on past clean-up/ remediation projects...

What's
worked?

Personal Approach -
face to face - one to
one

Make information
available & under-
standable early on

Availability of Public
Documents.

Not
worked?

~~NOT~~ Agencies won't
get involved unless
they have someone to
"pull on"

Public Repository

Process
Developer
Driven

~~NOT~~
Communication
between Agencies & Public

TRANSPARENCY IN
PROCESS

Open and
Accessible
Process for
Community.

DE M lacks
capacity to
oversee investigations
& clean up plans

Past Public Notice
Letters

content +
distribution is
not wide spread

Lessons to apply in designing the new process?

Clean ups need to be more protective

Long term monitoring does not happen

5 years required

We are concerned about the long-term environmental issues

Should private wells be tested on a broad spectrum?

Pilot Program

Lessons to learn from DOT

Need Public INFORMATION (ACCESS TO)

Creating Educated Public (medium planning) -> leads to response to problem

Need political energy, resources transparency behind regulators

Communication in 'Plain English'/non-Technical

technical to English

English to other languages

Structural Racism drives outcomes

Government Leaders Endorse

Governors Office Support for an improved Process

Municipal Involvement

Community has to be a stakeholder

with resources and education to be equal partner

Identification of Stakeholders and their Interests

Site becomes informational

Post at the site

Community petition to start process based on concern of contamination

Right now, it's hard to get control before

When does the process start?

We know its contaminated

Engaging Community from Start

Community Involvement NOT wanted

By Agency workers

By Developers

Developers must be required to engage community in planning before proposing project

What is known about the site is in community

Community needs money to hire its own experts

Community always playing catch-up/Ready

Using a hypothetical, sensitive use site with complex conditions to address...

What issues must be handled?

How Clean is Clean?
Who decides?
Community input!

Funding:
-restrictions
-time-frames

How much Clean-up?
Who will pay?

Clean up + not build?

NO DUE DILIGENCE

CITY NEEDS TO Explain How Happened.

Project POTENTIAL ONLY way to clean-up SITE

Educate the Community about the problem

Complete D.D. and communicate to Public - Public Mitigation

Evaluate risk

let people know there are issues

What steps must be taken?

from the start and before we do anything

Set the agenda
be proactive

Community Involvement

Public OUTREACH Plan
NEEDS Development

Community Coalition

Stepped process

with clarity on how + when public is engaged

It's a continuous process

Neighbors

Parents

School admin

Workers

environmentalists
grass people
business BIK

In summary, a sketch of the environmental equity process?

going forward

environmental equity is not a process

it's a standard

Understand who's impacted

avoiding enviro. racism

collect some data

undertake an enviro. health assessment

at what point is it clean enough to be safe?

enviro. process with equity as an overlay

equity of outcomes

Got to get people in here to talk

from all points of view

We need to collect the facts

and get educated

Understand the basic rules

understand cumulative health impacts

that might make new use, not possible

and then the use goes to someplace "cleaner"

and the pollution does not get resolved

so we have to address pollution at the source

what if the economic benefit to the community is significant?

could have diff. standards in diff. communities based on risk of that community

Set standard at most sensitive risk

and the standards can change over time

based on what we learn

every standard should be the most protective

debate about risk assessment in enviro. community

it's a numbers game

Precautionary Principle

better to be safe than sorry