

PUBLIC MEETINGS

The public meeting provides a forum where interested persons can ask questions and discuss issues outside of the formality of a public hearing. Public meetings are flexible tools that are open to the general public, and are intended to share information and discuss issues, not to make decisions.

Public meetings are different than public hearings. Public hearings provide a formal opportunity for the public to present comments and oral testimony on a proposed agency action. Comments made during a public hearing also become part of the official administrative record. In contrast, public meetings are less formal, anyone can attend, there are no formal time limits on statements, and the facility or the regulatory agency usually answers questions. Due to their openness and flexibility, public meetings are preferable to hearings as a forum for discussing issues.

Generally speaking, it is an ideal setting to:

- Deliver the same information at the same time to a large group;
- Enable community members to voice their concerns; and
- Foster interaction between the facility and/or regulatory agency and the community.

Avoid these pitfalls:

- Conveying information in a manner that may result in misunderstandings;
- Allowing the forum to be used for grandstanding and ulterior agendas; and
- Developing adversarial relationships.

Required Activity?

Yes. Prior to submittal of a permit application, the permit applicant is required to conduct a pre-application meeting. This type of public meeting must be announced at least 30 days prior to the event, and after the meeting, the permit applicant must submit a record of the meeting to the permitting agency ([40 CFR § 124.31](#)).

Public meetings may also be held on a voluntary basis and strategically planned to promote community engagement.

EPA's public participation guidelines for RCRA public meetings are detailed on Chapters 2,3 and 4 of the [2016 Edition of the RCRA Public Participation Manual](#).

Making it Work

When to Use

Hold public meetings at times that are convenient for the public. Typically, they should be on a weeknight and last no longer than two hours. For areas with a predominance of retirees, schedule meetings during the daytime. The public meeting may not be the best tool for all occasions. The negatives associated with the dynamics of the public meeting can be considerable. They are not the recommended forum, other than in the required situations noted above, unless other options are less available.

- **Do not use public meetings:**
 - For general information purposes without a major announcement;
 - Just because you feel it is time to have a presence in the community;
 - As the first or primary means of communication with a community; or
 - To announce for the first time bad or controversial news.
- **At specific times of the year:**
 - Avoid holidays;
 - Do not attempt to compete with local special events; and
 - Avoid the week of April 15.

The public meeting should be held in a location that is convenient and easily accessible to your target audience, including any disabled residents. The facility must meet the requirements of the Americans with Disabilities Act (ADA). For requirements, visit the Center for Independence (CFI) **Internet** site: www.centerforindependence.org/. The site includes weekly updates and information about making your public space accessible: For a free copy of the ADA Guide for Small Businesses, published by the U.S. Department of Justice, call CFI at (970) 241-0315. The location needs to be able to accommodate the anticipated crowd; handle any lighting, ventilation and electrical burdens you may place on it; and have adequate, convenient, well-lighted parking. In most cases, your **Public Participation Plan** should have identified at least one primary location.

How to Use

There is no substitute for good planning; any lack of it will be readily apparent. Several attachments at the end of this tab, including an overall planning checklist, can help you.

Your job in the planning process is to help the permit applicant. Help them plan the messages, presentations, and visual aids. Help them anticipate questions, and plan the answers. It is up to you to help them to think like a citizen, not like an expert in hazardous waste. More than one representative has been caught off guard at a meeting by something that they thought was so routine as to not be an issue.

If the decision is to go ahead with a public meeting, other than the required public meeting before the permit application, and it is not the first such meeting for this site, consider having a pre-meeting for new people rather than making everyone sit through the site history every meeting. Spend half an hour to an hour before the meeting starts to give new people all of the background information. Then, when the meeting starts, you can spend just a few minutes to set the stage for everyone and launch into the stated purpose of the meeting. For an established site, you will lose the audience fast if you spend time rehashing everything that has ever been said or done about the site.

Be there early, preferably with the other representatives, and greet people as they arrive. Resist the temptation to retreat to a cluster of permit applicants and/or permitting agency representatives. Mingle with the residents, make them feel comfortable, and make small talk while you are waiting to start the meeting. Start the meeting on time.

Virtual public hearings and meetings are allowed under RCRA to provide for public participation during the permitting process in lieu of in-person public hearings and meetings (both during and after the COVID-19 public health emergency). View an [April 16, 2020 memo about Virtual Public Hearings and Meetings](#) from the Office of General Council.

Tips

- **Remember: two-way communication.** Resist the temptation to think of the public meeting only as an expedient way to get information out to as many people as possible. Expect questions, statements, posturing, grandstanding, antagonism, support, anger, frustration—the whole spectrum of emotion.
- **Prepare a meeting kit.** Something like a catalog case pre-packed with items that invariably are needed at every meeting and often forgotten in the haste to leave on time. Use the checklist in Attachment 1 to build your own.
- **Insist on a dry run** with every participant practicing their role.
- **Approach a dry run,** and the lessons learned session, candidly. No one will benefit from a meeting of the mutual admiration society.
- **Consider using real estate signs** to post and advertise public meetings in various locations in the targeted community. This can be very beneficial in large communities adjacent to RCRA manufacturing facilities.
- **Ensure proper follow-up** of any meeting action items to ensure community trust.
- **Be sure to collect lessons learned,** conduct internal debriefing, or solicit external feedback.
- **For those that can't attend,** consider making shared work products available at repositories, compiling a summary report, and communicating next steps and follow-up actions.

Attachment 1: Do's and Don'ts for Question and Answer Sessions

The following suggested “do's and don'ts” when engaging in community outreach or question and answer sessions.

Prior to Meeting with the Community

- **DO** perform an audience analysis to learn about its size, education level, primary language, etc.
- **DO** obtain accurate information and be completely honest.
- **DO** decide on key points you want to make and double check that you have the appropriate information.
- **DO** create handouts if necessary, including important statistics, an information contact, graphs, pictures, site maps, and text that is easy to understand.

During the Question and Answer Session

- **DO** be honest and accurate. Your credibility depends on it.
- **DO** stick to your key points.
- **DO** lead. Take charge, but don't overpower.
- **DO** raise your key messages.
- **DO** offer to find out information you don't have if a question is raised about it.
- **DO** explain the subject.
- **DO** stress the facts.
- **DO** explain the context.
- **DO** give a reason if you can't talk about the subject.
- **DO** state your points emphatically.
- **DO** emphasize what is being done to correct the problem.
- **DO** state your conclusions first, to get your main points across, and then back them up with facts.
- **DO** try to be as open with the community as possible.
- **DON'T** ignore the demographics of your audience.
- **DON'T** try to fool community members.
- **DON'T** believe you know it all.
- **DON'T** come to a meeting unprepared.
- **DON'T** lie.
- **DON'T** improvise.
- **DON'T** react passively, but don't be overly aggressive or rude either.
- **DON'T** dwell on negative allegations.
- **DON'T** guess, because if you are wrong, your credibility, as well as EPA's, will be lost.
- **DON'T** discuss hypothetical questions.

- **DON'T** assume that the facts speak for themselves.
- **DON'T** use jargon.
- **DON'T** dismiss a question with “No comment.”
- **DON'T** stress any individual errors or negligence.
- **DON'T** withhold information or fail to acknowledge the facts.
- **DON'T** let your message get lost in details.
- **DON'T** hesitate or refuse to give proprietary information.

After the Question and Answer Session

- **DO** volunteer to get additional information community members request.
- **DO** volunteer to be available if a community member wants to go over something with you.
- **DO** provide methods for community members to reach a representative with future requests or inquiries.
- **DON'T** give one individual exclusive information.
- **DON'T** refuse to talk any further with members of the community.
- **DON'T** avoid or ignore community members' requests, or deny community members the means to find any and all public information. This is one of your primary responsibilities.