

Interim Guidance for Public Meetings During COVID-19 Public Health Emergency

RCRA (Resource Conservation and Recovery Act) Program

As of April 24, 2020

In keeping with EPA's commitment to provide meaningful public involvement in the environmental decision-making process, while also ensuring protection of human health, below is interim guidance for conducting outreach and public participation work at RCRA facilities during the Coronavirus Disease 2019 (COVID-19) public health emergency. Regions are encouraged to share this guidance with the states, and to employ these considerations to assist authorized states as they encounter similar issues for state-led RCRA cleanups.

This interim guidance provides alternative approaches, recommendations, and resources to help ensure public participation when in-person meetings are not possible.

Thank you for your patience and flexibility as we work to find ways to support your work.

Interim Guidance

- EPA recommends that Regions use virtual alternatives, where feasible, in lieu of in-person public meetings, public hearings, door-to-door visits, and other facility-related face-to-face public interactions. Regions should not be holding in-person public interactions, consistent with current federal, state, tribal, and local COVID-19 guidance on events and mass gatherings as well as social distancing. Regulators should check the Center for Disease Control (CDC) website at <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/index.html> for the latest federal guidance, and maintain awareness of the most current guidance from state, local, and tribal public health and governmental officials. Since many of these guidelines are being updated frequently to respond to changing conditions, EPA advises regulators to avoid in-person events during this period of significant uncertainty to avoid any last-minute changes to meeting plans. The agency will assess the continued need for and scope of this policy on a regular basis and will update it if the EPA determines modifications are necessary.
- Virtual public hearings and meetings may be held as a substitute for in-person public hearings and meetings during efforts to combat COVID-19. See memorandum Virtual Public Hearings and Meetings at https://www.epa.gov/sites/production/files/2020-04/documents/ogc_virtual_hearing_memo_4-16-2020.pdf. Information on required and recommended content for public hearings and other public engagement activities can be found in the 2016 Edition of the RCRA Public Participation Manual at https://www.epa.gov/sites/production/files/2019-09/documents/final_rcra_ppm_updated.pdf.

- EPA Regions are encouraged to coordinate internally to ensure consistency with other programs in use of virtual hearings and meetings. Consulting with the Office of External Affairs is also recommended, as is coordination with state partners.

We encourage EPA staff to maintain contact with their affected communities using communication channels such as factsheets, phone, and social media as well as using virtual tools such as on-line meetings, webinars, conference calls, and call-in numbers.

- Where Regions are conducting or overseeing the cleanup activities, it is recommended that Regions update their usual communications mechanisms within 48 hours of making a decision to significantly change cleanup activities or plans. The update should include information about what is changing and what is not, and who to contact with any questions or concerns. The update should also state that the change in work is a temporary measure to adjust to the ongoing situation with COVID-19, and that EPA will periodically reassess the decision moving forward and will continue work as soon as possible.
- Even while EPA is encouraging the use of technology for virtual meetings and communications, staff should keep in mind that some individuals may have only limited or no access to internet or other technologies, or to necessary Agency documents (e.g., Administrative Record File), especially during a time of social distancing. For example, libraries that serve as information repositories or that provide a method of internet access may be closed. Therefore, Regions should take steps to ensure, as practicable, that participants can follow the substance of discussions even if they lack full access to the technology and/or Agency documents (e.g., by also providing access via telephone and/or mailing necessary documents

Tools and Resources

- The 2016 Edition of the RCRA Public Participation Manual, at https://www.epa.gov/sites/production/files/2019-09/documents/final_rcra_ppm_updated.pdf, provides detailed information on public meetings and hearings in Chapters 3, 4, and 5.
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