


INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT	STATUS: Pending	POLICY NUMBER: Waste - 0070 - NPD	
AGENCY NONRULE POLICY DOCUMENT SUBJECT: Community Involvement Plan	AUTHORIZED: Bruno L. Pigott, Commissioner		
	SUPERSEDES: WASTE-0049-NPD	ISSUING OFFICE(S): Office of Land Quality, Remediation Services Branch	
	ORIGINALLY EFFECTIVE: TBD	RENEWED/REVISED: Not applicable	

Disclaimer: This Nonrule Policy Document (NPD) is being established by the Indiana Department of Environmental Management (IDEM) consistent with its authority under IC 13-14-1-11.5. It is intended solely to provide guidance and shall be used in conjunction with applicable rules or laws. It does not replace applicable rules and laws, and if it conflicts with these rules or laws, the rules or laws shall control. Pursuant to IC 13-14-1-11.5, this policy will be available for public inspection for at least 45 days prior to presentation to the appropriate State Environmental Board and may be put into effect by IDEM 30 days afterward. If the nonrule policy is presented to more than one board, it will be effective 30 days after presentation to the last. IDEM also will submit the policy to the Indiana Register for publication.

1.0 PURPOSE

This Nonrule Policy Document (NPD) provides a systematic approach to Community Involvement; a necessary component of IDEM's mission to protect human health and the environment and a statutory obligation for some of IDEM's Office of Land Quality remediation programs.

2.0 SCOPE

This NPD applies to the following Indiana Department of Environmental Management (IDEM), Office of Land Quality programs: Leaking Underground Storage Tanks, State Cleanup, and Voluntary Remediation Program.

3.0 SUMMARY

The NPD provides a systematic/tiered approach to community involvement. The NPD also provides methods for identifying those persons and organization that may be most affected by contamination and at the same time, providing a staged approach to community involvement to those identified persons based on scope and impact.

4.0 DEFINITIONS

- 4.1. "Agency" – The Indiana Department of Environmental Management (IDEM).
- 4.2. "Closure" – IDEM's written recognition that a party has demonstrated attainment of remediation objectives in an area. The written instrument for this decision varies by remedial program (see the [Remediation Program Guide](#), 2012).
- 4.3. "Consultant" – Conducts investigation and remediation work and communicates with IDEM. Provides documents to IDEM on behalf of the O/O/P and/or RP.
- 4.4. "Environment" – The complex of physical, chemical, and biologic factors that include land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other similar natural resources, as defined in IC 13-11-2-137, that act upon an organism or ecological community.
- 4.5. "Groundwater" – Has the meaning set forth in IC 25-39-2-10.
- 4.6. "Nonrule policy" – The term assigned by the Indiana Department of Environmental Management (IDEM) to those policies identified in IC 13-14-1-11.5 as any policy that:
 - A. Interprets, supplements, or implements a statute or rule;
 - B. Has not been adopted in compliance with IC 4-22-2;
 - C. Is not intended by IDEM to have the effect of law; and,

- D. Does not apply solely to the internal IDEM organization (is not an Administrative Policy.)
- 4.7. "On-site" – Has the meaning set forth in 329 IAC 7.1-2-11.
- 4.8. "Owner or Operator" – Regarding petroleum facilities, has the meaning set forth in IC 13-11-2-151.
- 4.9. "Receptor" – A human and/or ecological entity exposed to a stressor.
- 4.10. "Release" – Has the meaning set forth in IC 13-11-2-184(a) and/or (b).
- 4.11. "Responsible party (RP)" – (1) The individual, company, group or other entity legally responsible for areas where chemicals of concern are known to have been released, or legally responsible for compliance under state or federal environmental regulations. (2) The entity or party that is required to perform or is voluntarily performing an investigation and/or remedial action or corrective action at a site, and who will in most cases prepare the Record of Remedy Selection and Record of Site Closure.
- 4.12. "Screening Level" – A chemical-specific concentration level that IDEM has determined to be sufficiently protective at any site, provided it is applied under appropriate land use scenarios.
- 4.1. "Virtual File Cabinet" – The agency's electronic document management repository. This repository has all the functionality necessary to capture, store, file, index, redact, reassemble and securely access electronic documents of all types both received by and created by the various programs within the Agency and allows the public viewing, searching and printing capabilities.

5.0 ROLES

- 5.1 The consultant shall:
- A. Represent the responsible party.
 - B. Prepare and submit work plans or other documents for a site on behalf of a responsible party.
 - C. Coordinate activities with the IDEM OLQ Project Manager
 - E. Perform activities as described in the approved workplans or other documents.
- 5.2 The IDEM OLQ project manager shall:
- A. Assist the consultant with Community Notification and Access Agreements.
 - B. Receive, evaluate and provide comments on documents associated with the Community Involvement Plan.
 - C. Prepare correspondence to the responsible party and consultant that communicates the status of the remediation project.
 - D. Conduct internal team meetings with technical staff to discuss the effectiveness of the Community Involvement Plan.
 - E. Conduct meetings with the responsible party or the consultant to discuss approaches to community involvement.
 - F. Evaluate different proposals to community involvement proposed by the consultant on behalf of the responsible party.
 - G. Ensure all pertinent documents are correctly loaded into the Virtual File Cabinet for storage.
- 5.3 The responsible party shall:
- A. Conduct community involvement activities or hire a consultant on their behalf to conduct community involvement activities, such as performing community notification or preparing and implementing a community involvement plan to present to the project manager regarding activities that are to occur during the investigation and remediation of a site.
 - B. Respond to the IDEM OLQ project manager in a timely manner to all requests for information.
 - C. Provide data, maps, or records to the IDEM OLQ project manager that reflects site conditions.

6.0 POLICY

- 6.1 IDEM's Office of Land Quality will take a proactive approach to ensure that community stakeholders are informed of site activities and encouraged to participate in the decision-making process.
- 6.2 IDEM will ensure that community involvement is considered throughout the investigation and remediation process at a site where remediation is occurring, and is not a single event. Community involvement will consist of a series of activities and actions over the lifespan of a project to inform the public, obtain input, build consensus, and ultimately reach a conclusion.
- 6.3 OLQ will develop and maintain a Community Involvement Plan (CIP) which will provide procedures and direction for disseminating information, working with affected parties in obtaining property access and encouraging feedback.

- 6.4 Community involvement will involve three phases that increase scope and involvement based on the level of impact and the level of public interest, as detailed in the Community Involvement Plan, which is attached to this NPD. An electronic version and any updates can be downloaded.
- 6.5 The Community Involvement Plan is designed to incorporate statutory requirements for each program area for public notice and input and consists of three phases:
- Phase I: Community Notification is implemented if off-site contamination is suspected or when remediation activities will be conducted, requiring notification to nearby property owners.
- Phase II: Community Engagement will be implemented when access agreements are necessary because environmental sampling is necessary on off-site properties and requires a written Community Engagement Plan.
- Phase III: Expanded Community Engagement should be considered when there is a need for frequent messaging about a site.
- Detailed guidance for procedures to implement each phase is described in the attached Community Involvement Plan. IDEM may update the Community Involvement Plan and post it at the link shown in Section 6.4.
- 6.6 Certain program areas, such as the Voluntary Remediation Program, Leaking Underground Storage Tank Program, and the RCRA Corrective Action Program, require a public comment period. If a statute or rule requires notice of a public comment period to be provided, those requirements should be incorporated into the site-specific Community Engagement Plan.

7.0 REFERENCES

Include references to state or federal statutes, rules, or other external sources. Provide the location of all references to documents available in electronic format. A numbering format has been provided and what is not needed can be deleted. The listing is in order of priority.

- 7.1 Indiana Statutes:
- A. [IC 13-11-2-137](#) Environment, Definitions
 - B. [IC 13-11-2-151](#) Environment, Definitions
 - C. [IC 13-11-2-184](#) Environment, Definitions
 - D. [IC 13-14-1-11.5](#) Environment, Powers and Duties of Department of Environmental Management and Boards, Duties of Department
 - E. [IC 13-25-5-7](#) Environment, Hazardous Substances, Voluntary Remediation of Hazardous Substances and Petroleum
 - F. [IC 13-25-5-11](#) Environment, Hazardous Substances, Voluntary Remediation of Hazardous Substances and Petroleum
 - G. [IC 25-39-2-10](#) Professions and Occupations, Water Well Drilling Contractors, Definitions
- 7.2 Indiana Administrative Codes:
- A. [329 IAC 9-5-8](#) Solid Waste Management Division, Underground Storage Tanks, Initial Response, Site Investigation, and Corrective Action, Public Participation
 - B. [329 IAC 7.1-2-11](#) Solid Waste Management Division, Priority Ranking System for Hazardous Substances Response Sites, Definitions
 - C. [329 IAC 3.1-13-8-13](#) Hazardous Waste Management Permit Program: Draft Permits, Fact Sheet; Public notice of permit actions and public comment period; Public comments and requests for public hearings; Public hearings; and Response to comments
- 7.4. Agency Policies:
- A. [Waste-0049](#) Voluntary Remediation Program Community Relations Plan, which is superseded by this nonrule policy.
 - B. [Waste-0065](#) Procedures for Gaining Access to Third Party Properties by Participants Performing Investigation or Remediation

8.0 SIGNATURES

Bruno Pigott

Bruno Pigott, Commissioner
Indiana Department of Environmental Management

12/29/2020

Date

Peggy Dorsey

Peggy Dorsey, Assistant Commissioner
Office of Land Quality

12/28/2020

Date

Nancy King

Nancy King, Assistant Commissioner
Office of Legal Counsel and Criminal Investigations

12/29/20

Date

This policy is consistent with agency requirements.

James E. Bouley

Quality Assurance Program, Office of Program Support
Indiana Department of Environmental Management

13 Mar 2021

Date

Community Involvement Plan



Office of Land Quality

Remediation Services Branch

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INTRODUCTION

The Office of Land Quality (OLQ) has developed a Community Involvement Plan (CIP) that takes a proactive approach to ensure that community stakeholders are informed of site activities and encouraged to participate in the decision-making process. Community Involvement is designed to build trust and credibility with the affected community. In addition, the CIP provides procedures and direction for disseminating information, working with affected parties in obtaining property access, and encouraging feedback. Community Involvement is divided into three phases that increase in scope and involvement based on the level of impact and level of interest.

Community involvement must be considered throughout the investigation and remediation process and is not a single event. It consists of a series of activities and actions over the full lifespan of a project to inform the public, obtain input, build consensus, and ultimately reach a conclusion. Public participation affords stakeholders the opportunity to be informed and participate in the decision-making process. The responsible party (RP) should work in collaboration with the assigned IDEM project manager (PM) to determine how frequently, and to what extent, tasks contained in the CIP should be implemented.

Phase I, or Community Notification, may be implemented when disruptive/observable activities will be conducted requiring notification to nearby property owners or if off-site contamination is suspected. The key component of **Phase I** is to determine the area of community involvement and identify potentially impacted property owners and stakeholders. Subsequent steps include determining how the stakeholders will be notified and the type of message to be provided.

Phase II, or Community Engagement, will be implemented when access agreements are necessary to obtain environmental sampling from off-site properties to confirm or negate the presence of contamination on properties that are not under legal control of the responsible party. **Phase II** includes a written community relations plan based on the area of community involvement determined in **Phase I**. The written community relations plan includes information on the methods and frequency of messaging.

Phase III, or Expanded Community Engagement, includes activities needed to reach an even larger audience that is beyond the defined area of community involvement. Phase III should be considered when there is a need for a significant increase in the frequency and interactivity of messaging via multiple active message platforms.

Finally, certain programs within IDEM's OLQ statutorily require a public comment period. Information on those programs, and the program citations, are also included in the [Public Comment Requirements](#) section of this document.

This document should be used as a reference tool to guide responsible parties (RP) through the community involvement process in the following OLQ programs: Petroleum Remediation Program (PRP); State Cleanup Program (SCS), and Voluntary Remediation Program (VRP). The Resource Conservation and Recovery Act Corrective Action (RCRA CA) Program will also reference this document as needed and coordinate with the public notice requirements of that program.

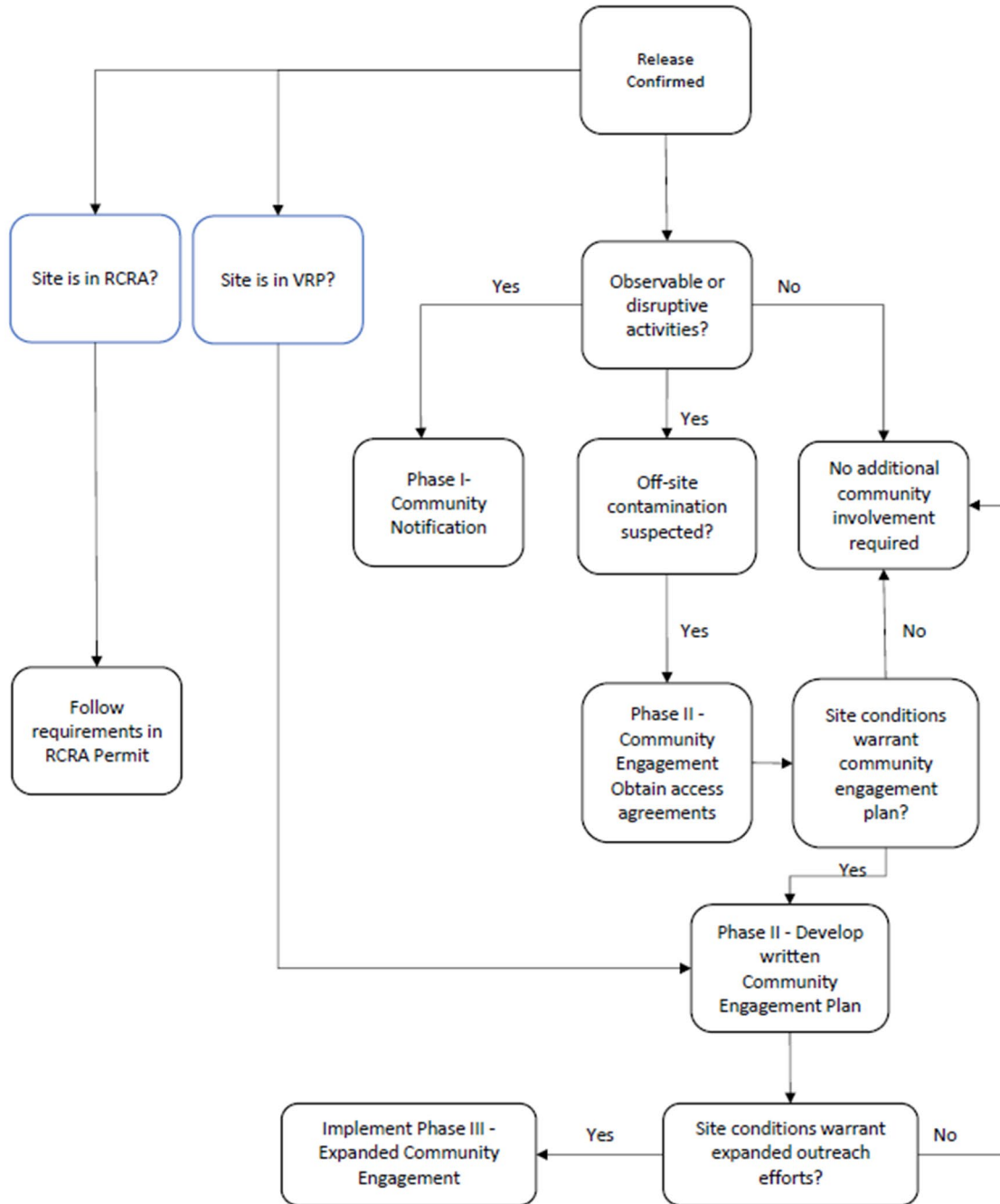
TERMS

Community Involvement Area	The defined area of off-Site property owners and/property occupants affected or likely to be affected by a release of contaminants from the site.
Off-Site	Those properties that are, or have the potential to be, affected by a site release of contaminants and are not under direct legal control of the Responsible Party.
Project	The entirety of the Site and those properties affected or potentially affected by contamination originating or emanating from the site.
Responsible Party	The entity responsible for the Site and for the implementation of the Community Involvement Plan.
Site	The property from which the contamination originated and is emanating from.
Stakeholder	Any person or an organization that has an interest in a project or could be affected by a particular action or policy associated with the resolution of the project.

Definitions provided in the table may not exactly match statutory definitions. For purposes of this document, use the definitions in the table.

The CIP is intended as guidance and provides IDEM's recommended procedures for: 1) notification of site activities to members of the community near remediation sites in any remediation program; and, 2) complying with legal requirements relating to public notice and community involvement regarding remediation sites in specific programs, such as the Voluntary Remediation Program.

Figure 1 - Community Involvement Process



Community Involvement Process

In coordination with Figure 1, above, once a release is confirmed, the Responsible Party (RP), in collaboration with the assigned IDEM PM, should determine if any of the following criteria are met:

Resource Conservation and Recovery Act (RCRA)

Permitted facilities participating in RCRA have completed their site-specific community outreach tasks through the permitting process of its regulated activity.

Voluntary Remediation Program

In accordance with IC 13-25-5-7, community relations and community comment in planning, cleanup objectives, and implementation processes is required for all VRP applicants as part of their proposed Remediation Work Plan (RWP). In accordance with IC 13-25-5-7(c)(3)(D) a completed remediation project requires a plan for community comment.

Disruptive Activities

Community notification should be considered if on-site investigative activities are particularly disruptive or the proposed remediation system will be visible/noticeable. For example:

- ✓ Neighborhood areas where large excavations will occur;
- ✓ Disruptive, noisy, or observable/noticeable investigation; activities/remediation system installations or operations
- ✓ Areas where project activities or systems may pose a potential danger if accessed

Suspected Off-Site Contamination

Impact to off-site properties should be considered if any of the following conditions exist as a result of on-site activities. Consider the following:

- ✓ Groundwater contamination above IDEM residential screening levels is confirmed at the site property line;
- ✓ Soil contamination above IDEM residential direct contact screening levels originating from aerial deposition is confirmed at the site property line;
- ✓ Nonaqueous phase liquid (NAPL) is confirmed at the site property line;
- ✓ Potential for vapor intrusion (VI) based on IDEM's current [Vapor Intrusion](#) guidance.

In coordination with Figure 1:

- If none of the above conditions are met, for sites not in VRP or RCRA Corrective Action, no community involvement is required.

- If the site is enrolled in VRP, a written Community Engagement Plan is required to be submitted as part of the proposed Remediation Work Plan regardless of disruptive activities or off-Site impact.
- If a site is subject to RCRA Corrective Action, the public notice and comment requirements in the Corrective Action Order or RCRA Permit will be followed, in conjunction with the processes described in this NPD.
- If on-site activities are disruptive, observable, or noisy, proceed to **Phase I** – Community Notification, to proactively inform the public and address concerns before a release response becomes unnecessarily difficult due to a lack of information being readily available. Notification to other emergency services (i.e. local police and fire department(s)) that may receive complaints is also advised.
- If off-site impact is suspected, proceed to **Phase I** - Community Notification, and scope the area of community involvement.
- If there is evidence that impact to off-site properties has already occurred, complete the Scope and Develop activities in **Phase I** - Community Notification and then proceed directly to **Phase II** - Community Engagement.

PHASE I - COMMUNITY NOTIFICATION

Phase I implementation is needed if disruptive activities are planned, or if off-site contamination is suspected. Consider the following:

The goals of **Phase I** - Community Notification are:

1. Scope off-site properties to determine those properties that may be or are likely to be affected (community involvement area). The community involvement area should be defined in collaboration with the assigned IDEM project manager;
2. Create a database of property occupants/owners within the community involvement area; and
3. Notify property occupants/owners of site activities

Scope

Initial Reconnaissance

Identify properties that are affected or likely to be affected by site activities or potential impact. Initial property reconnaissance activities can be conducted via a desktop map search of properties adjacent to the site or a drive-by windshield survey.

Records Review

Perform a records review via the County Recorder's Office/County Treasurer's Office and any online county GIS application, along with other online searches for relevant

phone numbers and addresses (if not an owner occupant) to find property owners of the identified properties.

Develop

Database

Create a database that includes mailing address and contact information for every potentially affected property resident and property owner within the defined community involvement area.

Map

Create a map that visually depicts the potentially affected properties.

Notify

Community Notification ensures that potentially affected property occupants/owner are notified about disruptive activities occurring on a site in their community.

The Responsible Party will develop and distribute a Fact Sheet describing site activities to property owners/property occupants within the defined community involvement area. A copy of the Fact Sheet must be submitted for IDEM approval before distribution. A Fact Sheet may be either left as a door hanging on the property or business or may be mailed directly. Documentation that a Fact Sheet was distributed may be requested. At a minimum the Fact Sheet should include:

- a) Where the release occurred;
- b) What happened;
- c) What to expect (i.e. a description of the planned disruptive activities that will be occurring);
- d) Who is the Responsible Party addressing the release;
- e) How the property occupant may be affected;
- f) Contact information for the IDEM assigned project manager; and
- g) Contact information for the responsible party or the responsible party's consultant.

PHASE II - COMMUNITY ENGAGEMENT

Effective community engagement/interaction requires a written plan describing how the Responsible Party will communicate with the affected public.

The goals of Phase II - Community Engagement are:

1. To provide information on ways to obtain Access Agreements, as needed for collecting environmental samples, from off-site property owners.

2. To have available a written, IDEM-approved community engagement plan that provides information on the communication goals, presents an overview of potential concerns, and outlines how those concerns will be addressed.

Access Agreements

Where off-site contamination is suspected, the RP will need to obtain the property owner's permission to access the property and obtain environmental samples. If the property is occupied by a renter, both the renter and the property owner's written permission is required for access.

IDEM has developed a step-by-step approach to obtaining access agreements from potentially impacted property owners. Follow IDEM's non-rule policy document (NPD) ([Waste-0065](#)) [Procedures for Gaining Access to Third Party Properties by Participants Performing Investigation or Remediation](#). All steps should be conducted until contact with the off-site property owner is successful or until all steps have been completed and documentation submitted and reviewed by IDEM. Although other approaches may be acceptable, alternative approaches must be submitted to IDEM for approval prior to implementation. The access agreement process should continue until off-site delineation has been achieved. A copy of a template access agreement with conditions IDEM considers reasonable is included in Appendix A.

- If analytical results do not document impact to off-site properties at levels greater than Remediation Closure Guide (RCG) standards based on the current land use, no additional community notification actions are necessary.
- If analytical results document impact to off-site properties at levels greater than RCG standards based on current land use, continue obtaining property access and complete off-site delineation. The next step may be to implement **Phase III – Expanded Community Engagement**.
- If the extent of impacted properties expands beyond adjacent properties, a written and IDEM approved community engagement plan is recommended to address the complexities associated with addressing the informational needs of multiple property owners/occupants and interested parties.

For those projects participating in either the State Cleanup or Petroleum Remediation Programs, there is no minimum number of potentially affected/impacted properties that would require a community engagement plan. In the Petroleum Remediation Program, plans to engage the community are recommended early in the process, as public participation is required by 329 IAC 9-5-8 as part of IDEM's review and approval of a corrective action plan. The Responsible Party should work in collaboration with the assigned IDEM project manager to determine the extent of the community engagement that would be required. Effective

community engagement requires a plan and methodology documented in the community engagement plan, the outline of which is provided below.

In accordance with IC 13-25-5-7, all VRP participants are required to develop and implement a community relations plan that follows the outline below, regardless of disruptive activities or potential impact to off-site properties.

Community Engagement Plan Outline

I. Introduction

The community engagement plan (CEP) provides an overview of the environmental issues affecting the site and why the CEP is being implemented to address them. The CEP also provides community context surrounding an environmental release or other potential issue, a brief overview of the CEP activities, a key message, and information outlining the primary CEP stakeholders.

A. Goals of the Community Engagement Plan (CEP)

Lists the goals that should be accomplished through the CEP. For example:

- i. Address community concerns. For example, the community's goal(s) could be:
 1. Ensure safe drinking water,
 2. Delineate extent of impacted soil,
 3. Determine if vapors have impacted homes or businesses; or
 4. Resolve some other unacceptable risk to human health.
- ii. Communicate information on site investigation and progress; or
- iii. For projects participating in VRP, a description of plans for community relations in project planning, cleanup objectives, and implementation processes are required as part of a remediation work plan, in accordance with IC 13-25-5-7.

These goals should be an integral part of any communication with the public.

B. Overview of Community Concerns

C. Site Overview

The site overview provides background information on the concerns, questions, and statutory requirements (if any) that are driving the project.

D. Description of Facility, Site, or Project

- i. Give a brief history of the site and site activities
 1. List and describe actions taken to date chronologically
- ii. Include a map(s) of the site and off-site properties

II. Area of Community Concern

- A. List all property owners and property occupants affected or likely to be affected. Include addresses and contact information. This information should

be generated from the database developed during **Phase I - Community Notification**.

- B. List all known or registered neighborhood organizations serving the location of the site/area of concern.
- C. List all known or reasonably apparent sensitive communities within ½ mile including, but not limited to:
 - i. Schools
 - ii. Health care facilities
 - iii. Childcare facilities
 - iv. Senior citizen residential/care facilities
 - v. Parks/playgrounds

III. Community Relations Activities

- A. Highlight activities for conducting outreach to keep community members informed and involved during the investigation/remediation process.
 - i. Include methods of accomplishing goals and objectives. For example:
 - 1. Toll-free number
 - 2. Site-specific webpage
 - 3. Update and maintain site repository (both physical and electronic)

IV. Activities, Methods, and Channels of Communication

- A. Describe activities, communication outlets, channels of communication, key message or concepts that will be conveyed, and the type of feedback required (i.e. public comment period, if applicable).

V. Appendices

- A. Provide a glossary of terms
- B. List contact information including names, mailing addresses, phone numbers, and email addresses for the following:
 - i. IDEM representatives
 - 1. include IDEM regional office, if applicable
 - ii. County Officials
 - 1. County Health Department
 - 2. Affected Local Units of Government
 - iii. Interested Parties/Primary Stakeholders
 - iv. Newspapers, Radio, Television
 - v. Document Repository(ies)
- C. List contact information including mailing addresses, phone numbers, and email addresses for the following *as appropriate based on level of involvement*:
 - i. U.S. EPA Officials
 - 1. Remedial Project Manager
 - 2. Community Involvement Coordinator

- ii. Federal Elected Officials
 - 1. U.S. Senators
 - 2. U.S. Representative
- iii. State Elected Officials
 - 1. Governor
 - 2. State Senator
 - 3. State Representative

D. Community Notification for VRP projects

For projects participating in VRP, community involvement requires written notification to members of the affected community. Other IDEM regulatory programs may use this provision as a guide. As an appendix, provide a sample written notice to be sent to the property owners/property occupants, neighborhood organizations, and sensitive community institutions that includes:

- i. the following paragraph: *“This notice is being provided to inform you of the presence of a site in your neighborhood that has been accepted into IDEM’s Voluntary Remediation Program. This notice is a requirement of a Community Relations Plan, which has been developed by the Applicant and is a component of the Remediation Work Plan that is available for review online at ... and at the repository listed below. The Community Relations Plan includes provisions for notifying all neighboring property owners and occupants, neighborhood organizations and other local entities. For additional information about the Community Relations Plan and the Remediation Work Plan please review the documents in the repository or contact the IDEM Project Manager at (317) xxx-xxxx.”;*
- ii. a short description of the work to be performed;
- iii. information concerning the public comment period, including the time period and procedures for public comment, and the email or address to which comments are to be directed. (The sample need not include the dates of the public comment period, as they will not be known when the Remediation Work Plan is drafted; however, the actual notices that are sent out must include these dates.); and
- iv. the VFC information and the library location of the record repository where the Remediation Work Plan has been placed.
- v. The participant must confirm in the VRP Completion Report that all the property owners, property occupants, neighborhood organizations, sensitive community institutions, and those requesting notification were sent the written notice of the public comment period.

The need to keep the entire community informed of project activities is continuous. Consideration for an audience beyond those directly affected, and methods for how to reach a larger audience on an ongoing basis, are described in **Phase III - Expanded Community Engagement**.

PHASE III - EXPANDED COMMUNITY ENGAGEMENT

During an investigation, it may be discovered that contamination may encompass properties beyond originally known, or the demand for timely and accurate information from the community may grow. When this occurs, an expanded approach for greater community engagement is necessary. In addition to the community engagement plan previously discussed, a more comprehensive approach will be required and is found within **Phase III - Expanded Community Engagement**. Usually, the expansion is based on the discovery of multiple impacted or potentially impacted properties beyond the original scope. However, the determination to implement a more comprehensive communication approach should be based on site conditions, stakeholder interest, and need rather than a subjective number. In collaboration with the assigned IDEM project manager, consider the following:

Stakeholders

Stakeholders are any person or an organization that has an interest in a project or could be affected by a particular action or outcome. Stakeholders can also be individuals or groups that are affected by a decision and have an interest in its outcome. Consider what, if any, additional stakeholders may benefit from expanded community engagement. Some considerations should include:

- How does the affected community view the current situation?
 - What issues are involved in the decision?
 - How important are these issues to the community?
 - What are the community's main interests in this project or decision?
 - What information and sources of information are available to the community now?
 - What other information would be helpful?
- Who is affected?
 - Who else should be included?
 - Whose support is crucial?
 - What are the important relationships among stakeholders in this community?
- How would the community like to be involved?
 - What role would the community like in decision making?
 - What are the best forums for involvement?
 - How should information be disseminated and what sources of information are the most trusted?

- What is next?
 - What types of things could be done to help make this a meaningful process?
 - What should the community expect?

Consider establishing relationships with these stakeholder groups and organizations when determining community engagement efforts.

1. Neighborhood Organizations

In addition to notifying off-site property owners, identify all known or registered neighborhood organizations serving the location of the project, if any.

2. Sensitive Communities

Identify all known or reasonably apparent sensitive community institutions within a ½ mile of the site, including, but not limited to schools, health care facilities, childcare facilities, senior citizen residential or care facilities, and parks and playgrounds.

3. Local Government

Provide the names and mailing addresses of all local governmental units within one mile of the site. Include a list of any other governmental units that should be notified about the project (e.g., city utilities, county boards, or elected officials).

4. Local Media

Provide the names and mailing addresses of the newspapers or other circulars in the area of the project. In addition, identify local radio and news stations that generally cover news items in the area.

Methods

The method of communicating information is just as important as the message itself. While determining what the message will be, consider how best to get this information to the affected community in a format that is easily understandable. At this point in the project, ensure that the affected community is informed through other available methods. Consider the following:

- a. Who are you trying to reach and what are the best venues and formats to distribute information?
- b. Which communication methods are most effective, mailings, telephone calls, electronic communication? To what degree do interested stakeholders have access to and/or use the internet?
- c. What resources do you have to distribute information and what is the most efficient use of those resources to reach the maximum number of stakeholders?

- d. What opportunities or partners exist in the community that could assist in the distribution and/or development of information?
- e. What languages and literacy level are most appropriate for the information recipients?

1. Public Information Sessions

Informal and informational meetings or discussions can be an effective tool in preventing project complications sometimes caused by having an uninformed or under informed public.

2. Door-to-Door Canvassing

Personnel conducting door-to-door canvassing should be clearly identified (i.e., wearing a shirt with an official logo and carrying business cards) and have an IDEM-approved fact sheet and access agreement (as necessary) to provide to concerned property owners/renters.

3. Direct Telephone Calls

Direct calls to the affected community may be beneficial to ensure specific questions are answered directly and completely. Consider making these calls generally after work hours for a better likelihood of reaching residents at home.

4. Printed Information (Fact Sheets, Newsletters, Bulletins)

Develop and maintain a database of names and address for mailing printed information. All fact sheets, newsletters, and bulletins should be IDEM approved.

5. Site-Specific Email Address

Create a site-specific email address to route questions directly to a single point of contact authorized by the RP to address site questions/concerns.

6. Electronic Repository/Site-Specific Webpage

Consider a site-specific webpage that will serve as a centralized location for site documents, news and updates about the project, especially if the demand for information can be best addressed with a central electronic location. Include a GIS map so concerned citizens can see what is happening and where, and an email signup form for updates. The webpage can serve as a valuable tool to provide updates between meetings and enable the public to view up-to-date information.

7. Information Repositories

Repositories provide an invaluable resource where members of the community can access information on-site in person, especially in communities where internet access is limited.

- Select a location that is central, accessible by public transportation, and set up in a way that will allow the material to be easily accessed. Options may include a local library, county building, or community center.
- Publicize the existence of the repository.
- Use a “sign-in” system to track the level of interest in a project.
- Reiterate the existence of the repository at public meetings and events.
- Provide well-organized documents, a table of contents, and summaries of each document so that stakeholders can quickly search for topics.
- Provide an information sheet that addresses frequently asked questions (FAQs).
- Keep information up to date and maintain the repository for the duration of the project.
- Use the repository as a distribution center for project handouts that members of the public can take away.

8. 1-800 Number

Provide a toll-free telephone number specific to inquiries regarding the site.

9. Print Press, Radio, and Media

Print press, radio, and media should be considered as part of holistic approach to disseminating information.

10. Social Media

Consider the use of social media when timely information needs to be disseminated quickly, accurately, and on a regular schedule. Consider videos for social media that feature work activities on sites where residents are not permitted due to safety issues (e.g., active hot zone or construction activities), or of a spokespersons or other experts discussing site activities or other concerns.

11. Language Translation Services

Communication to all members of an affected community is vital. Languages other than English are spoken in communities throughout Indiana. To determine if translation services are needed, contact the local health department. The [Indiana State Department of Health’s Local Health Department Information](#) website provides contact information for county health departments.

12. Signage

In order to increase public awareness of investigative or remedial activities occurring at a site, a sign may be posted that provides basic site information and tells how to find additional information. Most appropriately used for a fence or otherwise limited access area, a posted sign could include:

- a) The location as a cleanup site;
- b) The IDEM OLQ program and site number;
- c) A contact phone number
- d) Be visible/readable from 20 feet;
- e) Be in English and the language predominantly used in the neighborhood if other than English;
- f) Be posted at every site access point;
- g) Be posted before any work begins; and
- h) Remain posted until the site achieves IDEM closure.

TABLE 1 – EXPANDED COMMUNITY ENGAGEMENT METHODS

	Number of Individuals	Best Suited For
<i>Public Information Session</i>	Limited by room size	Smaller communities and communities where stakeholders are willing to attend meetings or there is a high demand for information.
<i>Door-to-Door Canvassing</i>	One person at a time	Smaller communities.
<i>Direct Telephone Contacts</i>	One person at a time	All projects, but require sufficient staff to answer and/or return calls.
<i>Printed Information (Fact Sheets, Newsletters, and Bulletins)</i>	Unlimited	Projects with manageable numbers of stakeholders (generally greater than 10) if printing and mailing are to be done.
<i>Site-Specific Email Address</i>	Unlimited	Larger projects with widespread interest.
<i>Site-Specific Webpage</i>	Unlimited	Larger projects with widespread interest.
<i>Information Repositories</i>	Unlimited	All projects and audiences, especially those where internet access is an issue. Required for VRP projects.
<i>1-800 Number</i>	Unlimited	Larger projects with widespread interest.
<i>Print Press, Radio, and Media</i>	Unlimited	Larger projects with widespread interest; use of print press, radio, and social media should be part of an overall strategy.
<i>Social Media</i>	Unlimited	
<i>Language Translation Services</i>	Limited	As needed.
<i>Signage</i>	Unlimited	Highly visible, easily accessible, or sites with widespread interest. May be a requirement for specific IDEM programs.

Public Comment Requirements

Certain programs require opportunities for citizens to participate in the decision-making process by statute or rule. These programs include remediations performed under the oversight of the Petroleum Remediation Section, Resource Conservation and Recovery Act (RCRA) Section, Superfund and Federal Programs Section, and Voluntary Remediation Program (VRP) Section.

Petroleum Remediation Section

In accordance with [329 IAC 9-5-8](#), petroleum remediation projects require public participation as follows:

- 1) For each confirmed release that requires a corrective action plan, the commissioner shall provide notice to the public in a manner designed to reach those members of the public directly affected by the release and the planned corrective action. This notice may include any of the following:
 - a) Public notice in local newspapers;
 - b) Block advertisements;
 - c) Public service announcements;
 - d) Publication in the Indiana Register;
 - e) Letters to individual households; and/or
 - f) Person contacts by field staff.
- 2) The commissioner shall ensure that site release information and decisions concerning the corrective action plan are made available to the public for inspection upon request.
- 3) Before approving a corrective action plan, the commissioner may hold a public meeting to consider comments on the proposed corrective action plan if there is enough public interest, or for any other reason.
- 4) The commissioner shall give public notice that complies with section 1) above if implementation of an approved corrective action plan does not achieve the established cleanup levels in the plan and termination of the plan is under consideration by the commissioner.

Voluntary Remediation Program

The Voluntary Remediation Program requires submittal of a proposed remediation work plan (RWP) for IDEM approval. The RWP must include a community relations plan as stated in [IC 13-25-5-7](#) and is subject to public comment, as described in [IC 13-25-5-11](#). The [Community Relations Plan Outline](#) lists the requirements necessary for a comprehensive community relations plan as required by statute.

Sec. 7. (a) If the department determines an application is eligible under section 4 of this chapter, the applicant may submit:

- (1) a proposed voluntary remediation investigation plan to the department;
- (2) a proposed voluntary remediation work plan to the department; or
- (3) a voluntary remediation work plan for a completed remediation project to the department.

(b) A proposed voluntary remediation work plan must include the following:

- (1) Detailed documentation of the investigation conducted by the applicant in preparing the proposed voluntary remediation work plan and a description of the work to be performed by the applicant to determine the nature and extent of the actual or threatened release.
- (2) A proposed statement of work to accomplish the remediation in accordance with guidelines established by the department.
- (3) Plans concerning the following:
 - (A) Quality assurance for the implementation of the proposed remediation project.
 - (B) Descriptions of sampling and analysis.
 - (C) Health and safety considerations.
 - (D) Community relations and community comment in planning, cleanup objectives, and implementation processes.
 - (E) Data management and record keeping.
 - (F) A proposed schedule concerning the implementation of all tasks set forth in the proposed statement of work.

(c) A voluntary remediation work plan for a completed remediation project must include the following:

- (1) Detailed documentation of the investigation conducted by the applicant in preparing the proposed voluntary remediation work plan and a description of the work performed by the applicant to determine the nature and extent of the actual or threatened release.
- (2) A statement of work performed to accomplish the remediation in accordance with rules or guidelines established by the department.
- (3) Plans concerning the following:
 - (A) Quality assurance for the implementation of and, if appropriate, plans for future oversight of the remediation project.
 - (B) Descriptions of sampling and analysis conducted before and after the remediation is performed.
 - (C) Health and safety considerations.
 - (D) Community comment.

- (E) Data management and record keeping.
 - (F) Criteria used to determine remediation levels and remediation methodology.
- (4) Other information the department determines is necessary to evaluate the work plan and determine if the remediation objectives have been achieved.

Indiana Code 13-25-5-11

- (a) Before the commissioner approves or rejects a proposed voluntary remediation work plan under section 10 of this chapter, the commissioner must:
- (1) notify local government units located in a county affected by the proposed voluntary remediation work plan of the work plan;
 - (2) provide that a copy of the proposed voluntary remediation work plan be placed in at least one (1) public library in a county affected by the work plan; and
 - (3) publish a notice requesting comments concerning the proposed voluntary remediation work plan.
- (b) A comment period of at least thirty (30) days must follow publication of a notice under this section. During a comment period, interested persons may do the following:
- (1) Submit written comments to the commissioner concerning the proposed voluntary remediation work plan.
 - (2) Request a public hearing concerning the proposed voluntary remediation work plan.
- (c) If the commissioner receives at least one (1) written request, the commissioner may hold a public hearing in the geographical area affected by the proposed voluntary remediation work plan on the question of whether to approve or reject the work plan. The commissioner shall consider all written comments and public testimony.

Resource Conservation and Recovery Act Corrective Action

If a site is subject to a Corrective Action Order, the requirements for public notice and community involvement that are described in the Order should be followed.

If a site is subject to Corrective Action requirements in the RCRA permit for the site, the requirements of 329 IAC 3.1-13-8 through 13 will be followed. This includes issuance of a draft permit pursuant to [329 IAC 3.1-13-8](#); preparation of a fact sheet by IDEM, pursuant to [329 IAC 3.1-13-9](#); public notice of a draft permit or public hearing, pursuant to [329 IAC 3.1-13-10](#); opportunity for at least 45 days for public comment, pursuant to [329 IAC 3.1-13-11](#); the opportunity for a public hearing, pursuant to [329 IAC 3.1-13-12](#), and a response from IDEM to significant comments made, pursuant to [329 IAC 3.1-13-13](#). These rules should be consulted for the specific requirements for each step in the process.

Use of the procedures for community involvement described in this NPD should be incorporated early in the corrective action process and are intended to supplement the rules requiring public notice and comment.

Conclusion

Community involvement must be considered throughout the investigation and remediation process and is not a single event. It consists of a series of activities and actions over the full lifespan of a project to inform the public, obtain input, build consensus, and ultimately reach a conclusion. Public participation affords stakeholders the opportunity to be informed and participate in the decision-making process. The RP should work in collaboration with the assigned IDEM PM to determine how frequently, and to what extent, tasks contained in the CIP should be implemented.

REFERENCES

Community Concerns and Questions, North Shore Drive Superfund Site, U.S. Environmental Protection Agency, Region 5, January 2017.

Former Nike Site C-32 Launch Area, Final Public Involvement Plan, U.S. Army Corps of Engineers, August 2011.

Forrest, C. and Hix Mays, R., Environmental Quality Management, “Designing Effective Community Relations Programs,” Winter 1997.

Public Participation Guide, U.S. Environmental Protection Agency, Office of International and Tribal Affairs, <https://www.epa.gov/international-cooperation/public-participation-guide>, January 24, 2018.

Voluntary Remediation Program Community Relations Plan, IDEM Nonrule Policy Document Waste-0049, April 20, 2001 (superseded by this Community Involvement Plan NPD).

APPENDIX A - Access Agreement Template

ACCESS AGREEMENT TO PROPERTY
FOR ENVIRONMENTAL INVESTIGATION OR
REMEDATION

This Agreement is made as of the _____ day of _____, 20_____, by and between [OWNER OF PROPERTY] (“Owner”) and the [PARTICIPANT] (“_”), together referred to as “Parties”.

1. _____ is the owner of property (“Owner”) located in _____, County, Indiana, commonly known as *[Insert Address]* (the “Property”).
2. Participant is investigating the need for and taking actions to clean-up contaminated properties or the Participant is cleaning up contaminated properties under state and federal law, including Ind. Code §§ 13-20; Code §§ 13-22-13; 13-23-13; 13-24-1; and/or 13-25, *et seq.*; and the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9673; the Solid Waste Disposal Act, 42 U.S.C §§ 6901-6992; and the Oil Pollution Act of 1990, 33 U.S.C. §§2701-2762. These cleanup activities, known as response actions, may include investigation, mitigation and/or cleanup of potential contamination by oil, petroleum, hazardous substances, solid wastes or hazardous wastes.
3. Owner agrees to allow Participant and its employees, authorized agents and contractors to enter the Property to conduct the following activities related to investigation of *[potential]* contamination of the *[soil, groundwater, surface water, sediments, soil gas, or indoor air]* at the Property [LIST]:
 - a. *[Complete soil boring and collect soil samples at the Property.]*
 - b. *[Collect groundwater samples at the Property.]*
 - c. *[Collect samples of the indoor or sub-slab air at the Property.]*
 - d. *[Install monitoring wells at the Property for continued groundwater sampling.]*
 - e. *[Install and maintain treatment wells at the Property.]*
 - f. *[Install and maintain vapor mitigation system at the Property.]*
 - g. *[Install and maintain water treatment system at the Property.]*
 - h. *[Excavate contaminated soil and replace with clean soil.]*
4. Participant will notify Owner by telephone at least three (3) business days in advance of the date on which it plans to begin investigation or cleanup activities at the Property. Participant shall be responsible for all costs and expenses associated with the proper disposal of contaminated soil and the disposal or treatment of contaminated groundwater derived from the investigation or cleanup activities.
5. Participant agrees to coordinate its activities with Owner so as to minimize any inconvenience to or interruption of the conduct of any business operations, or the use and enjoyment of the Property.
6. Owner agrees to not tamper with or disturb any equipment that Participant leaves on the Property for the purposes of investigation or cleanup, such as automatic or passive sampling devices, monitoring wells, vapor mitigation systems, etc.
7. Participant agrees to provide Owner with copies of the results of the investigation or cleanup performed pursuant to this Agreement.

8. Participant agrees, upon completion of the [investigation, mitigation, and/or cleanup] conducted on the Property that the Property will be restored to as near the condition that existed before the [investigation and/or cleanup] as is reasonably possible including the following activities [LIST]:
 - a. [Will properly close the wells.]
 - b. [Will remove treatment systems.]
 - c. [Will backfill and compact to grade after excavation.]
 - d. [Will repair pavement.]
9. Participant and Owner represent and warrant that it is authorized to sign this Agreement and that this Agreement, when signed, shall become a valid and binding obligation, enforceable in accordance with its terms. Owner represents and warrants that it is the owner of the Property or that it has full lawful authority to grant access to the Property for the purposes described herein.
10. In the event Owner's interests in the Property are conveyed, transferred or in any way assigned in whole or in part to any other person or entity, whether by contract, operation of law, or otherwise, Owner shall take all reasonable actions to render any such conveyance, transfer, or assignment subject to the terms of this Agreement. This Agreement may be assigned by Owner without the prior consent of any other party.
11. All work on the Property shall be performed by employees of the Participant or authorized contractors. All such persons performing the work are provided with health insurance and workers' compensation coverage by their respective employers. Participant shall procure and maintain for the duration of this agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work by the Participant, his agents, representatives, employees, or subcontractors. Participant or its authorized contractors shall provide evidence of its general liability coverage upon request by Owner.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates set forth below.

Participant

By: _____

Name: _____

Title: _____

Date: _____

Owner: _____

By: _____

Name: _____

Date: _____