



Department of Energy

Carlsbad Area Office
P. O. Box 3090
Carlsbad, New Mexico 88221

May 13, 1996

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NM ENVIRONMENT DEPARTMENT
OFFICE OF THE SECRETARY



Dear Colleague:

The Carlsbad Area Office is pleased to provide you with a copy of the *Stakeholder Consultation and Coordination Draft Plan for Public Comment and Hearings*. This document is our road map for the next steps in the public participation process on the *Supplemental Environmental Impact Statement* for the Waste Isolation Pilot Plant (WIPP).

You will note we have not yet specified dates and facilities for the public hearings. Our current planning window is to hold them in late summer and early fall. Please let us know if there are significant events (such as other hearings on related topics, major conventions or municipal celebrations, etc.) we should be aware of in that time frame for setting the hearing schedule. While we may not be able to avoid every conflict, we will do our best to make the schedule as compatible with local needs as possible. We will notify you through the *CAO Monthly Stakeholder Calendar* as soon as hearing dates have been established.

Also, we welcome recommendations for meeting facilities. In some locations, we may need ballroom-sized facilities for several consecutive days.

In finalizing this document, we hope to benefit from comments submitted by stakeholders. If you have comments or suggestions, please send them to my attention at the above address or call me at (505) 234-7313 or Ms. Pat Kilgore at (505) 234-7302. Please respond by June 14, 1996. Thank you.

Sincerely,

Patty Baratti-Sallani, Manager
NEPA Public Affairs

Enclosure



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Waste Isolation Pilot Plant

Supplemental Environmental Impact Statement-II

**Stakeholder Consultation and Coordination Draft Plan
for Public Comment and Hearings**

April 1996

U.S. Department of Energy
Carlsbad Area Office
P.O. Box 3090
Carlsbad, NM 88221

This public consultation draft hearing plan is available for review and comment until June 14, 1996. Please send comments to Ms. Patty Baratti-Sallani at the above address, or call the WIPP Information Center, 1-800-336-WIPP (1-800-336-9477), with your comments.

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**Waste Isolation Pilot Plant
Supplemental Environmental Impact Statement**

**STAKEHOLDER CONSULTATION AND COORDINATION DRAFT PLAN
FOR PUBLIC COMMENT AND HEARINGS**

**U.S. Department of Energy, Carlsbad Area Office
April 1996**

This document presents the overall plan for obtaining public comment and conducting public hearings on the draft second Supplemental Environmental Impact Statement for the disposal phase of the Waste Isolation Pilot Plant (WIPP). It lays out the purpose, logistics, and general schedule; and proposes locations for these hearings. It is designed to support the purpose and intent of the National Environmental Policy Act (NEPA) of 1969 and secretarial directives regarding environmental impact statements and public participation.

This document is presented as a public consultation and coordination draft. The Carlsbad Area Office is providing this draft to interested parties, including the NEPA Compliance Officers and Public Affairs Officers at transuranic waste generator and storage sites, the Western Governors' Association, the Southern States Energy Board, cognizant agencies in states where generator/storage sites are located or through which transuranic waste would be transported, and other Carlsbad Area Office stakeholders. The plan will be provided to any other stakeholders who request it; requests may be made through the WIPP Information Center at 1-800-336-WIPP (1-800-336-9477).

The Carlsbad Area Office is in the process of establishing partnerships with the transuranic waste generator and storage sites, with key government consortia, and with cognizant agencies in the affected states to inform and involve WIPP stakeholders nationwide regarding the proposed plans for the WIPP and key milestones leading to the decision by the Secretary of Energy in October 1997 to open and operate the WIPP as a transuranic waste disposal site. This consultation and coordination draft plan is one element of the Carlsbad Area Office's strategy to involve stakeholders in the development of vehicles and avenues to enhance the quality of public participation in its decision-making process.

PURPOSE

The public comment period and public hearings on the draft WIPP Supplemental Environmental Impact Statement (referred to in this document as SEIS-II, as it is the second WIPP SEIS prepared since the original WIPP Environmental Impact Statement in 1980) are designed to facilitate and encourage public review of and comment on the draft SEIS-II,

particularly in localities potentially most interested in or affected by the opening and operation of the WIPP. Both written and oral comment will be sought in particular on the alternatives considered, the data collected, the analyses undertaken, and the conclusions presented in the draft SEIS-II. The hearings will be conducted in a way that facilitates citizens' awareness of how they can participate effectively in the decisions to be made, increases their understanding of the content of the document and its role in development of the WIPP, encourages public comment, and maximizes understanding by the Department of Energy's Carlsbad Area Office staff of public issues. Written and oral comment will carry equal weight.

PROPOSED HEARING LOCATIONS

The Carlsbad Area Office proposes to hold public hearings in the following locations (though not necessarily in this order):

<u>Areas served</u>	<u>Hearing locations</u>
New Mexico, Arizona Texas, California Nevada	Carlsbad Albuquerque Santa Fe
Colorado, Wyoming	Denver
Idaho, Utah	Boise
Washington, Oregon	Richland
South Carolina, Georgia Alabama, Mississippi, Louisiana	Aiken
Tennessee, Arkansas, Missouri, Ohio, Illinois, Kentucky	Oak Ridge

The Carlsbad Area Office may hold some hearings concurrently as appropriate to achieve scheduled milestones and economy measures.

FORMAT

The hearings will be held in a "roundtable" format in which Carlsbad Area Office representatives will be seated at a central table (round, if possible; otherwise square) with several

commenters at a time seated at the same table. Chairs for the audience and others waiting to comment will be arranged around the table on all sides (see diagram, Attachment A). A court reporter, a person to log and label commenters' exhibits, and a person to keep time will be seated at or near the central table. The Carlsbad Area Office NEPA Compliance Officer or his designee will preside over the hearings. A representative of the nearest generator and storage site also will be invited to sit at the comment table, to hear the comments and to respond to site-specific questions, as appropriate.

Hearings will be conducted according to the Rules of Conduct (see Attachment C). To facilitate the public outreach partnership between the CAO, the generator and storage sites, and the affected states, this public consultation draft plan and the Rules of Conduct will be offered to site-specific NEPA Compliance Officers and Public Affairs Officers, involved government consortia, cognizant agencies in states where the public hearings will take place, and CAO stakeholders for review and comment prior to finalization.

CARLSBAD AREA OFFICE SEIS-II, SITE-SPECIFIC, AND STAKEHOLDER DISPLAYS

At a location near the comment room, the Carlsbad Area Office will provide displays to present the content of the draft SEIS-II. These displays will focus on the NEPA process; the proposed action and alternatives examined; and the key topics analyzed, including transportation, waste characterization, waste inventory, and performance assessment. A brief video on the SEIS-II will also be shown. The displays will be staffed by individuals who helped prepare the SEIS-II and who will be available throughout the period when comments are being accepted in the comment room. The purpose of the displays is to provide an informal setting to respond to stakeholders' questions and concerns. The Carlsbad Area Office also will invite the generator/storage sites to provide informational exhibits and other information about the WIPP as it relates to their sites.

Space will be provided at each hearing for stakeholders who wish to display materials. This opportunity will be announced to stakeholder groups with the request that, for planning purposes, they notify the Carlsbad Area Office in advance.

PRESENTATIONS ON THE SEIS-II AND THE NATIONAL ENVIRONMENTAL POLICY ACT

At the beginning of the session in each location, the Carlsbad Area Office will make a presentation that focuses on the content and conclusions of the SEIS-II. In addition, at locations where stakeholders have requested it, the Carlsbad Area Office will hold an informal meeting the evening before the hearing. These informal meetings will provide basic information about the National Environmental Policy Act and the SEIS II for those who are not familiar with them.

The pre-hearing meeting will not be recorded by a court reporter nor will it become a part of the SEIS-II record.

To ensure that adequate meeting space can be obtained, the Carlsbad Area Office requires two months advance notice from anyone requesting the informational meeting. In the event the requestors for such meetings may have access to appropriate space and are willing to invite any other interested stakeholders to a proposed meeting location, the Carlsbad Area Office will require only a one-month notice on requests for the additional meeting.

NOTIFICATIONS

Working in consultation with the generator and storage sites, government consortia, and the affected states, the Carlsbad Area Office will make the following notifications regarding the hearings:

- *Notice of Availability* to be published in the *Federal Register*
- Media release to be faxed to key media concurrently with the *Federal Register* notice
- Notice in the *Carlsbad Area Office Monthly Stakeholder Calendar*
- Notice in the *TRU Progress* newsletter
- SEIS-II Fact Sheet to be mailed to everyone in the Carlsbad Area Office stakeholder database
- Paid radio spots on local radio stations in all cities where hearings will take place beginning 15 days prior to the hearings
- Two paid advertisements in each city where hearings will be held, the first about two weeks before the hearings and the second several days before the hearings

MEDIA

Working in consultation with the generator and storage sites, government consortia, and the affected states, the Carlsbad Area Office will carry out the following activities to help the media become informed about -- and inform others about -- the draft SEIS-II document:

- At least two to four weeks before the hearings, identify and contact members of the local media in each city to encourage interest in, provide information about, and invite advance and follow-up coverage of the hearings
- Visit key media at the various locations before the hearings
- Send a media advisory to inform the media of the impending hearings so they can plan to attend
- Prepare a “backgrounder” on the significance of the SEIS-II and where it fits with other activities preparing for the Secretary’s decision regarding opening the WIPP
- Distribute media releases at the beginning of the comment period, prior to the hearing in each location, at the close of the hearing in each city, and at the close of the nationwide comment period to report public response to the hearings
- Prepare media kits that will include the following:
 - backgrounder
 - hearing schedule
 - SEIS fact sheets and selected WIPP fact sheets
 - maps of transportation routes and of urban relief routes near generator sites
 - the media release and advisory on the comment period
 - appropriate black and white photographs (such as the TRUPACT-II, the transporter, the WIPP facility from the air, the WIPP underground, waste barrels awaiting disposal, and the cutaway barrels)
 - video B-roll
 - site-specific and state information

In addition, the SEIS-II team will work with the public affairs offices at generator and storage sites near the hearing locations to coordinate each event and to identify local news “pegs” or tie-ins upon which the SEIS coverage can piggyback. The Carlsbad Area Office will invite NEPA Compliance Officers, TRU Steering Committee members, and public affairs staff at sites near each hearing to attend and support the hearings.

FACT SHEETS

The Carlsbad Area Office will prepare fact sheets on the following topics:

- Key conclusions related to the proposed action and alternatives
- Findings from analyses undertaken

- The National Environmental Policy Act process, ways to comment, the schedule for the public hearings, the public comment period, the final SEIS-II, and the Record of Decision

ROLES AND RESPONSIBILITIES

Carlsbad Area Office (CAO) National Environmental Policy Act (NEPA)

Compliance Officer. The CAO NEPA Compliance Officer has lead responsibility for all activities related to the preparation and publication of the SEIS-II, including the draft and final SEIS-II, research and analysis, and coordination and integration of activities. Battelle will support the NEPA Compliance Officer in all these activities. During the public hearings, the CAO NEPA Compliance Officer will serve as the Hearing Officer and will be assisted by the Battelle SEIS-II manager. Battelle personnel who worked on preparation of the draft SEIS-II will staff displays appropriate to their areas of expertise. The NEPA Compliance Officer will work closely with the site-specific NEPA Compliance Officers, the TRU Waste Coordinators, and the TRU Steering Committee members in coordinating technical aspects of the public comment process.

All questions regarding staff roles and responsibilities, the National Environmental Policy Act process, the SEIS-II, and Carlsbad Area Office policy should be directed to:

Harold Johnson
NEPA Compliance Officer
U.S. Department of Energy
Carlsbad Area Office
P.O. Box 3090
Carlsbad, NM 88221

Phone: (505) 234-7349
Fax: (505) 887-6970

Public Affairs. The Carlsbad Area Office external relations manager will serve as the public affairs officer for the SEIS-II, will have the lead on all public interface, and will oversee the management of public hearings and public information activities. She will work closely with the site-specific Public Affairs Officers, government consortia, cognizant state agencies, and other stakeholders in developing and implementing outreach activities.

At the Carlsbad Area Office external relations manager's direction, the Carlsbad Area Office Technical Assistance Contractor will develop the plan for the outreach program, prepare materials for public distribution, support the hearings as directed, and carry out follow-ups as required. The Westinghouse Waste Isolation Division will provide logistical, meeting, media,

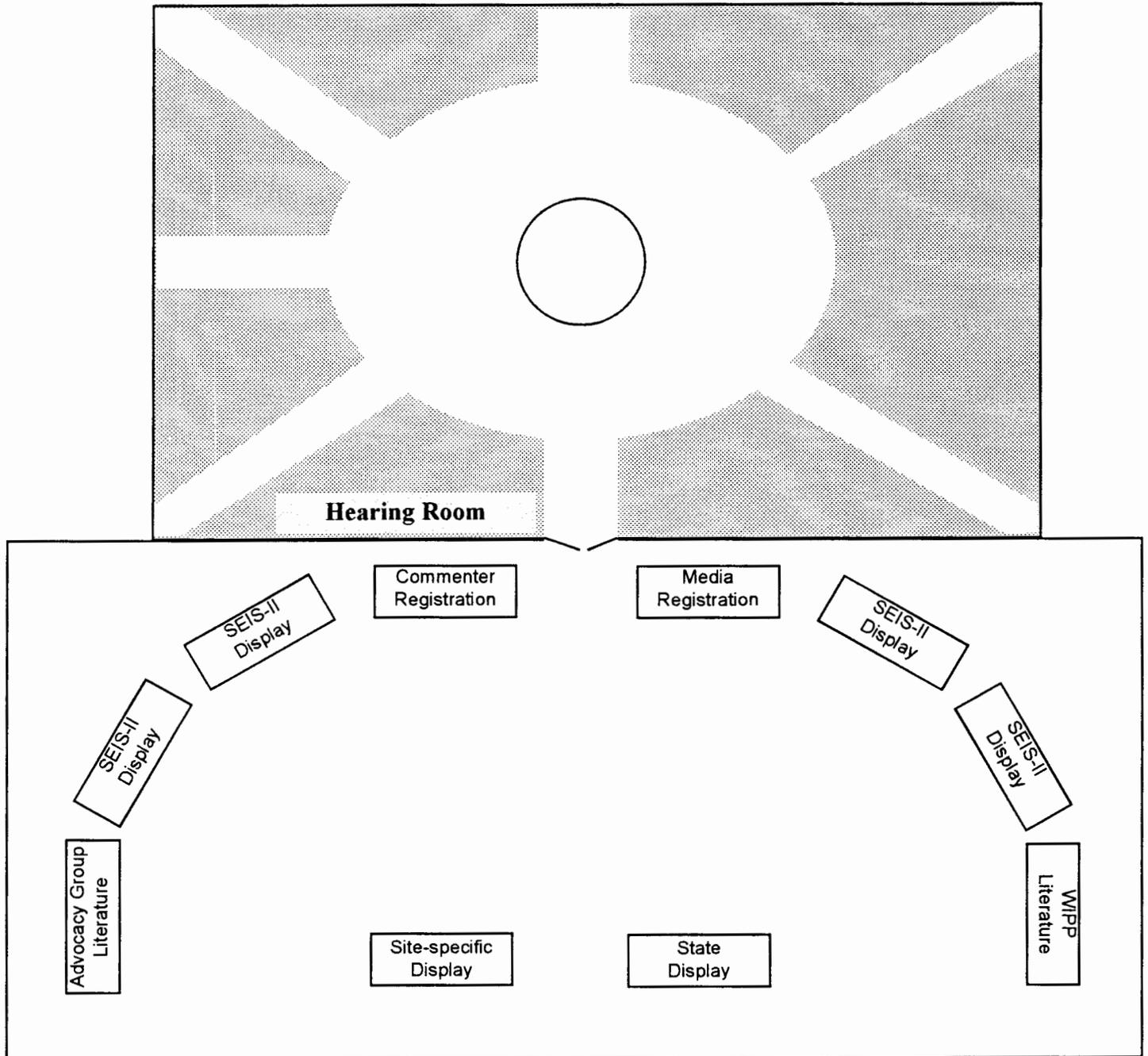
and mailing support, including preparation of displays and exhibits, media relations, arrangements for meeting room space and supporting audio-visual equipment, travel arrangements, mailing list management, and other logistical activities.

All questions regarding SEIS-II public affairs should be directed to:

Patty Baratti-Sallani, Manager
NEPA Public Affairs
U.S. Department of Energy
Carlsbad Area Office
P.O. Box 3090
Carlsbad, NM 88221

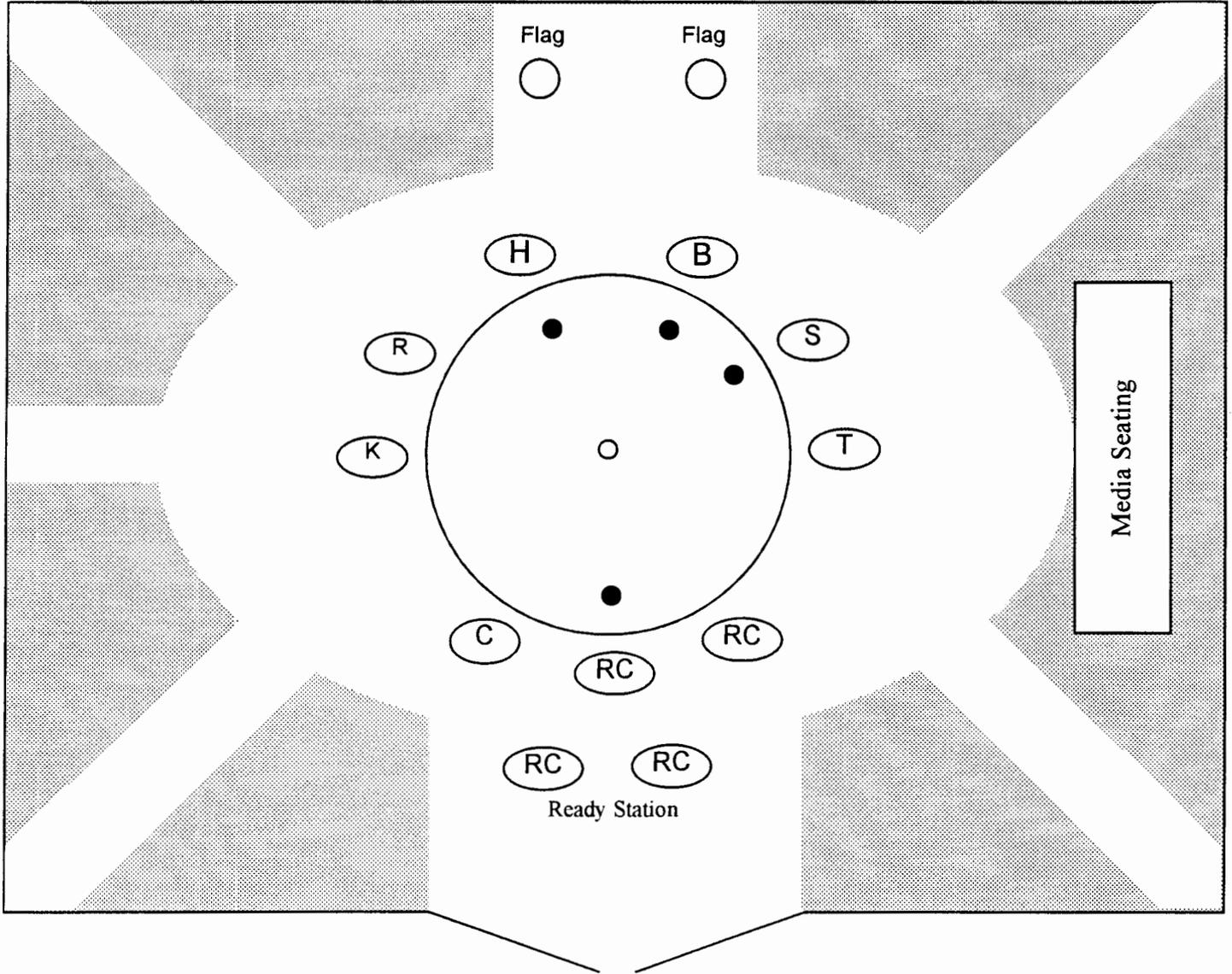
Phone: (505) 234-7313
Fax: (505) 887-5419

Attachment A
Conceptual Layout* of WIPP SEIS-II
Registration and Display Area



* Actual layout will vary from location to location.

**Attachment B
Proposed Seating Arrangement
WIPP SEIS-II Public Hearings**



Legend

- H - DOE Hearing Officer
- S - Site Representative
- B - Battelle SEIS-II Manager
- C - Commenter
- RC - Ready Commenter
- T - Timekeeper
- R - Court reporter
- K - Keeper of log, exhibits
- - Microphone
- - Timer-Light
- - General seating

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ATTACHMENT C DRAFT RULES OF CONDUCT

These Rules of Conduct have been established to maximize stakeholders' opportunity to participate in the public comment on the draft second *Supplemental Environmental Impact Statement* (SEIS-II) for disposal of transuranic nuclear waste at the Waste Isolation Pilot Plant (WIPP) in southeastern New Mexico. They will be distributed to all speakers to provide for consistent management of comment and to help stakeholders make the most of comment opportunities. The draft of these rules will be provided to generator and storage sites, government consortia, cognizant agencies in affected states, and WIPP stakeholders for review and comment prior to finalization.

1. Depending on interest expressed at the different locations (as shown by pre-registration calls), the hearings will be held for up to nine hours each day -- from 9:00 a.m. to noon, from 2:00 p.m. to 5:00 p.m., and from 7:00 p.m. to 9:00 p.m. or until no more commenters come forward, whichever occurs first. In locations where expressed interest is moderate, the morning session may not be held, and the afternoon and/or evening sessions may be abbreviated. Details for each location will be announced through the media and/or direct mail to interested parties. The Department of Energy Hearing Officer will open each session with a brief overview of the SEIS-II and will summarize the procedures for conducting the hearing. He will also make other necessary announcements or changes throughout the hearing as appropriate.

2. To ensure that sufficient time is planned for hearings in each locality, commenters wishing to speak will be asked to pre-register at least one week prior to the public hearing by calling the Carlsbad Area Office's toll-free Information Center (1-800-336-9477). Individual commenters must pre-register themselves; they may not be pre-registered by someone else calling on their behalf. The order of comment will be determined as follows:

Government representatives (federal, state, local, and tribal) will be invited to speak first during each comment session.

All other commenters will be taken in the order in which requests are made.

To the extent that time will allow, and after all pre-registered speakers have been given an opportunity to comment, commenters who did not pre-register will be afforded the opportunity, on a first come, first served basis, to speak by registering at the door on the day of each hearing.

3. Government representatives and one representative per formal organization at each location will have ten minutes in which to make oral comment. All other individuals will have five minutes in which to complete oral comment. Longer written comments will be accepted during the session and throughout the public comment period.
4. Commenters may use part of their allotted time to ask clarifying questions about the SEIS-II document and the NEPA process. The answers will also accrue against their allotted time.
5. If any time remains at the end of the public hearing, previously registered commenters who have not finished their oral comments may have additional time to speak. The CAO Hearing Officer will determine the order of speaking.
6. Following any commenter's testimony, the DOE may ask clarifying questions regarding that testimony. These questions will be asked only after the individual has completed his or her testimony and will not be counted against the commenter's time.
7. The deadline for pre-registration is five business days prior to each hearing. This allows time to prepare and distribute the lists of speakers. The deadline for each location is shown below:

Locations	Deadline for pre-registration
Carlsbad, New Mexico	TBD
Albuquerque, New Mexico	TBD
Santa Fe, New Mexico	TBD
Denver, Colorado	TBD
Boise, Idaho	TBD
Richland, Washington	TBD
Aiken, South Carolina	TBD
Oak Ridge, Tennessee	TBD

8. The Hearing Officer will call the speakers to the table located in the center of each hearing room. To alert speakers that their time for speaking is approaching, the Hearing Officer will periodically announce the names of the next several speakers in order of registration and ask that they be seated in a reserved area close to the central table, or at the table, as space allows.

9. If a speaker is not present when called, his/her name will be passed and the next speaker will be asked to present his/her comments. The names of all pre-registered speakers who were not present when first called will be called again following each break in the hearing. If a speaker is still not present, his/her written testimony may be presented for the record at the time of the hearing or any other time throughout the remainder of the public comment period. He or she may also attend any of the other hearings and register at the door to speak.
10. Oral presentations supported by written materials, charts, or similar types of visual aids are permissible if the materials are a) easily made a part of the official public record, i.e., rendered to written form, b) necessary to understanding the speaker's comments, c) presented in a non-disruptive fashion, and d) within the speaker's total time allotment. An overhead projector will be available if requested in advance for presenters' use. Commenters are asked to notify the Carlsbad Area Office at the time of pre-registration if they need an overhead projector.
11. All speakers are encouraged to put their statements in writing for purposes of admission to the official public record of the hearings. Whether comments are made in writing and sent to the DOE during the comment period or are orally presented at a public hearing, all comments receive the same weight and consideration. The deadline for submission of all comments to the Carlsbad Area Office is TBD . Comments may be mailed to:

Harold Johnson
U.S. Department of Energy
Carlsbad Area Office
P.O. Box 3090
Carlsbad, NM 88221

Comments may be telefaxed to Mr. Johnson in care of Battelle at 505-224-8030.

12. A list of all pre-registered speakers will be prepared in advance of each meeting date and will be available upon request. The list of speakers for each hearing will be posted on the door or just inside the door of each hearing location on the day of the hearing.
13. The speaker lists will be prepared by the WIPP Information Center. The lists generally will reflect the order in which individuals telephoned or mailed in their requests to speak.
14. The Carlsbad Area Office cannot guarantee that a particular speaker will speak at a particular time. Speakers should arrive approximately 30 minutes before their scheduled speaking time in the event that they are called to speak early. All commenters should be prepared to present positive identification at the registration tables. This measure will safeguard the time slots reserved for pre-registered speakers and ensure that all speakers are properly identified and represented for the record.