1081823 - R8 SDMS

PROPOSED REVISED GROUND RULES FOR VB-I70 WORKING GROUP MEETINGS

Submitted to VB-I70 Working Group Meeting Participants by
George Weber, Working Group Meeting Planner and Facilitator 3/1/06

BACKGROUND

VB-I70 Program and Working Group Purposes

1. The purpose of the VB-I70 Superfund Site Clean-up Program is to:

- Sample the soil of residential properties for lead and arsenic to find out if the levels are high enough to affect residents' health, and particularly that of children;
- Remove and replace soil and landscaping at all properties that have levels of arsenic and lead higher than the Program standard; and
- Educate neighborhood residents about the lead and arsenic health issues, evaluate lead hazards in the home, and test young children to see if they have been exposed to lead and arsenic. (This IS the Community Health Program!)

2. The purpose of the Working Group is to provide a forum for community representatives, government agencies (federal, state, local), and other interested parties to provide input to the EPA and CDPHE Program Managers, and other agencies about the VB-I70 clean-up requirements.

3. The Working Group is not the ONLY mechanism for EPA to obtain input from the community. (e.g., see email attachment CitizenRoleInWG.pdf)

Roles and Responsibilities

4. Federal law gives the authority AND responsibility for accomplishing Program goals to the Region VIII EPA and CDPHE Program Managers. By law -- they got to get this done within a specified timeframe and budget!

5. The role of the Working Group is advisory and/or supportive to the government Program Managers.

Working Group Process

6. Potential for conflict is present in the 'Working Group', and more general process given that the 'legal-administrative' and 'cultural' realities of 'The Process' differ. The 'legal-administrative' reality, in contrast to the culture that has developed of what 'The Process' is, have created expectations that are a potential source of conflict. Again, 'The Process' is defined loosely as decision making about the Program and the groups and their meetings addressing Program planning and implementation. (See attached excerpt

from Weber, George, Stakeholder Action Plan: Vasquez Boulevard/I-70 Superfund Site – Assessment, Findings, and Recommendations, June, 2005).

I suggest that we keep this potential conflict explicitly in mind, so that we don't continue to get 'tripped-up' by not being conscious of this cross-current of expectations..

GROUND RULES

7. Keep to the purpose of the VB-I70 Superfund Site Clean-up in suggesting Working Group agenda items.

8. During Working Group meetings, stick to the agenda. Every Working Group participant is given an opportunity, beginning approximately two weeks prior to a meeting, to suggest agenda items and provide detailed information regarding what they want the session to address, how they want it addressed, and desired outcomes, etc. Frame and ground you suggestions in the VB-I70 Program purpose in 1, above.

9. In suggesting agenda items and/or asking questions or raising issues during a meeting, please attempt to frame and ground your issue or question in terms of one of the three VB-I70 Program components if this is not obvious to everyone. Please explain how your issue or question relates to the VB-I70 Program purpose in 1, above.

10. Please come to Working Group meetings on time. Please do not expect the entire group to interrupt the agenda process to reiterate business that was accomplished before your arrival.

11. If someone has a topic that is NOT on the agenda, or which has been addressed earlier in the meeting, the Facilitator will ask the Recorder to note this item on a 'Parking Lot List'. The person who raises this issue or question will have the opportunity to discuss this with other participants who want to remain and discuss this after all items on the agenda have been addressed, including deciding on a date for the next Working Group meeting. Working Group participants will be asked to remain for a few minutes while the person who raised the issue or question makes a brief case for why all or specified participants should remain and discuss the issue.

12. If someone has a concern or question that lies outside the purpose of the VB-I70 Superfund Site Clean-up, they are encouraged to raise the issue at the end of the meeting.

13. Other members, particularly those representing government agencies and other organizations serving as resources to the group, are strongly encouraged to provide information regarding potential resources that may be helpful to answering the questions or resolving the issues to which 11 and 12 above refer. This will include suggesting other contexts or forums within which the issue and/or question may be appropriately addressed.

14. Working Group participants, particularly new drop-in participants, should become informed of the decisions and progress the Working Group and Program Managers have made on accomplishing the Program goals since the late 90s. The Program Managers, given their legally imposed responsibilities, and the Working Group as a whole, should not be expected to use meeting time to bring a new participant up to date on eight or more years of specifics, nor go back and revisit decisions that were made in the past, unless there are compelling reasons and widespread support from the group as a whole to do this.

15. Disagreements should be framed to focus on issues -- in a non-personal, positive and respectful manner. PERSONAL ATTACKS ON INDIVIDUALS WILL NOT BE TOLERATED!! The Facilitator, hopefully with support from the other participants, may warn once and/or ask an individual personally attacking another to leave the facility immediately.

16. Do not operate mechanical or electronic devices that generate sound or light or other disturbances in the meeting room. This includes cell-phones, cameras, audio- recorders, children's games, computers, etc.

- Cell-phones should be switched to non-audible mode only. A participant should leave the meeting room to talk on their cell-phone, listen to messages, etc.

- Recording of meetings and participants, including audio, pictures, video, etc. will not be allowed unless prior approval is obtained from the group.

- The Facilitator, hopefully with support from other participants, may warn once, and/or ask an individual using a mechanical or electronic device that is distracting, disturbing, or otherwise harassing other members of the group to leave the facility immediately.

From: STAKEHOLDER ACTION PLAN: VASQUEZ BOULEVARD/I-70 SUPERFUND SITE -- Assessment, Findings, and Recommendations, Submitted by George Weber, George Weber, Inc. Environmental to VB/I-70 Program Site Manager, Region VIII EPA, June 2005, p. 31.

Potential for conflict is present given that the legal-administrative and cultural realities of 'The Process' differ

The legal-administrative reality is that the EPA and CDPHE Superfund Program Managers have responsibility and authority for making decisions. Part of this reality is the pressure on the Program Managers to accomplish their missions effectively and efficiently. All other stakeholders – i.e., other government agencies and programs, non-governmental community organizations, site residents, etc. are in an advisory and/or supporting role.

The cultural reality that has developed seems to be what one could characterize as similar to a 'community development and/or organizational development' process. This type of culture would emphasize community control, comprehensive representation, openness, involvement, discussion, and consensus decision-making.

There is a tension, if not conflict, inherent between these two different ways of doing things and the associated expectations functioning in the same Program context. Are Program Managers, unconsciously, albeit with the best of intentions, trying to 'have it both ways'?

All participants, including community residents, acknowledged and, with a couple of exceptions, had high praise for 'The Process' and Program Managers' intensive efforts to obtain broad representation and significant community involvement in Program planning and implementation.

Yet, there have been two recent examples of the Program Managers making a decision, apparently on their own, and conflict occurred, not only with community residents, but apparently with some staff of supporting government programs. The two decisions are:

- Decision to award the CHP contract to the Department of Environmental Health, City of Denver (DEH); and

- Development of method for determining eligibility for external lead based paint abatement.