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# Public Participation in the Superfund Process: A Guide for Tribal Communities

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The EPA is especially concerned about having the community involved in the clean-up of a contaminated superfund site. The EPA has a policy of public involvement that proposes to commit the EPA to early, meaningful public involvement; ensure decisions are made with an understanding of the concerns of people affected; promote techniques that increase opportunities for public involvement; and establish clear procedures for conducting public involvement in EPA decision-making.

## Why Prepare Public Comments about the Superfund Site Cleanup Plans?

- It is your right to participate as a citizen in environmental decision-making
- Sharing your knowledge, values, experience, and ideas can have a positive impact on EPA decisions and the future of your community
- Your special knowledge could provide insight to EPA that inspires changes in the outcome

## Plan Ahead

- Allow ample time for preparation of comments—reading and understanding cleanup documents can be very time consuming
- Encourage other organizations, agencies, and people with similar interests to help you prepare for commenting and to endorse your comments
- Coordinate comments with your tribal community, other people and organizations

- Look for good examples of public comments at similar sites to help in planning

## Timing

- Know when the cleanup document becomes available to review
- Know the deadline for commenting—when are the comments due to EPA?

## Preparing to Comment about Superfund Cleanup

- Identify a contact person at EPA who can inform you of when the documents become available and how you can access them
- Set aside time and work with others to review the document and organize ideas
- Collect background material to understand what should be covered in the document, like information about Superfund law, cleanup guidelines, examples of good cleanup plans, commentary from academics or others
- Make notes as you go through the background material and speak with others—this will help to identify important concerns that should be addressed
- Find out what issues the EPA wants to receive comments about—are there important concerns specifically related to health and environment?
- Take time to review supporting documents and fact sheets

- Consider getting technical assistance to review the data and legal material
- Identify major issues of concern
- Make a checklist of all the information and questions that should go into the comments
- Use the checklist to organize your comments and build a framework that can be used to complete the comments

## Writing your Comments

- Prepare a cover letter
  - Clearly identify who you are and your contact information
  - Clearly state which document you are referring to, use exact title and control number
  - Offer to clarify comments by meeting or phone
- Use a straight forward style of writing to emphasize your points
  - State main ideas up front
  - Make most important and strongest statements first
  - Use active voice and short sentences to make points clear
  - Be concise-wordy and confusing writing distracts from main points
- State legal and technical concerns clearly as they are very important
- Seek legal and technical assistance to help you focus your comments on legally and technically relevant facts
- Ask for clarification of language in the document when commenting-ask if you do not understand (there is no such thing as a stupid question!)
- When speaking about specifics, use page and section numbers so the agency can closely follow your comments and concerns
- State what you support
- Clearly state what you do not support
- Make suggestions and offer solutions to problems whenever possible

- Use examples to illustrate points
- It is better to state needs and concerns rather than to ask EPA too many questions
- Remember to always be respectful when commenting-you will get a better response from the reviewers

## Follow up your Comments—confirm you communicated clearly and effectively with EPA

- Meet or talk with your EPA contact to ask about specific issues, answer any questions about your comments and find out how big changes will be handled
- Find allies to assist if there are important issues that you feel are not being addressed
- Ask what additional information is needed to persuade EPA to make the changes requested and find a way to get that information to the EPA
- Review other people's comments to see if you missed important points that should be discussed
- Request a public meeting or hearing-when you speak, your points should summarize your key written comments
- Speak to decision makers when needed, and try to make a positive impact on the decision-making process

## References

Mullin, Elizabeth D., 2000. The Art of Commenting: How to Influence Environmental Decisionmaking with Effective Comments. Environmental Law Institute, Washington, D.C. <[www.eli.org](http://www.eli.org)>  
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## About the Author

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