

planning and implementing public involvement activities.

The Policy reflects changes over the past 22 years such as:

- New and expanded public participation techniques.
- New options for public involvement through the Internet.
- EPA's emphasis on assuring compliance.
- Increased use of partnerships and technical assistance.
- Increased public access to information.
- Increased capacity of States, Tribes and local governments to carry out delegated programs.

The Policy also reflects EPA's experience with public involvement from the national to the local level, and incorporates many ideas provided to EPA through public comments on the draft Policy. Today's Notice is limited to this brief introduction and the core policy statement. Concurrent with this Notice, EPA is also issuing the following supporting documents to facilitate and promote support the Policy's implementation:

Appendix 1—"Guidance for Implementing Public Involvement at EPA" [<http://www.epa.gov/publicinvolvement/policy2003/guidance.pdf>].

Appendix 2—Definitions that are integral to this Policy.

Appendix 3—Examples of EPA's Public Involvement Regulations.

Appendix 4—Federal Advisory Committees.

Addendum 1—Selected tools the Agency has developed since 1981 to assist EPA staff and regulatory partners in conducting public involvement and consultation.

Addendum 2—Summary of comments and EPA's responses.

Two additional documents may be of interest. The Agency's complete "Response to Comments on EPA's Draft 2000 Public Involvement Policy" is available at <http://www.epa.gov/publicinvolvement/responsetocomments.pdf> and the "Framework for Implementing EPA's Public Involvement Policy" is available at <http://www.epa.gov/publicinvolvement/framework.pdf>. (All documents referenced in the Policy are also available upon request to Public Involvement Staff, USEPA/OPEI/OEPI/PPCD Mail Code 1807T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.)

The goal of this Policy is to improve the effectiveness of EPA's public involvement activities, ensure well-informed decisions, and encourage innovative methods for involving the

public. As EPA implements the Policy, the Agency plans to share its experiences with states, tribes, local governments and other partners and interested parties.

Dated: May 29, 2003.

Christine Todd Whitman,
Administrator.

EPA's Public Involvement Policy (Final May 2003)

Introduction

EPA's mission is to protect human health and the environment. To achieve that mission, EPA needs to continue to integrate, in a meaningful way, the knowledge and opinions of others into its decision-making processes. Effective public involvement can both improve the content of the Agency's decisions and enhance the deliberative process. Public involvement also promotes democracy and civic engagement, and builds public trust in government.

EPA has long been committed to public involvement. The fundamental premise of this Policy is that EPA should continue to provide for meaningful public involvement in all its programs, and consistently look for new ways to enhance public input. EPA staff and managers should seek input reflecting all points of view and should carefully consider this input when making decisions. They also should work to ensure that decision-making processes are open and accessible to all interested groups, including those with limited financial and technical resources, English proficiency, and/or past experience participating in environmental decision-making. Such openness to the public increases EPA's credibility, improves the Agency's decision-making processes, and informs its final decisions. At the same time, EPA should not accept any recommendation or proposal without careful, critical examination.

This Policy supplements, but does not amend, existing EPA regulations that prescribe specific public participation requirements applicable to EPA's activities under specific statutes, such as those found at 40 CFR part 25 "Public Participation in Programs Under the Resource Conservation and Recovery Act, the Safe Drinking Water Act, and the Clean Water Act." (See 40 CFR part 25, which can be found at <http://www.epa.gov/publicinvolvement/pdf/part25.pdf>.) The public participation requirements contained in such regulations specify the minimum required level of public participation. (A partial listing of existing public participation regulatory requirements is contained in Appendix 3.) Whenever feasible, Agency officials should strive to provide increased opportunities for public involvement above and beyond the minimum regulatory requirements.

What Is Public Involvement?

The term "public involvement" is used in this Policy to encompass the full range of actions and processes that EPA uses to engage the public in the Agency's work, and means that the Agency considers public concerns, values, and preferences when

making decisions. The term "the public" is used in the Policy in the broadest sense to include anyone, including both individuals and organizations, who may have an interest in an Agency decision. (See Appendix 2 for a detailed definition of "public" and other important terms.)

What Are the Purposes, Goals and Objectives of This Policy?

The purposes of this Policy are to:

- Improve the acceptability, efficiency, feasibility and durability of the Agency's decisions.
 - Reaffirm EPA's commitment to early and meaningful public involvement.
 - Ensure that EPA makes its decisions considering the interests and concerns of affected people and entities.
 - Promote the use of a wide variety of techniques to create early and, when appropriate, continuing opportunities for public involvement in Agency decisions.
 - Establish clear and effective guidance for conducting public involvement activities.
- Effective public involvement will make it easier for the public to contribute to the Agency's decisions, build public trust, and make it more likely that those who are most concerned with and affected by Agency decisions will accept and implement them. This policy supports EPA in meeting statutory and regulatory requirements regarding public participation, particularly in environmental permitting programs and enforcement activities.

EPA goals for public involvement processes are to:

- Foster a spirit of mutual trust, confidence, and openness between the Agency and the public.
- Ensure that the public has timely, accessible and accurate information about EPA programs in a variety of formats so that people can better understand the implications of potential alternative courses of action.
- Consult with interested or affected segments of the public and take public viewpoints into consideration when making decisions.
- Learn from individuals and organizations representing various public sectors and the information they are uniquely able to provide (community values, concerns, practices, local norms, and relevant history, such as locations of past contaminant sources, potential impacts on small businesses or other sectors, industry conducted study results, etc.)
- Solicit assistance from the public in understanding potential consequences of technical issues, identifying alternatives for study, and selecting among the alternatives considered.
- Keep the public informed about significant issues and changes in proposed programs or projects.
- Foster, to the extent possible, equal and open access to the regulatory process for all interested and affected parties.
- Understand the goals and concerns of the public, and respond to them.
- Anticipate conflict and encourage early discussions of differences among affected parties.