



The Need for Good/Frequent Communication, Respect and Trust for Implementing a Successful RCRA Corrective Action Project

James K. Moore, P.E., Manager
Corrective Action Unit, Permit Section
Bureau of Land
Illinois Environmental Protection Agency



What is a Successful RCRA Corrective Action Project?

- A successful RCRA corrective action project is one where contaminated areas at a facility are properly addressed in a timely and effective manner
- USEPA has developed a training program to provide guidance regarding Results Oriented Streamlined Approaches (ROSA) to RCRA corrective action which will hopefully bring about faster, cheaper and more efficient remediation efforts at facilities involved in the RCRA corrective action program.
- These approaches are somewhat different than the standard permit/order approach to corrective action which plods through draft and final plans/reports associated with facility investigation and corrective measures

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The purpose of this training is to provide information regarding results-oriented streamlined approaches to implementing a RCRA corrective action program at a facility. The goal of these approaches is to bring about more efficient and accelerated investigation/remediation efforts at facilities undergoing RCRA corrective action.

The approaches to be presented in this training:

- Facility Lead CA Approaches
- Streamlined Consent Orders
- Targeted Data Collection
- Tailored Oversight
- Institutional Controls
- Communications, Trust, and Mutual Respect among EPA, the State, the facility, and the public.



Results-Oriented Streamlined Approaches:

- Facility-Lead Corrective Action Projects and Voluntary Agreements
- Streamlined Consent Orders/ Streamlining Existing Permits & Orders
- Targeted Data Collection
- Tailored Oversight/Approvals
- Institutional Controls

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The only way for results-oriented streamlined approaches to be successful is if these efforts are founded on the 3 C's

Commitment to clean up contaminated areas (by both EPA and facility);

Cooperation (based largely on mutual respect and trust); and

Communication

When there is a strong foundation based on the 3 C's, streamlined approaches can produce faster, cheaper, and more effective cleanups.

When any of the 3 C's are missing, streamlined approaches cannot succeed.

The need for the facility to be committed to cleanup cannot be overemphasized. The success of these results-oriented streamlined approaches depends on the willingness of the facility to make a commitment to effective, expeditious cleanup. Further, the agency has to be committed to supporting the effort. This means recognizing that mutual risk often produces mutual gain in an approach that reduces the amount of command and control exercised by regulators.

We really can't do much in this training that will get a facility to commit to cleaning up a site. If the facility is unwilling to do so, there is no need to try to work with them to bring about an efficient approach to cleanup. However, if we show strong cooperation and communication skills as we interact with a facility, we may be able to obtain such a commitment or buy-in from the facility during the overall corrective action process.

This module will further discuss the importance of communication, respect, and trust. In addition, it will provide you with guidance you can use to ensure that good communication, respect, and trust are built into the project when you are trying to use a results oriented streamlined approach.



The Three C's

Results Oriented Streamlined Approaches to Corrective Action can only be successful if they are founded on three C's:

- Commitment
- Communication
- Cooperation



Commitment

- Commitment--A pledge or promise to do something
- For a corrective action project to be successful, all parties must be committed to proper clean-up of contaminated areas at a facility



Why Be Committed to Working Together Towards Proper Clean-up of a Facility?

- Facilities have a legislative and regulatory responsibility to clean-up contaminated areas. They also need to have regulatory approval of their actions.
- Investigation/remediation efforts under RCRA corrective action are carried out by the facility. Thus, regulators must be committed to working with a facility to get corrective action carried out if they are indeed wanting to protect the environment.



Cooperation

- Cooperation--Working together towards a common goal
- Establish a “team-like” atmosphere
- Key components of a successful team include:
 - Commitment
 - Good and Frequent Communication
 - Respect
 - Trust

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Cooperation—Respect

- Respect—Being considerate and courteous towards a person; holding a person in high regard
- If you feel that you deserve respect, then you need to also respect others
- Remember, the person sitting on the other side of the table has pressures, family and problems just like you. Also, they have an interest in the environment or they wouldn't be working on this project.



Cooperation—Trust

- Trust—a firm belief or confidence in a person’s integrity, honesty, character, reliability, ability, strengths
- Typically is earned, based on experience
- If trust must be earned, so then should distrust
- If you lose someone’s trust, it is hard to get it back again



Keys to Cooperation

- Think win-win
- Focus on what is right first.
- Focus on the project, not on people
- Be as open as possible—tell a person why you need something
- Listen to and understand the other person's priorities and concerns
- Clearly establish goals of all efforts
- Raise potential issues early
- Start with a positive outlook and expect success

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Communication

- **Communication--the exchange of ideas, messages and information by speech, signals or writing**
- **Generally broken down into oral or written**
- **Can also be broken down into formal and informal**
 - Oral typically corresponds to informal communication
 - Written typically corresponds to formal communication



Formal/Informal Communication

- Formal—letters, plans/reports, formal meetings (with high ranking “officials”)
- Informal—telephone conversations, informal meetings (with “worker bees”), e-mail
- Important to have frequent informal communication to discuss various issues/items associated with project
- Formal communication—used to confirm or record decisions/information



Oral Communication

- Seek first to understand, then to be understood
- Three components:
 - Listening
 - Talking
 - Non-Verbal



Oral Communication— Listening

- Be attentive
- Focus on what the other person is saying
- Make eye contact with the speaker
- Don't interrupt
- Verify your understanding of what was said
- Give lots of verbal feedback
- Ask questions to better understand what was said



Oral Communication— Talking

- Pay attention to the tone of your voice
- Speak clearly and to the point
- Acknowledge and clarify what others say
- Don't use regulatory jargon and clichés



Oral Communication— Non-Verbal

- Pay attention to your body language
- Can be very effective or very detrimental
- Maintain good body posture
- Always be attentive and show interest in the conversation



Written Communication

- Use to document decisions/information
 - Each step in process dependent on results of previous step.
 - Once a decision is made and documented, will not need to revisit it in the future
 - Provides clear documentation of where project has been and where it is going



Written Communication

- Letters, plans, reports
- Be clear, write simply.
- Use active rather than passive voice.
- Use plain language instead of jargon.
- Check readability once document is completed.
- If possible, do not use to request additional information—action may be viewed as legalistic



Communication— Odds and Ends

- E-mails are both a formal and informal means of communication. They can be used to efficiently transfer information. However, they should not be used to document important decisions about a project.
- Document topics discussed and decisions made during a meeting. Go over this information at the end of the meeting and circulate minutes of the meeting as soon as possible after the meeting.



If you have a conflict, remember:

- You can't always control what happens to you, but you can control how you deal with it
- Accept the situation
- Assess the situation
- Focus on areas of agreement
- Emphasize the positive
- Think "win/win"
- Be tough on facts, but go easy on people



How to Handle Conflicts (continued)

- Negotiate, cooperate, comprise
- Don't quit at the first sign of discord/trouble
- Try to bring the team concept back by moving away from an adversarial role
- Be as open as you can
- Work to persuade the person that it is in their best interest to overcome the obstacle and properly remediate the facility.

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Ten Ways to Lose Trust and Credibility

- Don't involve people in decisions that directly affect them. Then act defensive when your policies are challenged.
- Hold on to information.
- Ignore people's feelings.
- Don't follow up.
- If you make a mistake, deny it.



Ten Ways to Lose Trust and Credibility (continued)

- If you don't know an answer, fake it. Never say "I don't know."
- Don't speak plain English; use technical and regulatory jargon.
- Present yourself as a bureaucrat.



Ten Ways to Lose Trust and Credibility (continued)

- Delay talking to other stakeholders in the project
- Don't worry if a person working with you on the project has trouble interacting with people. Go ahead and send them out to meet with the facility by themselves. It's good experience.