

Permitting and Siting Success Using the “I-Site” Approach

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INTRODUCTION

Growth in the waste-to-energy industry has fallen considerably since its hey day in the mid-1980s. Depending on the perspectives of various interests, many explanations for this decline are given. These include the effects of recycling mandates, lack of energy markets and citizen environmental concerns.

Two obstacles to successful siting—energy surpluses and overly ambitious recycling mandates—are being cleared away. Deregulation of the electric power industry promises to create new, competitive energy markets. Utilities are making plans to exit the so-called “merchant function,” thus creating new opportunities for independent power producers and aggregators. Unreliable recycling markets present new demands for disposal capacity.

There appears, then, to be only one remaining hurdle that must be overcome for the industry to take advantage of the potential opportunities ahead. Not surprisingly, it is community perception. Driven by a fear of the unknown, the public—including news reporters and local politicians—challenges disposal methods they don’t understand. And their protests persist even though these projects actually lessen many environmental threats. Fueling opponents are some personal injury lawyers and special interest groups that secure economic opportunity from the debate.

Each victory by waste-to-energy opponents has the effect of rocking investor and lender confidence, employee morale and customer and prospect resolve. Regulators and elected officials take cues from the public and either kill plans outright or impose expensive and unnecessary conditions that have the same effect. These individual battlefield victories by opponents makes their winning the war much more likely. One needs to look no further than the moribund nuclear power industry to see these results.

How can the waste-to-energy industry take advantage of new market opportunities, win permits with a minimum of delay, limit costly conditions, reduce unfounded objections and contain legal costs? The answer is letting down the traditional corporate guard and fully “involving” all constituent audiences in the siting process. The success of the involvement in siting—or the “I-Site”—approach also relies heavily on the adoption of a new, yet common sense, communications model. These conclusions are

based on a comparison of siting successes and failures over the last 15 years, including lessons learned from other industries.

INVOLVEMENT AND COORDINATION

At the forefront of the I-Site approach is defining and coordinating messages to all of the constituent audiences. These audiences may include:

- Neighbors
- Elected officials
- Appointed officials (board of health, fire department, conservation commissions, zoning, etc.)
- Investors and lenders
- Employees
- Vendors and contractors
- Customers and prospects (host communities, purchasers of energy or disposal capacity, etc.)
- Business groups (chambers of commerce)
- Environmental and health organizations

None of these groups can be taken for granted.

Coordination of messages and targets is especially important today because a wide variety of information sources ensures all constituents will have access to data. Sometimes, these audiences receive information not directed to them, creating confusion and misunderstanding when taken out of context. Communicating concessions to host communities, for example, may alarm investors.

Informing investors or lenders of cost-saving initiatives may concern employees or regulators. Each stakeholder's reaction depends on his or her vested interests, and these may appear at odds with other constituents. Traditionally, responsibility for dealing with each constituent often falls upon as many different people, departments or outside agencies—placing at risk controls that would otherwise consider the ramifications for other audiences.

Most progressive companies now realize the industrial assembly line model is out-dated because it fragments what should be a single process—that of delivering a product to consumers. Similarly, what should be a single process—communication aimed at reaching siting goals—has become artificially fragmented. The market conditions and customs of a century ago dictated separate and uncoordinated advertising, public relations and marketing efforts. Today, though, these present barriers to your success. Working independently, each department or outside vendor will interpret the plan differently and put their own “spin” on the message. This serves to dilute—if not completely undermine—messages aimed at others. The end result: audiences feel betrayed.

Companies must reassemble into a unified entity all marketing, government affairs, community relations, investor relations, advertising and internal communications efforts. Existing departments, individuals or outside vendors must be brought under a central command to ensure communications becomes a single process. This may require reorganizing departments so that sales and marketing, government affairs, investor relations, corporate communications, community relations, advertising, etc. are brought under one roof.

If you rely on outside vendors for any company communications, make sure they wholeheartedly endorse this philosophy and have skills in all areas—from advertising to the do’s and don’t of writing a press release. Watch for any biases or limitations they may have that might result in them using inappropriate communications vehicles. Re-engineering guru Michael Hammer says, “You cannot reengineer a process in isolation. Everything must be on the table. Any attempt to set limits, to preserve a piece of the old system, will doom your efforts to failure.” Ironically, communicators frequently talk about re-engineering on behalf of their companies or clients while their departments or agencies have been largely overlooked as candidates for change.

PLAN A PROACTIVE PROGRAM

No matter what you’ve been told by proponents about overwhelming support for the project, plan a proactive program—and the earlier the better. A proactive approach helps developer’s build credibility,

demonstrate an image of cooperation and nothing to hide. If you don't tell the story early and often, audiences will be blindsighted by legal notices or what they hear from so-called environmental "experts." They may even misinterpret what they are seeing out their kitchen windows. Steam may be mistaken for smoky pollutants, for example.

Those charged with coordination of the communications program often must assume the roles of devil's advocate and detective in their organizations. They should ask questions about potential "nuisance" concerns such as noise, odor, truck traffic and so on. When a potential problem area is discovered, find out what mitigating measures will be employed. This information should then be incorporated into the siting program.

KEEP MESSAGES AUDIENCE-CENTERED

All attention must be focused on the target audience. In practice, this means substituting complex jargon with easy-to-understand language. Further, your audience wants to know "what's in it for me"—WII-FM. Let them know what benefits they can expect, such as:

- Permanent and temporary jobs
- An improved environment (replaces older facility or landfill)
- Community royalties (PILOTs) or increased tax revenues
- Reduced tipping fees
- Other community involvement (cite past experiences with schools, Chambers, etc.)

Put yourself in the place of opponents. Of what are they afraid? Are there concerns valid? What can be done to mitigate these issues? Balance humane understanding with business goals. Learning from Union Carbide's Bhopal catastrophe, company spokesman Robert M. Berzok said recently, executives must "make an emotional connection" with audiences.

Take this a giant step forward, ask neighbors to get “involved.” Contrary to what your general counsel says, invite them to call or write with questions or comments. The nature of the legal profession is one of tight-lipped caution. Developers must find a middle ground between project attorneys and communicators. Most importantly, “listen” to what each audience has to say. Neighbors may not only have some good ideas, they may become supporters.

Health risk assessments are widely misunderstood. Be prepared to explain the inherently conservative nature of such studies and give constituents everyday equivalents. Driving in traffic, eating certain foods and other daily life needs expose humans to risks far greater than those being studied. During one lengthy and heated debate over the findings of a “worst case” health risk assessments, some project opponents clamored for a recess—for a cigarette break. Use opportunities such as these to compare relative risks.

If opponents argue that they choose to take certain risks, sensitively point out the risks from other disposal alternatives.

After the permits are granted, continue to inform all audiences. Tell neighbors and officials what they may see and hear during other project phases, such as:

- Site preparation (traffic, noise, relocation of buildings or utilities, etc.)
- Construction (pile driving, etc.)
- Start-up (steam blows)
- Commercial operation (traffic, noise, odor)

When talking with reporters, be sure to avoid use of technical jargon and, again, tell the facts loud, clear and often. In every conversation, emphasize your main points over and over. This is important because invalid arguments you thought you previously addressed have a way of re-entering the debate. When a problem occurs or a mistake is made, remember the truth is never too complicated to explain. There is a reason for everything, explain yours. If you don’t tell your side of the story, someone else will. If you

don't have the answers yet, tell the reporter as much and promise to get back to them. Follow through on your promise as quickly as possible.

TIMING IS EVERYTHING

For best results, an orderly and well-timed flow of information is critical. In all cases, start by telling all employees. This remains true during any crisis—such as an accident or set back—that might take place. Be sure notifications are made through usual and customary channels. Project opponents look for inconsistencies in notification procedures as evidence of management flaws. Further, placing all employees on the same page helps prevent sending out mixed messages. If you don't have an employee notification procedure, create one.

Next, notify key political leaders, neighbors and the media—in that order and as soon as possible. If political leaders hear from you first, there is much less likelihood they will grandstand later. Ask them to withhold public comment until neighbors are notified of siting plans, progress or unforeseen events. They not only should understand this courtesy to their constituents, but will appreciate not being thrown in the middle.

Try to talk to key neighbors and community leaders in person. If it is impossible to talk to every neighbor, deliver or send personalized letters to all who might be impacted. If neighbors hear from the press first, they are much more likely to make misinformed comments and that may position them forever.

When delivering notifications, be sure not to put them in mail boxes. Such actions not only violate postal service rules (and could result in your communications being confiscated), it gives opponents additional weaponry.

Last in this timeline is the local media. If you are lucky enough not to receive a call from them first, proactively deliver your press release and facts to reporters and be prepared to answer their questions. If

the reporter reaches you first, explain candidly that you have already begun notifying officials and neighbors. This open and honest approach demonstrates you have nothing to hide.

It is vital that a reporter always reach someone at your company. There is only one thing worse than the words “unavailable for comment” appearing in print. And that is the words “no comment.” The former sends the message that you may be hiding something and the latter confirms it. Additionally, never talk “off the record” with reporters. Even if the reporter invites an off the record response, you can bet your comments will be published if the editor hears about them.

Designate a contact person who can answer questions. Since some reporters may have early deadlines before your office opens, make sure they have a way of reaching someone during these hours. That may mean giving out a home telephone number. Make sure the company receptionist or secretary understands the importance of media calls and directs them to you or your designee. If you use voice mail, get in the habit of checking it often.

After these core groups are notified, create and take advantage of opportunities to share information with local business and economic development officials, neighborhood groups and influential people in the community. Arrange to speak before service clubs and the Chamber of Commerce. Continue to emphasize your key points.

At all times, remember to put yourself in the place of other constituents and consider their reactions to the planned message. They will want to know what you are doing to mitigate problems.

CONCLUSION

In summary, developers often either overestimate the public’s ability to understand complex jargon or underestimate the impact of so-called “experts” who join opposition groups. Further, waste-to-energy developers frequently omit project details that seem too complicated to explain. However, executives who *pro-actively* and fully involve the public in an exchange of easily understood terms achieve success

at the lowest cost. Successful public involvement means *interactive* communication—not only distributing information, but listening to comments and responding accordingly.

Further, the timing and types of notices to employees, supporters, politicians, neighbors and the media is much more critical than some would believe. Vital to success is a global view that gauges the impact of these communications on unintended audiences.

Giving reporters information clearly, concisely and in appropriate news style is critical. A company must tell its side of the story or someone else will. And, the story must be told loud, clear and often.

These findings appear to be supported by a 1994 study, *Waste-to-Energy in the United States: A Social and Economic Assessment*, organized by Oak Ridge National Laboratory (ORNL) researchers. The study concluded that “financial barriers were not the predominant reason for WTE project cancellations, and those barriers are not likely to be highly problematic in the coming decade. The case study portion of the study identified numerous complexities that community leaders and decision makers must address when considering WTE. After a WTE project has been initiated, the decision to proceed with or abandon the project appears to depend largely on the dynamics of the decision-making process and the interactions among concerned parties.”

The emerging competitive electricity marketplace has the potential to create new opportunities for the waste-to-energy industry. However, a bright future will only be realized if the industry learns from its past mistakes and considers communications a single process that is well coordinated and audience-centered.