

FACT SHEETS/STATEMENTS OF BASIS

The fact sheet/statement of basis is a brief document written in plain English to help residents understand highly technical laws, concepts, and information. The purpose of fact sheets/statements of basis is to provide site-related information to affected communities.

Required Activity?

Yes. Fact sheets, or statements of basis (when a fact sheet is not prepared), are required to be prepared by the permitting agency when the draft permit or notice of intent to deny permit is issued for major hazardous waste facilities or facilities raising significant public interest (40 CFR § [124.7](#), [124.8](#)).

More detailed information on fact sheets, statements of basis, and other public participation activities for use at various stages of the RCRA process can be found in Chapter 5 of the [2016 Edition of the RCRA Public Participation Manual](#).

Making it Work

When to Use

While fact sheets/statement of basis are required for draft permits, they can also be very helpful at other times throughout the permitting process by providing a summary of the status of a draft permit application. The fact sheet/statement of basis must be sent to the permit applicant as well as any other persons who request it (see [40 CFR §124.8](#) for more detailed information what should be included in a fact sheet or statement of basis). The same concept also applies with respect to corrective action or enforcement processes.

How to Use

The first step in preparing a fact sheet or statement of basis is to determine the information to be presented. EPA decision-making regulations require that RCRA permit fact sheets contain the following types of information:

- A brief description of the type of facility or activity which is the subject of the draft permit;
- The type and quantity of wastes covered by the permit;
- A brief summary of the basis for the draft permit conditions and the reasons why any variances or alternatives to the proposed standards do or do not appear justified;
- A description of the procedures for reaching a final decision, including the beginning and ending dates of the public comment period and the address where comments can be sent;
- Procedures for requesting a public hearing; and
- Name and telephone number of a person to contact for additional information.

A statement of basis is prepared the same way as a fact sheet. The statement of basis summarizes essential information from the RCRA Facility Investigation (RFI) and Corrective Measures Study (CMS) reports and the administrative record. The RFI and CMS reports should be referenced in the statement of basis. The statement of basis should:

- Briefly summarize the environmental conditions at the facility as determined during the RFI.
- Identify the proposed remedy.

- Describe the remedial alternative evaluated in sufficient detail to provide a reasonable explanation of each remedy.
- Provide a brief analysis that supports the proposed remedy, discussed in terms of the evaluation criteria.

Select a simple format for presenting the information. Avoid using bureaucratic jargon, acronyms, or technical language in the text and be concise. Keep the following suggestions in mind as you format your fact sheet or statement of basis:

Message: Before writing, identify your message. Most people cannot retain more than three primary messages from a document. Superfund focus groups show that several single-page fact sheets spread out over time are more effective than one long multi-page fact sheet.

FYI content: Also include special information, such as dates of upcoming meetings, location and hours of the **Information Repository**, and contact names, addresses, local and toll-free phone numbers, fax numbers, and E-mail addresses. Always put special information in a text box in the lower right corner. Include the fact sheet date and number.

Format: The format should be easy to read. Make fact sheets visually interesting by using pictures, graphs, or diagrams to accompany textual information. Too much text and not enough white space makes the page appear gray and daunting. Place pertinent facts in text boxes, or make them stand out some other way.

Presentation: Make the permitting agency and the site name prominent in the banner. Always start with the primary message in the upper left corner. Put it in a box or in some other eye-catching format. Use a catchy (not hokey) headline. Vary the color of new fact sheets. When designing the layout, ensure the colors and graphics will also be clear when printed/copied in black and white.

Writing: Generally, material prepared for the general public should be written at the eighth-grade level. However, check site demographics and write at the grade level indicated. (**LandView** demographic profiles are available in every region and over the **Internet**.) Use Grammatik (available in WordPerfect) to check for readability. Avoid bureaucratic jargon or highly technical language. If necessary, **Translate** fact sheets into foreign languages.

Distribution: Do not rely on the **Mailing List**. Identify your primary target area (usually the area most impacted or likely to be impacted by the site), then distribute fact sheets to all residences within that target area, even if you have to address them as “An important environmental message for the family at” Use mailing services, door-to-door canvassing, and leverage local groups (e.g. Environmental Justice or others) for volunteer distribution, etc. Announce when fact sheets are available. Use press releases, public service announcements, and public TV and radio. State where fact sheets are available and a contact name, address, and phone number.

Tips

- Hand out fact sheets as people enter meetings or hearings, or place them on chairs before the meeting starts.
- Have extras available and encourage people to take copies to friends.
- Bring the latest fact sheet with you on community visits, and hand it out to residents.
- Ask permission to leave several facts sheets at churches, clubs, libraries, and stores.
- Ask principals to send home a fact sheet with every student.
- Distribute door-to-door with door hangers; never use a mailbox for anything but mail.

- Pay to have the fact sheet printed in the local paper; ask them to keep copies in their lobby.
- Offer fact sheets as inserts in neighborhood association newsletters.
- Consider making a **Video** fact sheet of the progress of site work. Show it at meetings, and broadcast it on local cable access channels. Place two copies in the **Information Repository**. Advertise the video and how to get it.
- Contaminant information in fact sheets should contain the chemical name, media contaminated, and contaminant concentration at the site versus the normal range.
- Consider adding fact sheets to an appropriate community website or social media page.
- Distribute fact sheets to email listservs of impacted communities to notify residents about RCRA permitting or corrective action activities.