

# EPA's Local Government Advisory Committee's Report: Risk Communication



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## Preface

When environmental, public health or public safety emergencies and natural disasters happen, people need trusted, accurate and timely information about the risks they face, and the actions they can take to protect their health, their lives and their property. This early and accurate information helps communities make wise choices and take actions to protect themselves, their families and communities from threatening health and public safety hazards.

Intergovernmental sharing of environmental, public health and public safety information helps the public better understand any potential risks and promote trust of agency actions to address those risks.

Communicating risks effectively enables decision-makers to make informed decisions on any actions necessary to protect the environment, public health and public safety. It also empowers the public with the information necessary to protect themselves and their loved ones.

Information can range from media and social media communications, mass communications and community engagement. Risk communication involves the exchange of real-time information, advice and opinions between experts and people facing threats to their health, safety, economic and/or social well-being. It requires a sound understanding of the science, along with an understanding of people's perceptions, concerns, beliefs, and their knowledge and practices. This is where local governments, in partnership with EPA and other agencies, can play a key role. Local governments, states and tribes are in the best position to provide early identification of problems, help manage misinformation and rumors and provide on the ground assistance addressing the challenges.

Clear and consistent communication from all information sources—including federal, state, tribal and local governments—helps stakeholders and the public determine what steps they may need to take to protect themselves and their families. Coordination is such a critical piece of risk communication. In May 2019, the EPA sought the advice of the Local Government Advisory Committee (LGAC) for input and guidance on its risk communications efforts.

## Local Government Advisory Committee Charge

The LGAC was charged in May 2019 to provide their perspectives from the local level on risk communication products/tools the agency develops as part of EPA's Risk Communications Workgroup. The LGAC herein developed recommendations related to how well the agency addresses local issues and what processes the agency can follow to ensure that federal and local partners maintain close coordination, when issues that involve effectively communicating risk arise. The following are specific charge questions and issues the LGAC are required to consider:

### Charge Questions:

- 1) What ways can EPA enhance its coordination with local governments on communicating risk to the public? Please identify specific examples of when EPA was successful in communicating risk to local communities and examples when EPA could have done something differently?
- 2) EPA will be working over the coming months to develop risk communications materials for agency actions. The agency may ask the LGAC to participate in the development of and/or provide input on 1-2 products/tools that the agency will develop in the coming months.
- 3) What additional risk communications tools, including engagement, should EPA develop that would help the agency effectively communicate risk with local communities? Do local communities have any best practices that the agency should consider adopting?

### Background

The Environmental Protection Agency (EPA) seeks to enhance coordination with local, state and tribal governments on communicating risk to the public. The current Administration demonstrated its commitment to federalism by inviting county commissioners from across the country to the White House. According to Doug Hoelscher, Director of the Office of White House Intergovernmental Affairs and Deputy Assistant to the President, this is “*something that’s never been done before by any White House in history.*”

The Administration continued this initiative in June 2019 by weaving in state legislators, mayors, and tribal leaders. Early, consistent and meaningful consultation with local governments, state and tribal governments, builds trust before a risk emerges. The EPA also ran formal consultations to take input from the agency’s intergovernmental contacts. To connect with partners at other government levels, the agency implemented question and answer sessions at various events. These practices ensure that there is ample opportunity for local, state and tribal leaders to have their voices heard.

***The LGAC states that EPA could enhance risk communication dialogue by utilizing focus groups around the country to gather best local practices on communicating risks.***

### LGAC’s Engagement on Risk Communication

On May 2, 2019, the LGAC invited White House participation in an intergovernmental dialogue it hosted on risk communication, in which EPA program leaders and national intergovernmental organizations shared their perspectives on risk communication. These perspectives ranged from the importance of sharing information to discussion on ways to improve coordination and dissemination of information. The LGAC’s Revitalizing Communities Workgroup held several workgroup meetings to discuss the charge and get further information from other local officials on the charge questions.

Local governments utilize several valuable practices in communicating risk to the public, and regularly communicate and engage their citizens on a wide range of issues. This communication includes education and re-education on risks, both big and small. However, re-education arises frequently due to the turnover in local elected officials. Julie Ufner of the National Association of Counties pointed out that “*there is a sixty-percent turnover in elected officials, especially at the local level.*” The newly elected leaders must be trained on the best risk communication strategies.

***Local elected officials, in coordination with other agencies, must actively engage in seeking out information about critical questions, such as sharing and dissemination of information.***

### EPA Efforts on Risk Communication

The goal of risk communication is to enhance the public’s understanding of environmental, public health and public safety risks and the agency’s actions to address those risks. EPA seeks to advise and provide guidance on risk communication efforts and to create a dialogue about what will work at all government levels, including clearly communicating the role of the EPA.

***EPA Administrator Andrew Wheeler established a Risk Communications Workgroup to provide a forum to meet with state, local and tribal leaders across EPA offices and regions.***

### EPA’s Workgroup on Risk Communication

According to Andrea Drinkard, EPA's Risk Communications Workgroup Senior Advisor in EPA’s Office of Public Affairs, “*Coordination is really critical to successful risk communication.*”

For all levels of government to be on the same page and increase access to information, local officials often need to maintain contact with different government offices. Local government officials identified that an important strategy of risk communication is to keep the message as simple as possible and actionable.

Overall, local governments are often the chief authority in assessing local vulnerabilities, conducting risk assessments of potential impacts, and the first to take the needed action to mitigate those risks. Like the EPA, local governments should also continue conducting focus groups to evaluate both public safety, health risks, and economic risks. Community leaders who interact with a diverse group of residents can better understand the emotions and values that affect how individuals perceive and respond to risk.

***Together local governments can explore various solutions and make decisions that are best for their families and the community in the short term and for the future. Good risk communication is an essential element of healthy communities.***

## **Summary of LGAC's Risk Communication Dialogue**

### **Federal Practices to Continue**

Risk communication is one of EPA's top priorities and is the focus of a cross-agency effort to enhance the way that EPA communicates risk with the public.

The role of the federal government became clear when the problem of lead in Flint, Michigan's drinking water came to light. Even though Flint's water has been meeting federal "lead action levels" for almost two years now, communication and trust issues caused by misinformation continue. In the last few decades, the Freedom of Information and National Environmental Policy Acts have, in effect, provided for government risk communication by requiring federal agencies to transfer information they possess on risk to the public upon request.

Congress and federal agencies have created an additional form of risk communication, which requires other persons or entities to produce and distribute certain information on the hazardous materials and activities to third parties, such as employees, product users, and the representatives and residents of communities creating 'right to know' information. For example, the Federal Emergency Planning and Community Right-to-Know Act, administered by EPA, requires companies producing or using designated hazardous chemicals to provide state and local communities and the EPA with information about the chemicals, accident risks, spills, and other actual releases of the chemicals. This information will help to educate the recipients and enable them to develop emergency response plans and other strategies for protecting public health and the environment. The law expressly provides for public access to the information disclosed by industry. CERCLA also requires notification of risks regarding superfunds sites.

***"Risk communication goes to the heart of EPA's mission of protecting public health and the environment," according to EPA Administrator Andrew Wheeler. "We must be able to speak with one voice and clearly explain to the American people the relevant environmental and health risks that they face, that their families face and that their children face."***

### **Commitment to Federalism**

A federalism approach to communicating risk is the most practical approach. It addresses the wide geographical area, diverse regional conditions, and traditions of strong state and local governments and volunteerism. It also follows the conviction that the federal government should reinforce, not replace, state, local, tribal and nongovernmental efforts.

State and local governments have emergency response plans, specifically designed for their jurisdictions and have authorizations in place for their implementation. Each state has the authority to delegate its authorities and responsibilities for emergency response between

statewide and local public bodies (e.g. municipalities and counties). The plans emphasize the federal government's role in coordinating national activities, not in directing how and what individual communities do in the event of an emergency. Generally, communities prepare to manage a local emergency largely by themselves for up to 72 hours or until substantial federal assistance can be mobilized and deployed to the scene.

For example, the White House under the Trump Administration, invited county commissioners from across the country to hear first-hand about their concerns. Mayors and tribal leaders were also engaged in this initiative. This approach of hearing from local leaders in an early, consistent and meaningful manner, whether it is for proposed rule, a guidance document or other materials, builds trust before a risk emerges. By taking input through formal consultations, the EPA will be able to get ahead of the risks, which helps to establish trust and make sure there is ample opportunity to have local leader's voices heard.

***The federalism approach includes proactive outreach, formal consultations and conducting focus groups around the country by the EPA to find the best practices on communicating big and small risks.***

### Building Credible Scientific Data

Building a shared understanding of findings among scientists, policy makers, and the public is a challenge. Access to the best credible data on environmental and public health risks is critical to local leaders. They must be able to make and support informed decisions and to clearly communicate the risks to citizens that will protect human health and the environment.

Scientific information is more useful if it is easily understood. The use of clear, non-technical language to discuss risks and indicating the magnitude or severity of the risk is paramount. Scientific uncertainty is difficult to communicate, especially with the public's demand for clear and reliable information. However, clearly stating any uncertainty is crucial to building trust and successfully communicating risks.

***An important aspect of communicating risk is to strike the right balance between informing and alarming. Communicating scientific facts rather than individual opinions is critical.***

## Adaptive Communication Tools

Providing easily understood definitions and imagery, where appropriate, is often helpful to understanding the science of the risk. The use of familiar frames of reference to explain how much or how small the risk is and creating a mental picture of such measures as “parts per billion” or “tons per day”, is helpful.

## Role of State, Local and Tribal Health Departments

State, tribal and local public health agencies are the “backbone” of the public health system. They are diverse and their regulatory authority is varied and complex. There are 51 state departments of health (including the District of Columbia), and countless local government and federally recognized tribal health departments. Local control of public health efforts has numerous benefits that are lost when local power is preempted. For example, local policy makers can craft laws that address the unique needs of their communities, which fosters innovation and allows diverse communities to adopt appropriate protections, rather than accepting a one-size-fits-all, top-down standard. The federal government has very broad authority to preempt. Preemption occurs when, by legislative or regulatory action, a “higher” level of government (state or federal) eliminates or reduces the authority of a “lower” level over a given issue. The only way to guarantee that a federal, state or tribal law will not preempt state or local laws is to include a non-preemption clause (also known as a savings clause).

For example, a federal law might state: *“Nothing in this law preempts more restrictive state or local regulation or requirements.”* Local officials exercise greater autonomy in governing localities and generally have more flexibility and authority to adopt and implement public health policies. Local officials are also critical to and responsible for getting health and environmental information out to the public. Likewise, the lines of communication should be direct to get information to the local health authorities.

## LGAC Findings and Recommendations

- 1) **Link accessible services in a transparent, timely, and easy-to-understand manner** to build trust, acknowledge uncertainty, address affected communities, and disseminate information using multiple platforms, methods and channels.

### **An Outdated Town Warning System Fails to Alert Citizens**

Outdated communication systems often-go unnoticed until an emergency or disaster strikes. Such is the case of the small town of Sparta, Missouri. There is a hand-operated tornado warning siren situated on a telephone pole in the center of town of 1,900 people. The mayor is the only person who can flip the switch.

At 1:00 a.m. on October 21st, Mayor Jenni Davis received an alert that Sparta was in the path of an EF1 tornado, but a downed tree kept the mayor from getting downtown to flip the alert activation switch. In most communities, tornado warning systems are activated remotely. The town was fortunate in that there was minimal damage.

The mayor is making plans to replace the antiquated siren with an updated warning system that could cost the town \$50,000.

Providing for updated risk communication systems can have high costs for small, rural and disadvantaged communities. Pre-planning can help determine what is needed and identify funding mechanisms.



- 2) **Coordinate for successful risk communication**, as all levels of government need to be on the same page and giving the same information.
- 3) **Communicate regularly and engage citizens on a wide range of issues** to educate and re-educate on risks, both big and small.
- 4) **Identify specific roles for each government level** before an emergency or hazard happens. Diagramming these roles assists with assigning various roles and actions.
- 5) **Communicate to the public with explicit information** about uncertainties associated with risks, events and interventions, and indicate what is known and not known at a given time.
- 6) **Tailor information and communication systems to the needs of users** and, to assist with the flow of information to communities, **involve local officials**.
- 7) **Promote messages that have specific actions people can take** to protect their health and safety.
- 8) **Avoid discussion of statistical probabilities**. Statistical information can be useful for scientists, but for the general public it might be confusing and miss the intended purpose of the communication. It would be helpful to have clear communication. For example, if the risk is low, say, “the risk to the public is low” or “to avoid risk do the following”.
- 9) **Identify people in the community that are trusted and build relationships** with them and, where possible, involve them in decision-making.
- 10) **Engage all public health agencies**, such as Center for Disease Control (CDC), National Institute of Health (NIH) and Bureau of Indian Health in coordination so that all information can be readily accessible, and actions are coordinated.
- 11) **Refine and develop clear communication tools**, such as a template to be used by state and local officials.
- 12) **Develop training programs and modules** for the purpose of targeting emerging contaminants of concern and the impact of climate change.
- 13) **Provide Federal Advisory Committees on risk communication** materials, tools and actions needed.
- 14) **Provide examples** such as the Center of Disease Control’s pocket reminder <https://emergency.cdc.gov/cerc/resources/pdf/cerc-wallet-english.pdf>

- 15) **Continue to improve internal consistency to communication** processes, identifying best practices, and strategies.
- 16) **Provide mandatory training for regional offices** on how to communicate risk to the public.

### **Social media as a tool**

- 1) **Social media can be an effective tool in getting information out quickly.** If response agencies and organizations are not engaged, the media will find other sources via social media to comment on the risk posed to the community. Not engaging with social media can have the same effect as not returning a reporter's call. Being proactive and getting information out quickly is good, but it is important to make sure that the information is also accurate.
- 2) **Access to information by under-served communities is essential.**
- 3) **Lack of access to technological information hampers communications** at a time where social media is one of the more effective communication strategies.
- 4) **Use of other technologies, such as a mass text alert,** to inform citizens of a risk to their safety.

### **Local Practices to Continue**

- 1) **Use clear** and simple communication tools/messaging. An example of this is used by New York city in posting hazards for fishing. A sign with an 'X' over the fish was very helpful in communicating the hazards of eating fish caught from that waterway.
- 2) **Evaluate, monitor, and set measurable outcomes** on a routine basis for improved risk communication.
- 3) **Assess local vulnerabilities** to help mitigate risks in advance of hazards by conducting risk assessments of potential impacts, including limited English language capabilities.
- 4) **Conduct focus groups** at the federal and local level, which can be very helpful in evaluating both public health, safety, welfare and economic risks.

### **Establishing a Relationship of Communication and Trust**

#### **LGAC Recommendations to the EPA:**

- 1) **Develop closer ties to communities in advance of an event that poses risk to a community,** using a variety of tools, such as:
  - **Send out regional officers to hold meetings** and establish local relationship;
  - **Attend local events** and be a presence in the community

- **Get to know elected officials**
- 2) **Accept and work with state, tribal and local governments as equal partners** to inform, dispel misinformation and, to every degree possible, allay fears and concerns.
  - 3) **Continue to work to assist communication between tribes, states and local governments** while honoring Indian treaty rights and responsibilities.
  - 4) **Be cognizant of tribal treaty rights and jurisdictional issues.**
  - 5) **Fully acknowledge the co-regulatory role of state, tribal and local governments** in communicating risks.
  - 6) **Work toward being a resource agency to local communities** rather than a regulatory agency.
  - 7) **Have experts on hand who can facilitate and answer questions** to better ensure that informational voids don't develop. When needed, those experts will be relied upon to avoid giving non-conclusive information and to avoid saying "we don't have that answer" or "we'll have to get back to you".
  - 8) **Avoid giving cost information**, but rather **focus on the benefits** to be derived. If costs are an issue, give respect for the need for responsible stewardship of public funds.

### Rural America and Environmental Justice Communities

#### **LGAC Recommendations to the EPA:**

- 1) **The EPA should enhance its work to provide better access to information in rural America and in underserved communities.**
- 2) **Incorporate LGEAN (Local Government Environmental Assistance Network) risk communication** as part of its toolkit for local government information.

### Federalism

#### **LGAC Recommendations to the EPA:**

**Enhance EPA's work to drive environmental improvement throughout the country and to empower the officials who are closest to citizens.** This work should apply to all of EPA's work. It is particularly important to provide information during times of environmental, public health and public safety crises, and to communicate risks so that local officials can make good decisions.

## Improving Risk Communications

### **LGAC Recommendations to the EPA:**

- 1) **Clarify the roles of decision-makers** on risk communication, as it is essential to improve risk communication.
- 2) **When communicating risk information, provide background and relevance of the risk** for the community and along with context for the danger of the risk.
- 3) **Support a science-based standard while recognizing that some decisions** may be influenced by politics.

## Incorporating Cumulative Risk Assessments

### **LGAC Recommendation to the EPA:**

**The EPA should use comprehensive cumulative risk assessment methodologies** that also factor in socioeconomic determinants. The LGAC finds that cumulative risk assessment is a critical precursor to communicating risk. This kind of assessment takes exposure and vulnerable populations into account, along with the fact that all adults in the United States already have a “body burden,” or some level of exposure to these or related chemicals. This information should also be communicated so that vulnerable populations and populations at risk can take appropriate actions to reduce harm.

## Developing Easily Accessible and Easy to Use Analytical Tools

### **LGAC Recommendations to the EPA:**

- 1) **Develop easily accessible tools** for wide-spread use to determine the risk quickly.
- 2) **Develop analytical tools** to easily identify the risks of contaminants of emerging concern, such as PFAS and others.
- 3) **Work on tools** that will assist in gaining a better understanding of the environmental, economic and public health costs of risk and exposure.

## Developing Best Practices

### **LGAC Recommendation to the EPA:**

**Work on gathering best practices** of state, tribal and local governments and share these best practices widely.

## **LGAC BEST PRACTICES EXAMPLES**

### **1) New York City Signage**

The city of New York City developed signage to post on the river and waterways to warn the public about the dangers of eating fish. The city, recognizing the diverse population of the city, decided to use signage as one means to communicate the danger of eating fish. The sign simply had a fish drawing with a crossed line through it. This signage along the Hudson and other waterways in the city worked very well especially among non-English speaking communities and environmental justice communities most at risk. Dr. Hector Gonzalez, M.D., Director Health, City of Laredo, Texas explains; *“People understand simple communication tools and that outreach in ways that the community understands is important to communities and their concerns.”*

### **2) Severe Weather Warnings in Ramsey County, Minnesota**

Emergency Management and Communications professionals at Ramsey County work together to promote a common message to citizens as the National Weather Service (NWS) declares severe weather warnings. In anticipation of any event, Emergency Management continually tracks developing weather patterns. These staff follow a 24/7 protocol to advise multiple Communications staff of developments as they approach “warning” status. When “warning” status is activated, Communications staff instantly activate public messages across all communications channels utilizing pre-set templates to amplify and share the actual content provided by NWS. Those channels include activation of an “Alert” banner on the county’s public and employee web sites and sharing the NWS message on social media with the county’s tens of thousands of followers – these include broadcast and community media outlets. When appropriate, the NWS message is augmented with event-specific localized messages and links to more information – for instance for an extreme heat warning, content will include tips to stay cool and links to a list and interactive map of cooling centers in the county. The county also schedules public and employee communications around annual campaigns from federal and state agencies to generally raise awareness of public health and safety topics. Executing this approach consistently for all NWS warnings ensures that county residents, stakeholders and employees trust that they can rely on Ramsey County as a timely and value-added information resource.

### **3) Toxic Algal Blooms in Jackson County, Mississippi**

Media reports of harmful algal blooms started in the spring of 2019, with many news stories mentioning the blanket closing of beaches and dangers to aquatic life. The initial media attention scared a lot of people away from visiting the coastal area due to the lack of specific details. The region’s tourism agency *“Coastal Mississippi”* took it upon themselves to fill in the blanks by clearly communicating the risk of individual activities and visiting certain locations. The tourism agency generated various documents, including a fact sheet made available to those working in the tourism industry to answer basic questions about which activities were still

allowed, a one page press release with several links to beaches still open and acceptable activities, and an easily accessible fact sheet with information for businesses and tourists to reference. *Coastal Mississippi's* work to accurately communicate up to date information about closures and activities still available for recreation helped mitigate the losses to the region's tourism economy while keeping tourists and residents safe.

## CONCLUSION

An important part of EPA's mission is to improve risk communication. Part of that involves improving communication at an intergovernmental level. The federal government must establish a relationship of communication and trust with state and local governments and should consider special efforts to establish trust with tribal governments. It is important to honor treaty rights and trust responsibilities, as well as tribal laws, rules, and regulations.

Additionally, the federal government and its agencies struggle to connect to rural America. In the past few years, rural America viewed the EPA as a public enemy rather than a valuable resource. The agency can establish a more trusting and beneficial relationship with rural America by sending regional officers to hold meetings, attend local events, and become a presence in the community.

Another concern is the messenger in risk communication. In times of risk, the messenger must have relevance in the community as well as trust of the citizens. The messenger must be knowledgeable of the context and danger of the risk.

The LGAC believes that the first step for improving risk communication is giving control of environmental improvement to local governments. Empowering local governments to make decisions and drive the implementation plans, helps the people who are closest to the citizens.

Social media is a modern tool in risk communication. However, new technologies lead to a tendency of getting information out quickly, and sometimes at the expense of getting information out with the highest accuracy. Secretary Jeff Witte defined risk communication as "*a twenty-seven word, nine second sound bite.*" People want information as soon as possible, which can cause the spread of panic or misinformation. Following an earthquake in Napa Valley, people feared exposing their plants to the trihalomethanes in tap water. Additionally, underprivileged communities have limited access to social media, which hampers communications at a time when social media is one of the more effective communication strategies.

The LGAC commends the EPA and Administrator Wheeler for their efforts to improve risk communication and engaging all intergovernmental partners.