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II. Education and Outreach

A. Introduction

As noted in Chapter I, DES believes that a multi-faceted approach is the best way to encourage, maintain, and go beyond compliance with environmental laws. This chapter presents DES's various education and outreach activities, with reference as applicable to the interaction between the approach and specific compliance assurance activities or objectives.

At times, education and outreach activities overlap with technical assistance activities. For example, a seminar might cover a topic in such a way that an attendee can implement improvements at his or her facility based on the presentation, even though the primary focus of the seminar was more general education and outreach. For purposes of this discussion, education and outreach activities are deemed to be those whose primary audience is the public at large or a broader group of regulated entities, rather than those which focus on site-, activity-, or facility-specific compliance-related advice.

B. DES Public Education and Outreach Strategy

As reflected in DES's Strategic Plan Goal #9, Public Education and Partnerships, DES believes that educating the public as well as the regulated community is essential for protecting the environment. The objectives developed by DES to implement this goal include:

Operating a Public Information and Permitting (PIP) Office as a centralized DES public information resource center and library;

Developing public information displays;

Creating and disseminating educational outreach materials;

Conveying DES's environmental messages to the public via the media;

Initiating and participating in conferences, workshops, hearings, and training forums;

Creating and implementing educational efforts directed specifically at target audiences; and

Fostering partnerships with state and federal agencies, municipalities, environmental organizations, and other groups to help implement DES's outreach objectives.

Throughout each year, DES staff frequently undertake education and outreach activities of the types listed above. The majority of such activities are directed to the public at large as well as to a broad range of people more directly impacted by environmental laws, such as municipal officials, industrial hazardous waste managers, pollution control facility operators, and individual shoreland property owners. The activities are designed to elevate awareness and instill a sense of personal responsibility and, ultimately, to foster compliance. Routine inspections, permit application processing, and other DES endeavors also typically incorporate education and outreach. Thus, these activities also are a key component of DES's compliance assurance goal.

In addition to providing more general information to a larger audience, many education and outreach activities play a more direct role in promoting compliance with environmental laws and in addressing violations that have occurred. DES inspectors frequently carry fact sheets on topics that are anticipated to be of concern to property owners and facility managers. DES settlements of administrative fine actions sometimes include as a condition of settlement that the Respondent attend or sponsor a continuing education seminar covering the area from which the underlying violation arose. If DES notices a pattern of non-compliance throughout a regulated sector, a seminar specific to that topic can be prepared and presented.

C. Providing Essential Information

1 Public Information and Permitting Office

In order to coordinate education and outreach efforts within the agency, DES's enabling legislation (RSA 21-O) established a Public Information and Permitting Unit ("PIP") within the Office of the Commissioner. PIP coordinates DES's numerous permit programs for major projects and is responsible for preparing, coordinating, and disseminating informational material to the regulated community as well as the general public. PIP plays a quality control role for documents created at DES that are intended for the public, including specialized newsletters, fact sheets, and materials placed on DES's web page. PIP also maintains all current DES rules and a library of other DES publications, copies of which are available to customers who visit the new Public Information Center ("PIC") on the lower level of DES's offices at 6 Hazen Drive in Concord, as well as to people who request information by mail or telephone.

2. Printed Outreach Materials

a. Fact Sheets

DES has developed an extensive array of environmental fact sheets, on topics ranging from summaries of DES's air quality, water quality, and waste management rules, to procedures for remediating contaminated sites, to tips on how citizens, municipalities, and businesses can help protect the environment. Virtually every DES program has developed fact sheets. Existing fact sheets are revised and new fact sheets are created as necessary to provide accurate, up-to-date information. The PIP Office lists each fact sheet in its quarterly *DES Publications Directory*. Also, each fact sheet is accessible in its entirety through DES's web page.

In addition to being available over the Internet, fact sheets are disseminated at the DES PIC, through the mail, at conferences and training sessions, and during inspections. Fact sheets are not only distributed as a way to prevent violations, they are also given to violators of DES rules to provide them with information relevant to their area of non-compliance. Examples of fact sheets distributed for compliance purposes include:

- "Managing Demolition/Construction Debris"
- "Requirements for Owners of Regulated Underground Storage Tanks"
- "Liability and Responsibility of Dam Owners"
- "Identifying DES Wetlands Jurisdictional Areas"
- "Shorelands Under the Protection of the Comprehensive Shoreland Protection Act"

- “Replacement of a Failed Subsurface Disposal System”
- “State Alteration of Terrain Permit Requirements”
- “Protecting Groundwater from Floor Drain Discharges”

The education and assistance activities of DES’s compliance assurance program rely heavily on the creation and dissemination of the agency’s highly informative fact sheets.

b. Reports, Guidance Documents, Directories

In addition to fact sheets, more comprehensive reports and guidance documents facilitate DES’s education and outreach efforts. As with fact sheets, these documents fulfill a role both in preventing violations and in remediating them. A number of “best management practices” provide guidance for complying with requirements and going beyond compliance using pollution prevention, the *Guidebook for Environmental Permits* assists prospective permit applicants to identify applicable regulatory requirements, and various directories provide listings of DES publications, organizational charts, and other helpful information. Examples of documents produced for compliance purposes include:

- “Guidance Document for the State Permitting of Municipal Solid Waste Landfills Regulated under Federal Rules (40 CFR 258) in New Hampshire”- March 1996
- “Best Management Practices for Control of Non-Point Source Pollution”
- “Automotive Repair and Refinishing Environmental Compliance Manual”
- “Guidance for Managing Asbestos Disposal Sites”

c. Newsletters

DES publishes a host of newsletters. Some, like *Environmental News*, are general purpose newsletters designed to reach a broad audience that includes environmental consultants, legislators, government agency officials, industry officials, and anyone else who wishes to be placed on DES’s mailing list. Others are specialty newsletters targeted to specific audiences. *Supply Lines*, for example, created by DES’s Water Supply Engineering Bureau, is distributed to water supply operators statewide, providing them with the latest state and federal regulatory requirements as well as technical updates. Examples of other specialty newsletters include *Wastelines* (which includes the former *Pollution Prevention Update*), *The Rubbish Resource*, and *GreenWorks*, an environmental tip sheet sent to every newspaper in the state, usually printed verbatim by most of the weekly newspapers. Another newsletter, *Small Business Environmental Advocate*, is issued quarterly by DES’s Small Business Ombudsman to convey regulatory and technical information designed to help small business owners comply with state environmental requirements.

In addition to preparing DES publications, DES staff frequently contribute to outside publications such as newsletters published by industry or business associations.

d. Administrative Rules

Rules adopted by DES are printed and distributed through DES’s PIC. Depending on the circumstances, they also may be provided to violators and potential violators by DES inspectors

and other staff involved in compliance assurance. New Hampshire administrative rules can be accessed through Webster, the State's Web site; DES rules also are accessible through DES's Web site, www.des.state.nh.us. Rules frequently are made available at DES workshops and training courses, along with other printed materials. There usually is a modest charge for a set of rules, to cover printing costs.

Outreach and education after new rules are adopted are important to achieving and maintaining a high compliance rate. Just as important, though, is seeking input from the public and regulated community during the process of developing new rules and rule revisions. DES seeks such input in a variety of ways. For many rules, DES directly invites people who represent a range of interests that may be affected by the rules to serve on a work group to help draft rules or otherwise provide input on a draft rule. In addition to or in lieu of convening a specific group, DES sometimes will publish a "Request for Advance Public Comment on Subject Matter of Possible Rulemaking" in the *Rulemaking Register*, which is published weekly by the NH Office of Legislative Services, Division of Administrative Rules and is available by subscription by contacting that office at (603) 271-3680. The Request for Advance Public Comment is a general notice that informs people that an agency is considering writing and adopting rules on a particular subject and invites people to provide comment in advance of the formal rulemaking. Also, DES presents all proposed rules to the appropriate Council for review prior to initiating the formal RSA 541-A rulemaking process (for example, proposed solid or hazardous waste rules are presented to the Waste Management Council, proposed wetlands rules are presented to the Wetlands Council, *etc.*). Proposed rules thus appear on Council agendas, which are posted at the State House or LOB, in the lobby at 6 Hazen Drive, and on DES's Web site.

The *Rulemaking Register* also contains rulemaking notices from all state agencies (including DES). The Rulemaking Notice is the official public notice that an agency has commenced a formal RSA 541-A rulemaking proceeding, and an invitation to attend the public hearing or submit written comments during the public comment period. The date of the hearing and deadline for written comments are specified in the Rulemaking Notice. The *Rulemaking Register* also periodically publishes a list of rules recently adopted by all state agencies.

To help keep interested people informed on the status of DES's various rulemaking proceedings, DES is developing a section of its Web site that will contain information on the status on pending rulemaking proceedings.

3 Education and Outreach Through the Media

DES reaches out to its stakeholders, the regulated community, and the general public through newspapers, magazines, television, radio, and the Internet.

a. Press Releases

DES frequently reaches out to the regulated community and the general public by issuing press releases. Over 100 press releases are issued each year, for example to announce new rules and to provide information on upcoming hearings and conferences, program milestones, and other subjects designed to keep the regulated community and the public informed of DES's environmental protection activities.

Press releases are also used to announce the initiation and/or resolution of significant enforcement actions, and so play an important deterrent role in DES's compliance assurance efforts. For cases being handled by the AGO, enforcement-related press releases usually are issued by the AGO after review by and input from DES. Similarly, for cases where DES and EPA are working together on a case, the lead agency will issue the enforcement press release after providing an opportunity for review and comment to the other agency. Typically, all enforcement-related press releases include quotes from a DES official, such as the Commissioner. These quotes usually note the importance of the specific environmental laws violated, and emphasize that DES's enforcement actions should be seen as a clear message that violations will not be tolerated.

b. Interviews

DES conveys environmental protection messages, including regulatory requirements, through interviews with reporters from the various print and audio-visual media. Hundreds of interviews are given each year, providing the public with DES's perspectives on issues and events and information on DES regulatory and educational programs. The PIP Office fields about half of all media inquiries, while the rest are handled by program administrators and staff throughout the agency. DES has a reputation for being responsive to virtually all media requests for interviews and information, and the agency is respected for its openness and helpfulness. Rapport with reporters is generally very good, and is reflected in the usual accuracy of their articles.

DES's media outreach practices are particularly valuable in assisting the agency to convey regulatory compliance information. Media interviews often focus on specific DES enforcement actions, providing a forum for educating both the public and the regulated community on environmental requirements and DES enforcement activities. Some of these media inquiries are precipitated by agency-issued press releases.

c. Public Service Announcements, Training Videos

DES also periodically creates Public Service Announcements (PSAs) that are aired on television and/or on radio. Recent examples include shoreland protection PSAs, both video and audio, as well as air pollution prevention PSAs aired on radio stations statewide.

Non-PSA videos have been developed that have also proven successful. For example, "Road to Remedies: Responding to Hazardous Waste Emergencies" provides training for emergency responders at both industries and municipalities. Notably, it was funded by a hazardous waste violator as part of a civil penalty settlement between the violator and the State, and it was created under the direction and guidance of DES waste management officials.

d. DES Web Site

DES's Web site continues to emerge as a powerful outreach tool. By calling up www.des.state.nh.us, New Hampshire's regulated community along with all citizens can tap into a wealth of information critical to compliance assurance. From rules to fact sheets, event calendars to press releases, program descriptions to Q & A sections, DES's web site has become an invaluable tool for meeting a variety of educational needs. It is increasingly referred to by DES

inspectors, permit engineers, and others to carry out their duties. Ease of access to useful information is critical to compliance assurance operations, and the information available through this web site now encompasses virtually every DES program. The site's logical format, coupled with key links within and without, facilitates and expands its user friendliness.

To increase the utility of the Web site in an enforcement context, in 1999 DES began posting each Notice of Proposed Administrative Fine and each Notice of Decision issued for an administrative fine case. Consideration is also being given to posting each administrative order that is issued. Posting this information is seen as a way to better inform the regulated community and the general public about actions DES is taking, without investing the resources necessary to create and disseminate a press release for each case.

4 Speaking Engagements, Workshops, Training Courses, Conferences, Trade Fairs, and Displays

Providing information can be facilitated through meeting with people in a group setting, and DES is extremely active in this arena. In a typical year, DES personnel speak at over 200 events (not including workshops and conferences) for the regulated community and others. Topics covered in these presentations include air pollution, dams, lakes, pollution prevention, rivers protection, shoreland protection, waste management, wastewater treatment, water supply, and wetlands. This type of communication well serves DES's compliance outreach objectives.

Many DES workshops, primarily geared to the regulated community, punctuate the calendar each year as well. Examples of workshops include seminars for dam owners, marine contractors, underground storage tank contractors, and site remediation consultants.

Training sessions also are numerous, providing the environmental community with valuable education designed to maintain compliance with DES rules. Each year, 25 training classes are conducted at DES's training center in Franklin for wastewater treatment plant operators. Also, a 12-week training course for water supply operators is offered annually, as are courses on specialty topics like surface water treatment methods. In the waste management field, a variety of training is offered, including an annual series of workshops for solid waste facility operators. In 1998, for example, DES conducted 23 solid waste management workshops throughout the state, focusing on 16 different topics and serving nearly 1,000 attendees from the regulated community.

Conferences and trade fairs provide another opportunity to reach out to the regulated community with compliance information. DES routinely participates in a variety of such fairs and coordinates several of its own each year. Notably, DES conducts a drinking water fair and co-sponsors (with UNH) a pollution prevention conference each spring, and holds a water expo and a solid waste management conference every autumn.

Informational displays also can be useful in educating the general public and regulated community, and DES uses this medium frequently. At conferences, workshops, and fairs, as well as in DES's lobby, displays regularly serve to impart information. From asbestos abatement to air pollution control and from wetlands protection to waste management, displays allow viewers an opportunity to gather information and learn about the State's environmental protection programs.

5 DES Toll-Free Telephone Numbers

In addition to all of the other types of assistance offered, DES has toll-free telephone numbers that people can call for information, as follows:

a. Air Resources

Dialing 1-800-498-6868 connects the caller to the main receptionist for DES's Air Resources Division, who can then transfer the caller based on his or her inquiry to the appropriate program or staff.

b. Ozone Information Line

DES maintains an Ozone Information Line in cooperation with the NH Department of Health and Human Services and the American Lung Association. During months when ozone levels may rise to unhealthful levels, callers can dial 1-800-935-SMOG (1-800-935-7664) to hear the daily expected ozone level and whether health precautions are recommended. During the colder months, the Information Line provides general information about the Line and telephone numbers to call for further information.

c. Small Business Assistance

The Small Business Technical Assistance Program ("SBTAP") provides assistance in complying with environmental requirements, with an emphasis on air-related requirements, to small businesses in the State. The SBTAP can be reached by calling 1-800-837-0656.

d. Used Oil Disposal

Up-to-date information on proper disposal of used oil, including locations that collect used oil, can be obtained by calling 1-888-TAKEOIL (1-888-825-3645).

e. Pollution Prevention

In-state callers can reach the New Hampshire Pollution Prevention Program, housed in DES's Waste Management Division, by calling 1-800-273-9469.

D. Promoting an Ethic of Environmental Stewardship

Several outreach activities are designed to foster an ethic of environmental stewardship, especially among the younger generation. DES believes that promoting a sense of personal responsibility for environmental stewardship will pay off in increased compliance with environmental laws.

Environmental Education in Schools

Environmental education in the schools helps DES target impressionable youngsters, who often carry messages learned home to parents and other relatives. DES staff frequently "guest

lecture” for classes at all education levels, and have provided more involved assistance with special projects such as composting.

Under the direction of a full-time DES employee, the agency conducts an active program entitled “Project WET” (Water Education for Teachers). This hands-on curriculum, with a 500-page activity guide, is designed to promote critical thinking and problem-solving skills for making decisions regarding water issues.

Similarly, “Interactive Lake Ecology” (ILE) is a six-week lake ecology curriculum developed by limnologists at DES in conjunction with a Concord teacher. Complete with student handbooks, teacher’s manuals and videos, ILE is used by middle school students across New Hampshire and beyond to understand complex lake ecosystems and how best to protect them.

2. Volunteer Programs

Outreach and education can take many forms. Successful DES-sponsored programs involving the training of volunteers have reaped benefits, both scientific and goodwill, for DES programs and volunteers alike. Most importantly, New Hampshire’s environment has benefitted.

Two highly-acclaimed programs are DES’s Volunteer Lake Assessment Program (VLAP) and its Volunteer River Assessment Program (VRAP). Both involve training citizens, often retirees, in water sampling techniques. Conducted using DES equipment and augmented with specialized DES newsletters and fact sheets, this water quality testing program promotes environmental stewardship while also providing DES with critical data which it uses in annual profiles of New Hampshire lakes, ponds, and rivers. This data also is used to document DES’s compliance with federal Clean Water Act requirements.

A third DES volunteer program, Weed Watchers, is an exotic aquatic plant early-detection program designed to limit the spread of certain noxious non-native species. Plants like milfoil are prohibited by state statute from being transported into state water bodies or sold within the state, with fines assessed for such infractions. As with VLAP and VRAP, volunteer Weed Watchers provide DES with additional capacity to protect our state’s waterways, as well as with the basis to take enforcement actions if appropriate.

Other DES outreach programs involving volunteers include a frog sampling program, a water testing program using Colby Sawyer College students, and Camp EcoNet, a joint DES-N.H. Technical Institute ecology/computer educational program offered each summer.

3. DES Intern Programs

Each summer, DES employs approximately 50 college interns from northeastern colleges. The students work at DES during the summer, providing youthful enthusiasm and additional hands to work on DES projects. The students benefit by gaining sound training in environmental work and something concrete to put on their resumes. The environment benefits by having more people who can be good stewards for the environment.

Another intern program at DES involves a partnership between the Pollution Prevention Program and UNH's engineering department. Chemical engineering students from UNH are trained in pollution prevention ("P2") techniques, then placed in various New Hampshire companies and organizations (including DES) and at EPA for a 10-week period. These students gain invaluable real world experience and provide the P2 perspective for their temporary employers.

A third intern program is implemented by DES's Biology Bureau. During the school year, the Biology Bureau accepts college interns to work on projects for a full semester. The Biology Bureau also accepts Concord High School students to work a few hours each week during April and May for credit.

DES also occasionally accepts interns, who work to earn course credit, from the UNH Justice Studies program, St. Anselm's College, and Franklin Pierce Law Center. These interns typically work on enforcement-related projects, including assisting with field work, preparation of enforcement documents, development of enforcement-related staff training materials and presentations, and rulemaking.

E. DES Public Participation Policy

Public participation plays an important role in the development of environmental programs. Rulemaking and permit decision-making are two areas where DES stakeholders often contribute.

To foster open, ongoing, two-way communication between DES and its stakeholders, DES is adopting a formal written public participation policy, largely to document current practices. Once complete, the policy will be coupled with written guidelines for implementation. Intertwined with DES's education and outreach activities, the policy provides a purpose, direction, and formal framework which will help DES attain its outreach goals. Once final, the Public Participation Policy will be included as **Appendix II-1**.

Assuredly, a public and regulated community that are informed and involved ultimately serves to promote compliance with environmental protection requirements.