

ENVIRONMENT IMPROVEMENT PLANS – AN OVERVIEW

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An Environment Improvement Plan (EIP) is a public commitment by a company to improve its environmental performance. An EIP outlines areas for improvement including actions and time lines. An EIP is usually but not always developed in consultation with the local community in the area surrounding the company's premises. This document discusses the development of EIPs in Victoria between industries and their community neighbours.

One of the fundamental principles underpinning the development of an EIP is people have a right to know about decisions that may affect them. Developing an EIP is a dynamic process and putting the plan together requires effective collaboration with all those involved. Once a plan has been completed it requires ongoing monitoring by the local community and regulatory agencies.

ORIGIN OF ENVIRONMENT IMPROVEMENT PLANS

Historically, environment protection measures have had a narrow and highly regulatory focus, and environmental problems have generally been resolved within this framework.

In many cases, frequently as a result of past planning decisions, either industries or housing have been allowed to develop too close together, causing amenity problems for nearby residents. Conflicts have then sometimes emerged where the

community has rejected outright any plans for industrial developments including plans for environmental improvements. There are generally no winners in these situations, and a traditional regulatory approach has not always worked. Once any statutory processes have been applied, for example a prosecution or infringement notices, the problem can still very often exist. Much depends on the attitude of the company then as to whether or not there is positive change and a willingness to improve its environmental performance.

In an attempt to more effectively deal with these more challenging situations, some years ago, EPA Victoria recognised the value of getting industry and its community neighbours together to attempt to resolve these problems. The concept of environment improvement plans came to be.

WHAT DO EIPS HAVE TO OFFER?

EIPs are a reflection of community right to know. The process of consultation in developing an EIP, if done well, provides for an openness between the various parties that might otherwise be very difficult to achieve. It can also lead to greater mutual understanding and resolution of concerns.

There is a growing number of examples where formerly hostile communities have become much more supportive of local industry. This has led to little if any delays with plant upgrades or further developments. In one instance with the Altona

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Chemical Complex for example, around \$1.8 billion was invested in the area - unopposed, between 1992 and 1995 - a dramatic change when compared to the late 1980s when the local community objected to almost everything the complex wanted to do, including in one case, a bicycle shed.

WHAT IS IN AN ENVIRONMENT IMPROVEMENT PLAN?

Each EIP will be unique to the particular site involved and incorporates specific issues. Any EIP should ideally include the following components:

- undertakings to comply (or even go beyond compliance) with licences and regulations
- emission and waste production standards
- monitoring of compliance
- audits and assessments
- improvement project details including what needs to be done, how it will be done and by when
- provision for upgrading of plant
- assessment of new and emerging technology
- emergency and contingency plans
- enhanced response to community complaints
- community relations, health and safety issues
- community reporting requirements on progress

Implicit in the EIP development process is the willingness of the company and regulators to provide information that can assist in addressing community concerns. There will sometimes be constraints in terms of commercial confidentiality of

some information. It is EPA's experience that the community respects and recognises this. Equally, there need to be actions undertaken by the company to improve its environmental performance.

The EIP document itself should be written as clearly as possible, avoid the use of technical jargon and include site maps and diagrams of production processes to assist in describing the particular industry's operations. A glossary is also an important component, as is having the program of improvements documented in summary form for easy reference.

ENVIRONMENT IMPROVEMENT PLANS - THE PROCESS

What is described below is typically how EPA would advise industry about what to do when developing an EIP. The time it takes to develop an EIP will be very much dependent upon the nature of any prior relationships between the company and the community, and the efforts put into the production of the EIP document. Most EIPs generally take about 12 months to complete.

Getting the process right is critical to the development of a successful EIP. Above all, the process should allow for a truly combined effort in identifying issues and developing plans for improvement. The combined effort comes from the group of people formed to develop and monitor the EIP. This group, frequently referred to as a community liaison committee, usually comprises company representatives, residents, local government, EPA and other government regulators as appropriate.

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The steps to develop an EIP are outlined below.

Identify the need

Typically a company would be making some internal decisions about the value of undertaking an EIP.

Clearly, if there are some environmental impacts on the surrounding community, then some form of dialogue with the community is likely to be beneficial, not only in dealing with any potential conflicts but also in demonstrating that the company is a good corporate citizen and is serious about being a better neighbour.

Make contact with the community

This can be done in a variety of ways. The company may have ongoing contact with its community neighbours over environmental pollution reports, or EPA or the local council may have had reports made directly to them.

In the development of many EIPs, EPA has acted as a broker. This has involved EPA contacting neighbours directly to see if they would be interested in meeting with the company to develop an EIP and then organising an initial meeting. The local council is also invited to participate as are other government agencies that may have an interest. At this meeting, it is useful to ask residents if they may know of other interested residents who might be interested in participating. It has been EPA's experience that this approach has usually been quite successful.

Other means of attracting interested members of the community include letter box drops, advertising in the local paper or the company holding an open day and seeking interest from people who attend. Public meetings are also another option. If that option is

considered, careful planning will be required. If these meetings are not managed carefully, more frustration and anger in the community can be the result.

A final point here is not to assume that the community members who come along will represent the wider community. Sometimes of course, some residents will attend on behalf of others, but it is important to recognise from the outset a truly representative group is not possible. The group that comes together is a group of people who have a common interest – to see the particular industry improve its environmental performance. What is more important, is for the group to ensure that the wider community is regularly kept informed of what is happening, thus providing opportunities for any other comments or feedback. This raises the need for some kind of communications plan, which is discussed later.

THE FIRST MEETINGS

Building up trust

In initial meetings, people need to get to know each other and find out what an EIP is all about. These first meetings can sometimes be heated, particularly if there have been some long-standing problems. If these problems have not been resolved, the community often comes to the first meeting with little reason to trust that things will change. More often than not however, the community has welcomed such initiatives from industry, and people have been willing to be constructive. It is critical for these meetings to be skilfully chaired.

Dealing with technical issues

A common point raised at these initial meetings is that residents sometimes feel they do not necessarily have the required technical expertise to be able to contribute. It is therefore important to communicate clearly and without the use of jargon and industry specific language.

It is possible for residents to contribute to these discussions. They live in the area, experience the problems and may be able to help in tracking down sources of the problem if they are not immediately obvious.

In initial meetings it is often very useful to have a site tour, pointing out problem areas (as well as improvements). This helps put things into some sort of context.

Over time, using this approach, residents' comments and suggestions have led to effective solutions to long-standing problems. At a carbon black manufacturing plant in Altona, Melbourne, some nearby residents experienced vibrations and loud noise in their homes from the plant's operation. After negotiations with the residents, using their feedback, the company was able to find the source of the problem. In the short term the company installed a noise barrier and also changed work practices as it attempted to permanently fix the cause of the problem, which it ultimately did.

THE SUBSEQUENT MEETINGS

Setting the boundaries

In the early stages of the consultation process, it is important to look at some 'ground rules' such as

who will chair meetings, where they will be held, who will take and distribute meeting notes, and how decisions will be reached. Decision-making is a particularly important aspect to consider. Ideally this should be by consensus, and, universally, this has been the way community liaison committees developing EIPs have operated.

Numbers in the group can also be an issue. Ideally about 12 people are a good number, although it is important to have as much resident participation as possible. People do come and go, so having a core group and opportunity for observers to attend can help deal with any number in excess of the optimum.

Do a lot of listening

What is critical, particularly in the early stages and really for the life of the consultation process, is to do a lot of listening and to attempt to see the situation from the community's point of view. This is particularly important when attempting to scope what actions will be addressed in the EIP. Hearing people out and responding openly and honestly to questions are important behaviours to adopt.

It is also important to discuss how any improvements will be funded and/or what funding limitations exist. Some companies have expressed reservations that they will not be able to fund or meet all the expectations of the community. As a rule however, residents have not been unreasonable in their requests and understand that there are limited resources. What becomes the challenge often, is how issues are prioritised, how improvements will be implemented, and what commitment the company really has to the process.

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People will quickly identify if the company (or for that point the regulators) are not treating the issues seriously.

Involve the right staff

In terms of commitment to the EIP and its development, it is important that senior company staff and key decision-makers are involved in the discussions. This is another way of demonstrating to the community that the company is serious about its commitment to the EIP.

As well as senior staff, it is important to also think about involving other employees who actually operate the plant. This provides another level of assurance to the community that the EIP is well understood at all levels in the company.

Be willing to be open to scrutiny

For further building on credibility it is important that there is an openness about having any information scrutinised for its environmental soundness. If this ever becomes an issue, someone who has the confidence of all parties should ideally check the information. Interestingly, as the dialogue builds up and trust begins to develop, this has never become an issue with EIP development. In most cases EPA as the environmental regulator has been called upon to provide comment and this has generally satisfied the community. As the trust grows even further, information provided by the company has been more readily accepted as well.

Develop a communications plan

It is important to recognise that not all the surrounding community will be involved, or want to

be involved, in the development of the EIP. Thought therefore needs to be given about how the wider community will be kept informed. What has worked well in many groups is the regular circulation of a newsletter, documenting progress with the EIP or circulating a media release to the local media, particularly newspapers and radio in regional areas of Victoria. Some companies have also had periodic open days, and many companies have organised a public launch of the EIP once it has been finalised. This is an important way of recognising everyone's efforts. Increasingly companies are using their web site, if they have one, as another medium through which information can be shared.

COMPLETING THE EIP - BACK TO THE BEGINNING

Having produced an EIP, it is easy to think that the process has come to an end. In fact, it is only the beginning. The EIP is a dynamic document that will become integrated into a company's day-to-day operations.

The next stage is for the EIP to be monitored and the community liaison group needs to determine how this will occur. Generally the group meets less frequently and the company reports on specific items in the plan as required. This approach has worked quite well and if any other issues emerge, groups can reconvene more frequently as required.

An interesting outcome of the EIP process has been in how some companies have implemented community right to know principles in other community interactions. Some companies now plan for regular open days, others invite neighbours to visit the plant to attempt to pinpoint particular

problems and have even involved local residents in environmental audits. The EIP process has also been successfully adapted into other company operations, for example engaging its workforce to develop improved occupational health and safety procedures.

Overall, the net result where a company has developed an EIP is that there has been an overwhelmingly positive shift in community confidence about that company's operations and the role of the regulators, so in this way, everyone wins.

CONCLUSION

Historically EIP approaches have proven successful at dealing with complex environmental issues that have been difficult to resolve. Increasingly such programs have been seen by industry as good business practice – a good way of working on a triple bottom line approach. Fundamental to the EIP approach has been the recognition that industries operate within a community and have an obligation to be a good neighbour. Successful development of EIPs has resulted in effective co-operation that has seen win-win outcomes for the community, regulators and industry.

FURTHER READING

EPA Publication 520: *Ten Steps to Successful Community/Industry Consultation*, 1993.

EPA Publication 739: *Guidelines for the Preparation of Environment Improvement Plans*, June 2002.

EPA Publication 740: *Guidelines for Running Community Liaison Committees*, November 2001.