

## **Scope of Services Lead Rule Dialogue**

The purpose of this agreement is to engage the Carl Vinson Institute of Government as a neutral facilitator to conduct a dialogue on unresolved issues concerning the lead rule (Rules for Hazardous Site Response, Chapter 391-3-19) and develop recommendations for consensus-building on further revision of the HSRA rules pertaining to lead clean-up. These recommendations will outline a facilitated process that is advisory and designed to supplement ordinary rulemaking procedures. Recommendations will include a menu of pertinent aspects of the lead rule, a process by which to select focal issues, a tentative decision sequence, and target schedule for completion of the facilitated process.

The facilitator will operate under contract with the Georgia Environmental Protection Division but will serve all stakeholders as a neutral party and will maintain a strictly non-partisan role regarding the substantive issues being considered.

The University of Georgia's Carl Vinson Institute of Government shall do the following:

a. Recruit a broad-based convening committee. In consultation with GAEPD, GIEC, and other interested stakeholders, the facilitator will select and recruit convening committee members primarily from the parties who participated in the process leading to the October 1999 amendments to Georgia's Rules for Hazardous Site Response, Chapter 391-3-19.

The facilitator will conduct a kick-off meeting for the convening to review the scope of services, discuss ground rules for the activities outlined in the scope, identify participants for subsequent interviews, and provide input to help build an interview protocol.

b. Conduct interviews of selected representatives of stakeholder groups. Interviewees are expected to include representatives of EPD and other state agencies, business and industry, non-governmental organizations addressing environmental and health concerns, and local governments, among others. Interviewees may also include sources of scientific expertise and/or regulatory history (i.e., potential resources for fact-finding as part of a facilitated process). The convening committee will develop an initial list of interview candidates, with additional candidates identified through the interview process.

Interviews will be conducted in a confidential manner and specific views will not be attributed by name, position, or organization. In-person interviews are preferred although telephone interviews may be used by mutual agreement of the interviewees and facilitator. Interviews will be conducted using an interview protocol and questionnaire developed by the facilitator. Interviews are expected to explore candidate issues for consideration in a subsequent facilitated process, levels of information and knowledge about lead-related concerns, and opportunities and obstacles to consider in the design of a facilitated process.

Near the end of the interview process, the facilitator will provide the convening committee with a list of interviewees and ask for any additional candidates necessary to ensure that all views are adequately represented. If feasible, a preliminary list of issues and concerns identified in the interviews will be provided to the convening committee at this point.

c. Write a report that presents 1) the facilitator's findings from the interviews and 2) recommendations for a facilitated process to build EPD and stakeholder consensus on potential changes in the HSRA rules pertaining to lead clean-up. If useful, the facilitator may request an interim meeting of the convening committee to clarify or refine the findings.

The findings section of the report will reflect, without judgment, the full breadth of issues, interests, concerns, and expectations of the interviewees. This portion of the report will also include an initial analysis of the frequency of certain concerns, the range of opinions, the consistency of views within and between different groups, and other salient findings.

The recommendations section of the report will include a process to select focal issues from the range identified by interviewees, stakeholder groups to be represented, a tentative decision sequence and timeline, and suggested methods and ground rules for the consensus-building process.

d. Conduct a final meeting of the convening committee to review the facilitator's recommendations for a facilitated process and discuss the starting point for a subsequent facilitated process. If appropriate given the findings, committee members may also be asked for a preliminary indication of degree of commitment to continue the dialogue.

e. The facilitator's report and summary of results from the convening committee's final meeting will be submitted to the EPD Director and convening committee members for further action as appropriate.