Effective Communication: Demonstrating the Need for Open, Honest, and Timely Responses to Stakeholder Concerns

2009 - 2010

Environmental Public Health Leadership Institute Fellow:

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EXECUTIVE SUMMARY:

In the past, there were few regulations dictating operations of manufacturing, industrial, commercial, or small businesses and much of the wastes generated were released into the environment. As more information regarding the impact of these releases on the environment and ultimately public health is gained, many of these sites undergo an environmental investigation and remediation. Some remediation sites are in residential areas as opposed to industrial areas and thus many more stakeholders (e.g., the public) have a vested interest in the actions taken. However, at times the communities affected do not feel as though they are listened to or that their interests are met resulting in a lack of trust and increase in tension between all of the stakeholders.

To understand and help reduce tension between stakeholders (e.g., regulators, elected officials, public) through the entire environmental remediation process, an accidental adversary model was initially considered. This model was used because it was thought the problem was that the community and regulators were not truly communicating. However, after further assessment, it appears that the root cause of this lapse in communication is the regulator's inability to respond to community concerns in a “timely” fashion, thereby fueling the community's mistrust. As the amount of mistrust escalates, more stakeholders and outside influences become involved increasing the time to respond even further.

To address this reinforcing loop, it was determined that a shifting the burden archetype was more appropriate to address the root cause (i.e., the need for staff training) of the mistrust and lack of responsiveness. It is further thought that empowering and training staff will increase the rate of response to a community's concerns, and provide the community a consistent familiar face and name. This in turn will eventually increase the community's trust in the process.

To help promote staff training and thus effective communication, a briefing document template has been created. The intent of these briefing forms is to focus staff on the issues at hand, consider if there is a real reason for concern (e.g., perception of threat to public health versus data to support), and help some staff learn to clearly communicate with all of the stakeholders. Implementation of this plan and the briefing form incorporates two of the Environmental Public Health Standards: inform, educate and empower people about environmental health issues; and mobilize community partnerships and actions to identify and solve environmental health problems.

INTRODUCTION/BACKGROUND:

In the past, there were few regulations overseeing how manufacturing, industrial, commercial, or even local businesses operated and the wastes generated from these activities were released into the environment. As more information is gained regarding the impact of these activities, releases
to the environment, and ultimately the impact on public health, many of these old “sites” need to undergo an environmental investigation and potentially remediation to protect public health and the environment. This means that environmental clean-ups are also happening in residential areas as well as in industrial areas. In residential areas, people are scared and upset that they live near a contaminated site and they know that the work may impact their lives (e.g., increase noise, dust, odors, traffic, light). Therefore, the communities and their leaders want to be involved and have a say in what is happening in their neighborhoods.

However, when environmental regulations were initially promulgated, community interaction and involvement were not considered. Regulations require the state agencies to only consider community concerns and requests. Since the state agencies do not have to act on the communities' requests for information or action, agency personnel may not understand the community (e.g., viewpoint, culture, education). Consequently, the citizens may get infuriated and come to mistrust and resent the agencies. The community may then turn to outside non-regulatory forces (e.g., elected officials and the media) to be heard and seek action.

Since elected officials represent the interests of the community they serve, they will contact their counterparts in State or Federal government requesting that the concerns of their community be addressed. One proven way to alleviate the concerns of a community is to organize local community-based advisory boards; however, these boards have little power as they only can advise, and are difficult to organize quickly and to maintain as the project prolongs. Community members can be better served by being listened to and receiving the information they crave in a timely fashion.

But sometimes the information they receive is complicated, not explained well, not spoken in the community’s native language (e.g., Spanish), or uses complex terminology and concepts thereby raising more questions and a need for more information. If a regulator is unaware of the need for more information, or thinks that the information previously transmitted conveys the data necessary (as required by law) and wants to continue working on the technical aspects of the project to complete it, the regulator may miss the cues that more information is needed. This can lead to more tension because the community may insist on more communication, and the regulators may begin to dismiss the people as uncooperative, unappreciative, or even ignorant. The potential exists that elected representatives and media may increase their involvement; sometimes this involvement results in work stoppage due to many different factors (e.g., lack of funding) and work may not commence again until legal negotiations are implemented, thereby prolonging the threat to public health and the environment.

For examples of how a community responds to environmental clean-ups in its neighborhood, please review the following community-maintained websites:

    Ithaca South Hill Industrial Pollution - www.ithaca_ship.org - A community maintained website providing information about industrial pollution and neighborhoods on Ithaca's South Hill.
Problem Statement:
Through increased knowledge and understanding of chemicals and their effect on public health and the environment, current means of information transfer (e.g., Internet websites, blogs), and regulatory program requirements, communities are more involved and interested in the safety of their neighborhoods. Since it is their community and they remain there long after the state has implemented the selected remedy, the public has a vested interest in the remedial actions taken and should be able to effectively provide insight and voice its concerns. In addition, the public often knows valuable information about the site history and operations so it can assist in guiding investigations. However, at times communities do not feel they are being listened to or understood and a lack of trust and tension between all of the stakeholders develops.

Therefore, despite our efforts and best intentions, why is there tension between the public and the New York State Department of Health's Bureau of Environmental Exposure Investigation within the Center for Environmental Health (Bureau) when overseeing the clean-up of some contaminated environmental sites?

Key Factors/Variables:
One of the underlying factors associated with this tension may be the number of stakeholders involved in the process. As shown in the following table (Table 1), each stakeholder has its own interests, and ability to communicate and work collaboratively to complete environmental remediations while being protective of public health and the environment. Although it is imperative to have a collaborative and comprehensive approach during the entire process of remediating a site, at times different stakeholders have outside influences that interfere with a consistent message thereby creating more tension and diversion amongst the stakeholders.

This is depicted in the following key variables and patterns diagram and further depicted in the shifting the burden archetype causal loop diagram. As shown in these figures, during the environmental remedial investigation and remediation process, there is always some level of community interest, information transfer, agency collaboration to create a consistent message (a.k.a., message control), trust, and political involvement.
<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Current Level of Support</th>
<th>Desired Level of Support</th>
<th>Contributing Factor</th>
</tr>
</thead>
</table>
| Local and Federal Politicians                   | Quiet (0)                | Fully support (2)        | • A dialogue needs to be developed and fostered as opposed to talking at each other.  
• Facilitate open dialogues between the community and regulators as it helps them do their job.  
• The local politicians like to be informed of what is going on as well so that they can easily answer their constituents questions. |
| State (DEC or DOH), Federal (EPA), and County Health Regulators (project manager level) | Moderate (1)             | Fully Support (3)        | • Need to understand that it is part of their job.  
• Feel ill-equipped and are too nervous to effectively communicate with the people.  
• Hide behind policy and regulations, without truly understanding them or their meaning and intent, so they cannot clearly communicate with public.  
• May not fully understand site conditions or issues (environmental/health related) so they cannot clearly communicate with public.  
• Don’t truly listen to, anticipate, and understand communities’ concerns, follow news or community group discussion forums, and therefore do not address the concerns openly and in timely fashion.  
• Need to understand and respect the public’s interest and use them as a resource as opposed to fear them.  
• Need to be prepared and understand their roles and responsibilities when working together through Community Advisory Groups.  
• A dialogue needs to be developed and fostered as opposed to talking at each other. |
| Management/Upper Management                     | Moderate (1)             | Fully Support (3)        | • Understand the importance of communicating and support the effort; however, concerned with any liability associated with the message as well as how the message reflects the current political culture (e.g., republican/democrat; political agenda). |
| Community                                        | Poor (-1)                | Fully support (3)        | • Community does not trust Government in general  
• Community “demands” and tries to “force” the idea of more open and timely communication.  
• Community’s (mis)understanding of the environmental conditions.  
• Community's (mis)understanding of the regulatory program overseeing the remedial process (investigation through site-closure)  
• Need to be prepared and understand their roles and responsibilities when working together through Community Advisory Groups.  
• A dialogue needs to be developed and fostered as opposed to talking at each other. |
| Press                                            | Quiet (0)                | Moderate (1)             | • Want to share information, tell a story, and make a headline  
• Information may not be accurate or be one-sided  
• Stories can promote careers and bring awards |
Behavior Over Time Graph:

- Contributing Factors vs. Time
- Message Control
- Information Transfer
- Trust
- Political Involvement

GAP
Initially, as an environmental remediation begins, there is a limited amount of political involvement. However, as the State Agencies provide information that may upset the community members, or the agencies are not providing a consistent message or responding “fast enough”, the level of community trust decreases and the amount of political involvement increases. Once the elected officials become more involved, they continue to be involved by requesting information updates so that they can answer questions they receive or help disseminate information to the community. In order to provide these updates or meet with the elected officials, the different agency departments may discuss the information to be provided and its presentation. This may result in a delay in the speed of the State's response. However, should a consistent message be conveyed in a timely fashion, credibility and trust would be developed thereby promoting successful communication, and in time, community trust in the agencies is renewed. It takes time to rebuild this relationship, and it can be lost very quickly.

What these diagrams and figures also depict is the idea that more open dialogue (e.g., effective communication), collaboration, and cooperation with all of the stakeholders from the beginning means that the environmental clean-up process could go faster and the community would ultimately have less disruption in their lives.

There are many ways to promote effective communication amongst all of the stakeholders including, but not limited to the following:

- Promote face-to-face meetings between agencies and have more “project reviews”.
- As appropriate (especially for big environmental clean-ups where the community is already involved), involve the Agency Public Affairs Group in project updates so that they can more efficiently respond to outside media concerns.
- Involve local elected officials in some project review meetings and/or, at a minimum, provide them regular updates on progress of work.
- If possible, provide the community with regular information updates.
- Train the staff to feel more comfortable and prepared to perform all aspects of their job.
- If the community asks a question, respond in a timely fashion.

**Cost Benefit Analysis:**

Some of these approaches are “quick fixes” that address the “top of the iceberg” but not the root cause, which as shown in the shifting the burden causal loop diagram means that some staff need to be better trained to understand the effect of environmental conditions to public health and how to effectively communicate these implications, thereby responding faster to a community concern. This suggests that there are opportunities for improvement in communication in the current environmental remediation process. However, there are always benefits and costs associated with change and management.
needs to evaluate whether the benefits outweigh the costs. In this case, change would be beneficial and a phased approach could be implemented.

An argument can be made that there are benefits to making no changes. This argument could be based on complacency by some staff who may not want to increase their workload, may not feel adequately trained, or may not want to admit that they do not know the answers. In addition, not changing the current approach would mean that money would not have to be spent on training staff.

Given the current political and tight economic climate, the stakeholders are questioning the actions of State government even more and the State Legislature is questioning the need for certain agencies as a cost-cutting measure. In addition, staff with institutional knowledge is leaving state service (i.e., retirement) and these positions will not be filled in the foreseeable future.

Therefore, even though resources (e.g., time, effort, money) would be needed to help some staff become more responsive, improving communication during the current environmental remediation process might result in less political oversight and potentially less chance of cuts to the workforce or resources. In addition, implementing change could empower some Bureau staff to work collaboratively and collectively with their counterparts, not fear stakeholders, and be vested in and want to represent the Bureau and its mission “to promote and protect public health by assessing human exposures to contamination caused by releases to the environment, communicating the associated public health implications with stakeholders, and facilitating the implementation of interventions to reduce or eliminate these exposures.”

The Environmental Conservation Law, requires the involvement of the community and other stakeholders throughout the entire environmental remediation process. However, at times the community may wind up resenting and not trusting some Bureau staff thereby almost becoming accidental adversaries (see Accidental Adversary Causal Loop Diagram). One of the reasons for this opposition and resentment is the fact that it can take staff excessive time to respond to sometimes very basic questions due to the internal review process resulting in the community thinking that the State is hiding something or lying to them.

Therefore, although on the surface it might seem as though the real problem is that the community and Bureau staff are not communicating and therefore becoming adversaries, the root cause is really staffs’ inability to respond in a “timely” fashion which results in fueling the community's mistrust. As the amount of mistrust escalates, more stakeholders and outside influences become involved, increasing the time to respond even further.

To address this reinforcing loop, a shifting the burden archetype is more appropriate to address the root cause of the problem; that is empowering and training the staff will increase the rate of response to a community's concerns, provide the community a
consistent familiar face and name, and increase the community's trust in the process. Therefore, although initially it might take more time, money, and effort to initiate a long-term fix of training the staff to be more responsive than just implementing the quick fix, shifting the burden is a more applicable solution to addressing the root cause of the mistrust and lack of responsiveness. In addition, there are many benefits and side-effects to changing the current approach as shown in the Shifting the Burden - Interventions Causal Loop Diagram.
Causal Loop Diagrams and applicable Archetypes:

ACCIDENTAL ADVERSARY CAUSAL LOOP DIAGRAM

- DOH's Ability to respond
  - Additional management/press involvement
  - Community asks questions
  - More pressure/questions from community leaders
  - Rate of environmental clean-up
    - More time to respond
    - Community's ability to be informed
  - Community's understanding and trust

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10 Essential Environmental Health Services:
Whenever people feel as though there is a serious situation or crisis that is affecting them personally, each affected person takes in, processes, and acts on the information received differently. Thus, successful and effective communication, which is based on maintaining credibility and trust, is necessary in helping people through the remedial process. The information may not be easy to digest or understand, but providing accurate and timely information in an open, honest, and sincere manner will help in building trust and credibility. In addition, to truly communicate, a dialogue, inclusive of effective listening, needs to be established and maintained.

Although it seems so basic and simple, effective communication is a skill and key to any successful relationship. In fact, two of the ten essential environmental health services pertain to communication:

1. Inform, educate and empower people about environmental health issues; and
2. Mobilize community partnerships and actions to identify and solve environmental health problems.

With today's technology, there are many ways of communicating with the public, not just using the United States Postal Service, or going directly to the media. It has been shown that using the email, radio, television, internet (e.g., blog, developing and maintaining a website [e.g., http://www.dec.ny.gov/chemical/45036.html]), and Twitter can be an effective means of providing information to the community in a timely manner. It also has been shown that working directly with a community member who maintains a list-serve or even a community website to distribute information is a useful and effective tool (e.g., http://www.ithaca-ship.org).

The most important aspect of these changing times and means of communication is the fact that information can be obtained faster - further highlighting the need for responsiveness. Thus, Bureau staff should be proactive and communicate quickly before people read or hear it elsewhere.

However, with all of these different means of communication, the number of websites maintained by others, the fact that different media sources use websites to generate articles without confirming the information, and the rate at which information can be transferred and shared, the message must be concise and accurate so that it is less likely to be misinterpreted.

In addition, not all of the stakeholders (e.g., community, elected officials, media, internal agency public affairs) may understand the environmental investigation and remediation process including, but not limited to, applicable regulations, interpretation of data, and clean-up standards developed to be protective of public health, the environment, and for the intended property use. Therefore, it is up to Bureau staff to understand all aspects of the process, provide rationale for decisions, and ultimately educate the community; putting the information and situations in context for all stakeholders to understand. It is also up to staff to recognize that being perceived as inaccessible, not knowledgeable, not understanding, not timely (i.e., too little,
too late) in response, insincere (e.g., not meeting deadlines or promises) can destroy a relationship and create even more mistrust and tension.

Although we as regulators know the importance of communication and understand that it is part of our job as public servants, proactive communication entailing sending regular, timely, and accurate updates to all stakeholders, both internal and external; discussing strategies beforehand to provide and keep a consistent message; and being honest and straightforward is sometimes difficult.

Therefore, to gain credibility and promote trust with communities, the following action plan has been developed. Its implementation may help staff become more responsive to all stakeholders.
Project Logic Model:

Goal: To reduce the tension communities may feel and thereby additional work (e.g., respond to elected officials and the media) that can prolong the remedial process by effectively communicating with communities during all phases of an environmental remediation.

Resources

- PARTNERS:
  - DEC-DER
  - DOH-BEEI
  - Local Officials
  - CAGs
  - Community
  - Local Health Departments
  - Media

- FELLOWS/TRAINEES:
  - Outreach & Education
  - Press Relations
  - Staff
  - Supervisors
  - Practice Partners
  - Academic

Activities

- COORDINATE/COOPERATE/COHABITER:
  - Engage community
  - Open dialogue between Agencies
  - Open dialogue (Active Listening) between community, community representatives, agencies

- TRAINING:
  - Understand what is exposure
  - Understand regulations and regulatory programs
  - Understand how to communicate
  - Understand how to actively listen
  - Understand roles and responsibilities

Outputs

- Increased capacity for Agencies to work together and be "on same page"
- Decrease in amount of time to respond to questions
- Decrease number of questions
- Increase trust
- Decrease amount of time to develop remedial strategy

- Increased # of face to face meetings
- Increase # of phone conversations
- Decrease email banter
- Increase # of fact sheets/written project updates

- Increase # of persons trained
- Increase # of collaborative/joint comment letters
- Increase # of phone calls
- Decrease time to respond
- Decrease # of questions
- Decrease # of negative press

Outcomes/Impacts

- Learning:
  - What data is necessary to evaluate exposure
  - How to evaluate data for exposure
  - How to assess/select appropriate remedial measures to reduce exposure
  - How to explain data & chosen remedy to limit exposure

- Behavior:
  - Increased trust
  - Increased effective communication/dialogue
  - Increased response time
  - Less involvement of upper management
  - Less presage
  - Joint response/cohesive (one) face to State

Results:

- More effective communication
- Meet expectations of all stakeholders
- More efficient implementation of remedial process and environmental clean-up

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PROJECT OBJECTIVES/DESCRIPTION/DELIVERABLES:

Program Goal
To reduce the tension communities may feel and the resulting additional work (e.g., respond to elected officials and the media) that can prolong the remedial process by effectively communicating with communities during all phases of an environmental remediation.

Problem
The rate at which environmental clean-ups are implemented is hampered and sometimes stopped midstream when the community becomes too upset and elected officials intervene creating potentially more environmental hazards and exposure-related concerns (e.g., open excavations) than if the job were implemented as planned. In addition, sometimes the additional control measures (e.g., more water used to suppress dust during winter conditions) the community may want in place make the clean-up activities too dangerous for the workers to conduct (e.g., slips, freezing conditions and equipment will slide, removing soil on cliffs as opposed to encapsulate).

Outcome Objective
By December 31, 2010, project managers will focus their reviews, discussions, comments/requests for more information on human exposure and public health. This will enable us to more quickly prepare for public meetings, communicate with people, and collaboratively work with our sister agencies. In addition, by having completed briefing forms, we will be able to more efficiently help others within DOH (e.g., Public Affairs Group, Office of Governmental Affairs, Legal Counsel) answer questions thereby respecting the stakeholders needs and concerns.

Determinant
The number and frequency of repeat meetings or inquiries asking us to explain why actions (including no action) are being taken.

Impact Objective
By February 28, 2010, project managers will use a briefing form that summarizes the issue at hand, the basis for this issue (e.g., pertinent site information including any exposure concerns) and the next steps to address this issue.
Contributing Factors

1. The community, and sometimes the regulators (mis)understand the environmental conditions and associated health-related concerns so they are not clearly communicated.

2. Regulators may espouse policy and regulations without truly understanding them or their meaning and intent, so they cannot clearly communicate with the public; thereby, the community never truly understands the regulatory program overseeing the remedial process (investigation through site-closure) and wants more done than is “required” or appropriate at that time.

3. Regulators don’t truly listen to, anticipate, and understand communities’ concerns, follow news or community group discussion forums, and therefore do not address the concerns openly and in a timely fashion.

4. Regulators and community members need to be prepared and understand their roles and responsibilities when working together through Community Advisory Groups.

5. Better means of communication (e.g., neighborhood web-sites, community chat groups) need to be developed and used to effectively and efficiently convey information. A dialogue needs to be developed and fostered as opposed to talking at each other.

6. Regulators need to develop relationships with the press so the most accurate representation of a situation can be portrayed.

Process Objectives:

1. By February 28, 2010, as appropriate, project managers will utilize a briefing form that summarizes the issue at hand, the basis for this issue (e.g., pertinent site information including any exposure concerns) and the next steps to address this issue. This form can be used to brief the Section Chief or the Assistant Bureau Director prior to their concurrence on a decision document, or prior to briefing upper management (e.g., Division Director) or as recommended by Supervisors.

2. By January 30, 2010, briefing form will be beta-tested and refined.

3. By November 30, 2009, briefing form will be developed.

METHODOLOGY:

Events and Activities

1. Awareness implemented
   - Present briefing form to staff at a Bureau staff meeting – Discuss why this is being implemented, its intent, and how to use it.
   - Distribute briefing form and guidelines.

2. Beta-test briefing form
   - Review and refine briefing form.
• Present briefing form to a few staff with active sites or if a decision document (e.g., Proposed Remedial Action Plan) is being prepared for their use.

3. Develop briefing form
• Center for Environmental Health's Information Technology group helps finalize form.
• Develop briefing form and procedures.
• Obtain Bureau management approval and acceptance of form, its intent, and its use.

EXPECTED OUTCOMES:
1. Focus staff's efforts on the pertinent site information to evaluate if there is a potential health concern.
2. Enable staff and management to better understand the effect of these environmental conditions on public health.
3. Enable staff and management to make appropriate recommendations to address these potential health concerns.
4. Enable staff to more effectively communicate the health assessment and associated recommendations to address the site-related environmental conditions.

LEADERSHIP DEVELOPMENT OPPORTUNITIES:

Susan B. Welt Shearer

Through the EPHLI fellowship experience, I have done a great deal of self-reflection enabling me to grow both personally and professionally. Understanding the basis of systems thinking and associated archetypes, as well as the process of action learning has enabled me to better assess how to address and effectively communicate through different situations. Discussing the results of the Myers-Briggs, Skillscope Feedback, and Change Style Indicator reports with my co-fellows, mentors, coaches within the EPHLI program, as well as those at work and home has enabled me to better understand why and how I communicate and can be perceived. Understanding that the role of a leader is not just to lead, but it is also to delegate and to proactively promote coordination, collaboration, and communication among all the stakeholders. At times there may be friction during this process, but a good leader can enable and empower the interested parties to understand the root cause of the friction and constructively work together to achieve all goals and implement a mutually beneficial solution.

Thus, these tools of self-reflection and understanding the role of a leader, in conjunction with implementing a systems thinking approach, has enabled me to be a better colleague, supervisor, partner and, more importantly, leader. Because of this experience, I have received positive feedback and established a better working relationship with my colleagues.
ABOUT THE EPHLI FELLOW

Susan B. Welt Shearer currently serves as a Senior Sanitary Engineer for the New York State Department of Health's Bureau of Environmental Exposure Investigation within the Center for Environmental Health where she has been employed for three years. Her daily leadership responsibilities include overseeing the investigation, remediation, and collaboration of multiple agencies and stakeholders with Section staff during environmental clean-ups of hazardous waste sites. In this position, Ms. Shearer is also actively involved in emergency public health preparedness and health and safety activities where she coordinates, develops, and implements training of multi-agency response protocols for all-hazard public health emergencies and OSHA HAZWOPER Annual 8-Hour Refresher Courses, respectively. She is also a member of two inter- and intra-agency task forces associated with women's issues and soil vapor intrusion (SVI). As her roles and responsibilities involve collaboration of stakeholders, Susan believes in continuous improvement and developing a competent well-equipped work force who are able to effectively communicate in all situations. Susan also believes in practicing an open-door style of management that encourages communication, shared ideas, and continuous growth through positive personal and programmatic development.

Ms. Shearer has a dual baccalaureate degree in Agricultural and Biological Engineering and Geological Engineering and a Master of Science in Agricultural and Biological Engineering from Cornell University. In order to better understand how the environment affects human health and thus why remedial efforts are needed, she received her Master of Public Health degree from the University of Rochester School of Medicine and Dentistry. Susan is also a Professional Engineer licensed in the State of New York.

Prior to working with the state, Susan was an engineer for different private environmental consulting firms where she designed and managed environmental clean-ups, with a specialty in manufactured gas plants (MGPs). She also developed and led a company-wide service area to evaluate and address the potential for SVI to affect indoor air quality in buildings throughout the country and internationally. Susan has multiple publications associated with her MGP-related research and SVI-related experience. This education, research, and hands on experience brought Susan a whole new perspective and understanding of how important effective communication was to meet all stakeholders objectives while protecting public health.
REFERENCES

4. www.toxicstargeting.com