

**U.S. NUCLEAR REGULATORY COMMISSION
LIMITED ENGLISH PROFICIENCY PLAN
IMPLEMENTING EXECUTIVE ORDER 13166**

1.0 PURPOSE

In compliance with Section 2 of Executive Order 13166, the U.S. Nuclear Regulatory Commission (NRC) Limited English Proficiency Plan (LEP Plan or Plan) establishes the initiatives and plans of the NRC to improve access to its federally conducted programs and activities by eligible persons who are limited English proficient (“LEP”).¹ This Plan updates and supersedes NRC’s LEP Plan from 2005.

2.0 POLICY

Recognizing that public involvement in and information about the NRC’s programs and activities is a cornerstone of strong, fair regulation of the nuclear industry, it is the NRC’s policy to improve access to its programs and activities by LEP persons.

3.0 BACKGROUND

The United States is home to millions of adults who are LEP, or who speak English less than “very well.” Because of their limited proficiency in speaking, reading, or understanding English, persons with LEP may be unable to access federal programs and services for which they are otherwise eligible. On August 11, 2000, the President issued Executive Order 13166, “Improving Access to Services by Persons with Limited English Proficiency.”

Executive Order 13166 requires each Federal agency to take “reasonable steps to ensure meaningful access” for eligible LEP persons to the agency’s federally conducted programs and activities, which are anything that the agency does. Each Federal agency must prepare a LEP Plan explaining how it intends to take those “reasonable steps.”

The identification of “reasonable steps” will depend on a balancing of the “four-factor analysis” for each program or activity. The four factors to be considered are: *1) the number or proportion of LEP persons served or encountered in the eligible service population; 2) the frequency with which LEP individuals come in contact with the agency; 3) the nature and importance of the program or activity provided; and 4) the agency resources available.* Rather than uniform rules of compliance, the four-factor analysis is fact-specific and is intended to be a balancing test of reasonableness. The balancing test may result in the agency providing language assistance services, such as oral interpretation or written translation in languages other than English.

4.0 STAKEHOLDER INPUT

Executive Order 13166 requires each agency to allow stakeholders to have an adequate opportunity to provide input to the agency’s LEP plan. All NRC Offices had the opportunity to make comments and recommendations in the development of this Plan, and ultimately approved the final Plan. The NRC will send the Plan to LEP advocacy groups and special

¹65 Fed. Reg. 50,121 (Aug. 11, 2000).

interest groups, post this Plan on its Webpage, and consider input from the public when monitoring and regularly updating this Plan.

5.0 APPLICABILITY

This Plan applies to all NRC-conducted programs and activities. However, as the purpose of Executive Order 13166 is to limit English proficiency as a barrier to accessing existing federal services – not to create new services – this Plan focuses on NRC Offices (“Affected Offices”), whose programs and activities have the most interaction with the public and greatest potential for interaction with LEP persons. Since the Affected Offices are more likely to interact with LEP persons, they should plan for more language assistance measures than other Offices. It is anticipated that other Offices will have limited responsibility under this Plan.

The Affected Offices are:

Office of the Commission (OCM)

Office of the Secretary (SECY)

Office of Public Affairs (OPA)

Office of the Executive Director for Operations (OEDO)

Office of Small Business and Civil Rights (SBCR)

Office of Administration (ADM)

Office of Federal and State Materials and Environmental Management Programs (FSME)

Office of New Reactors (NRO)

Office of Nuclear Security and Incident Response (NSIR)

Office of Nuclear Reactor Regulation (NRR)

Office of Nuclear Material Safety and Safeguards (NMSS)

Office of Nuclear Regulatory Research (RES)

Office of Investigations (OI)

Office of Enforcement (OE)

Regional Offices

Atomic Safety and Licensing Board Panel (ASLBP)

Advisory Committee on Reactor Safeguards (ACRS)

Advisory Committee on the Medical Uses of Isotopes (ACMUI)

Office of Inspector General (OIG)

6.0 ROLES AND RESPONSIBILITIES

6.1 SBCR

Oversight

SBCR oversees the NRC’s LEP Program and coordinates the implementation of this Plan. SBCR interfaces with the Department of Justice (DOJ), that is responsible for the enforcement of Executive Order 13166.

Technical Assistance

SBCR provides technical assistance to all Offices, LEP persons and affiliated groups with respect to the LEP Program. Technical assistance will include implementation of the LEP

Program/Plan, ensuring compliance with Federal requirements, and managing the agency's Domestic Translations Services Contract and LEP resources.

Affected NRC Offices

The roles and responsibilities of Affected NRC Offices that conduct conferences and NRC staff sponsored public meetings are delineated in Management Directives (MD) 3.5 and 3.11, including the LEP Program.

Record-keeping

SBCR will identify the primary channels of contact with LEP community members. In addition, SBCR will maintain records of all LEP Program/Plan activities and operational functions for report purposes as required by Federal regulations and mandates, and NRC directives. Record-keeping will include a range of information/data including language assistance services requested and provided, and the languages most frequently encountered.

Training

SBCR will develop a training program for Points of Contact (POCs) and all other employees expected to participate in providing the language assistance services set out in this Plan.

Monitoring and Continuous Assessment

With the input of the POCs, as described below, SBCR will conduct on-going performance monitoring of the implementation of the LEP program and will ensure that the scope and nature of the language services provided under the Plan reflect updated information on relevant LEP populations, their needs, and the experience of NRC staff.

6.2 OGC

The Office of the General Counsel (OGC) provides legal advice with respect to applicable issues or concerns. OGC will interface with DOJ as needed on legal issues with respect to the LEP Program/Plan.

6.3 HR

The Office of Human Resources (HR) should evaluate hiring criteria and assess the extent to which bilingual or multilingual skills are necessary for particular positions or to fulfill the agency's mission. If appropriate for a particular position, language skills and competence thresholds should be included in job vacancy announcements; knowledge, skills, and abilities assessments; and position descriptions.

6.4 Office Directors of Affected Offices

Office Directors of Affected Offices will appoint at least one POC for collaboration, coordination, and record-keeping associated with carrying out LEP activities. The POC must have substantial experience dealing with the public and/or LEP persons. If there is no one in the office with the requisite experience, the POC should be someone who is expected to participate in that office's interactions with the public and/or LEP persons.

6.5 POCs

POCs will serve as a knowledgeable resource to coordinate LEP efforts for their Offices and will interface with SBCR staff as needed to secure language services. POCs will keep records of language services requested and/or provided and note feedback from LEP persons served. The POCs will be the initial holder of these records and will forward them to SBCR on a quarterly basis.

6.6 SBCR's MEETING WITH POCs

POCs will meet on a periodic basis, and will be responsible for identifying barriers they have encountered regarding language access, consulting with stakeholders, and formulating strategies and responses to overcome the barriers to meaningful language access. POCs will also discuss encounters and feedback from LEP persons served, and share best practices in language assistance and public outreach regarding the implementation of the LEP Program/Plan. SBCR will host and chair the periodic POC meetings.

7.0 IMPLEMENTATION

The NRC adopts DOJ's five important elements of an effective LEP Plan. Those elements are:

1. Assessment of LEP populations and language needs;
2. Identification of ways in which language assistance will be provided;
3. Public outreach and notice of the availability of language assistance;
4. Provision of appropriate staff training about the LEP Program/Plan; and
5. Periodic self-assessment and self-monitoring.

In the following sections, this Plan incorporates and addresses each of these elements with respect to NRC's federally conducted programs and activities.

8.0 LANGUAGE ASSISTANCE SERVICES

The two types of language services are translation and interpretation. Translation is the rendering of a written text from one language (source language) into another language (target language). Interpretation is the immediate rendering of oral language from the source language into the target language.

8.1 Language Assistance Principles

The NRC adopts the following language assistance principles related to translation and interpretation services:

Offer of Assistance

Where interpretation/translation is necessary to provide meaningful access to NRC programs or activities, LEP persons will be advised that the NRC will provide a competent interpreter/translator at the agency's expense, or they may secure the assistance of an interpreter/translator of their choice at their own expense. The provision of this notice and the LEP person's election will be documented in any written record generated with respect to the language service requested and/or provided.

Quality

Each Affected Office will take reasonable steps including consulting with SBCR to ensure that it provides high-quality translation and interpretation services through individuals who are competent to provide those services at a level of fluency, comprehension, and confidentiality appropriate to the specific nature, type, and purpose of the information at issue.

Competency of Bilingual Staff

SBCR will monitor, document and report whether bilingual staff or contractors performing language services possess the required levels of bilingual proficiency and interpretation and translation skills. In addition, SBCR will organize training for bilingual staff on interpreter ethics and standards.

Unacceptable Practices

Offices should not use family members or friends to translate or interpret for LEP persons. If the LEP person insists upon using a family member or friend, this should be allowed only after the Office has offered free language services and such offer has been refused. Minor children should never be used to provide language services, except in emergencies.

Securing Sufficient Resources

SBCR has requested centralized resources to administer the “Domestic Translation Services Contract and perform related program activities.” However, as a precaution each Affected Office should provide SBRC with planning assumptions for translation services based on the proposed number of public meetings, conferences, and activities that include public participation/involvement. SBCR will use this information to include in its budget request for translation services. This will help to eliminate duplication of requests for resources and eliminate administrative burden associated with these activities.

8.2 Available Language Services

In order to improve LEP persons’ access to NRC programs and activities, the NRC is committed to offering language assistance services at no cost to LEP individuals. To fulfill this commitment, the NRC will rely on contractors and qualified bilingual staff members to provide translation and interpretation services.

SBCR’s Language Services Contract

The NRC has a contract in place for Domestic translation and interpretation services. The contract provides for translation of a variety of documents, including: factsheets and brochures, information on the public website, complaint forms, and technical information tailored for the general public. The translated documents should preserve the formatting and style of the original document. The contract also provides for oral interpretation services and multilingual desktop publishing. To obtain language services, the requesting Office uses NRC Form 832.

The NRC also has a Foreign Translations and Interpretation Services contract administered by the Office of Administration. This contract helps the Agency to obtain, translate, hold, and distribute foreign documents of interest to NRC in carrying out its regulatory mission. For more

information, please reference MD 3.12 entitled, “*Handling and Disposition of Foreign Documents and Translation*” and MD 3.7 which addresses the development of NUREG-Series publications, including proceedings from NRC-sponsored or co-sponsored conferences.

Language Assistance Volunteers

The NRC has in the past utilized the language assistance services of bilingual staff members, on a voluntary basis. Continuing that practice, the NRC will submit a notice to all NRC employees soliciting volunteers who are bilingual to assist in providing translation and interpretation services. SBCR will screen volunteer candidates to ensure that they possess/obtain the required qualifications, competencies and skills. SBCR will maintain the list of Language Assistance Volunteers and will make this list accessible on the NRC intranet website.

Language Assistance Volunteers already will be familiar with the agency’s technical terms and specific programs. Performing language services will be a collateral duty for these volunteers, and is subject to supervisory approval and workload constraints. In addition, SBCR will organize basic appropriate training for bilingual staff.

NRC Dictionary

The NRC created an English-to-Spanish dictionary of technical terms commonly used by the NRC. This dictionary will be posted on SBCR’s webpage dedicated to LEP at <http://www.nrc.gov/about-nrc/civil-rights/limited-english.html>, as the dictionary is a valuable reference for translating documents into Spanish. In addition, SBCR will consider translating this dictionary into the other four most commonly spoken languages in the U.S. per Census data.

9.0 PROCEDURE FOR REQUESTING LANGUAGE SERVICES

When a staff member in an Affected Office thinks the provision of language services might be appropriate, he/she should coordinate with the POC to evaluate whether services should be provided, and if so, what type of services need to be provided. If the language services will be paid from the Affected Office’s budget, the staff member should request approval from his/her immediate supervisor or the person with delegated authority to allocate resources for the particular project, and then submit NRC Form 832. If the Office needs funding assistance to provide language services, that Office should contact SBCR directly.

10.0 NRC CONDUCTED PROGRAMS AND ACTIVITIES

SBCR will assist Affected Offices to determine what reasonable steps, if any, they should take to provide LEP persons meaningful access to their programs and activities by helping their POCs analyze the following four factors on a fact-specific case-by-case basis:

1. *The number or proportion of LEP persons served or encountered in the eligible population.* A factor in determining the reasonableness of the effort is the number or proportion of LEP individuals from a particular language group served or encountered in the eligible population. The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible

population weighs in favor of greater agency efforts to provide LEP persons equal and meaningful access to NRC conducted programs and activities.

2. *The frequency with which LEP individuals come in contact with the program or activity.* An Affected Office has greater responsibilities to ensure reasonable access to its programs and services if contact with LEP persons is daily or frequent than if it is unpredictable and infrequent. An Affected Office should take into account local and regional conditions, such as the frequency of different types of language contacts, when determining the frequency of contact of the LEP population with its programs and services.
3. *The nature and importance of the program or activity to people's lives.* The nature and importance of the program or activity affects the determination of what reasonable steps are required to ensure meaningful access. More affirmative steps must be taken in programs where the denial or delay of access may have life or death implications than in programs that are not as crucial to one's day-to-day existence. Also, the Affected Office must assess the importance of the program in the short- and long-term.
4. *The resources available.* The resources available may affect the nature of the steps that the Affected Office must take. "Reasonable steps" may no longer be reasonable where the costs imposed substantially exceed the benefits.

To translate the results of the four-factor analysis into action, Affected Offices must also consider:

1. *Needs Assessment.* What LEP populations need access to the program or activity and what language do they speak?

It is critical that Affected Offices assess the needs of the eligible LEP population for each program or activity in order to initiate the four-factor analysis. OPA has created a resource document that identifies LEP populations, and the languages they speak, residing near NRC-licensed nuclear power reactors and fuel cycle facilities.² This resource has been made available NRC-wide in the past, and will be posted on SBCR's webpage. When the results of the 2010 Census are available, SBCR will update this document. The NRC is committed to conducting a more comprehensive study of LEP populations and maintaining records of all encounters.

2. *Language Assistance Services.* What services will the Affected Office provide to ensure meaningful access?

If an Affected Office determines that it will provide language services to LEP persons, it will choose the most reasonable and effective method of providing such service. It is critical that

² OPA, Multicultural Media Outlet Matrix - Assessing Population Need's for Limited English Proficiency (LEP) and Native American Tribes (ML091330605 and ML072340397, accompanying memorandum).

POCs and other staff responsible for implementing this Plan know how to access the language services that the NRC can provide.

3. *Notice.* How will the Affected Office notify LEP persons of the language services available to them?

Affected Offices must provide reasonable notification to eligible LEP persons, in a way that they will understand, that language services are available. A LEP person's awareness of his/her rights or the services available to him/her contributes to meaningful access. Effective outreach to the public is essential to provide reasonable notice to LEP persons. To achieve effective outreach, Affected Offices:

- Must consider the appropriate mix of print, radio, and/or television notices in mainstream and ethnic media outlets;
- Should consult OPA's report on reaching multicultural media,³ which will be added to SBCR's webpage on LEP; and
- Should continue to make contact with local governments and community organizations, who can help advise on the nature of the local population and the most effective measures to provide reasonable notice to them.

As the NRC continues to target outreach efforts on local communities and LEP populations, it is anticipated that the NRC will encounter more eligible LEP populations and will have to reassess their needs.

For the programs and activities listed below, there is a general assessment of 1) the needs of the LEP population; 2) notice and outreach practices; and 3) available language services. Affected Offices can use this general assessment to conduct their own four-factor analysis, taking into account the unique facts on a case-by-case basis.

10.1 Public Staff Meetings

The NRC welcomes public participation in its regulatory process, and one way the public can participate is by attending and participating in staff public meetings.⁴ A public meeting is a planned, formal encounter open to public observation and participation between one or more NRC staff members and one or more external stakeholders, with the expressed intent of discussing substantive issues that are directly associated with the NRC's regulatory and safety responsibilities. The level of public participation varies widely with the level of the public's interest in a particular meeting topic. NRC will update its Public Meeting Policy, and all associated documents including Management Directive 3.5 and the Public Meeting Checklist, to be consistent with this Plan.

³ OPA, Reaching the Multicultural Media (MCM): Beyond the Mainstream.

⁴ The NRC's Public Meeting Policy is available at www.internal.nrc.gov/communications/policy.html.

Needs assessment

NRC staff has had limited interactions with LEP persons at public meetings and has not been aware of requests for language services. However, as Affected Offices perform more outreach to LEP populations, it is reasonable to conclude that the staff will encounter more LEP persons interested in its public meetings and the important mission of the NRC.

Language Services

As appropriate, staff will continue to provide language services, such as an oral interpreter present at a meeting, or written translation services for the various background or supporting documents associated with the public meeting. Where staff intends to distribute “General Audience Brochures” as described in Section 10.5, staff will make a reasonable effort to bring translated versions of those brochures to the meeting. Staff should consult OPA’s resource document, “Multicultural Media Matrix – Assessing Population Needs,” to determine the language(s) for translation. As it might be difficult to acquire language services in advance of a public meeting for every request, staff will arrange for ways LEP persons can access relevant information after the meeting. For example, staff can display a sign, translated into the five most commonly spoken languages in the U.S., asking whether LEP persons want to request translated information and then make the appropriate arrangements. SBCR will arrange for such generic signs to be made.

Staff, through its relevant POC, will keep a record of language services requested and/or provided. The NRC will revise Form 659 “Public Meeting Feedback Form” to ask attendees’ preferred language of communication and whether attendees had difficulty understanding the meeting because it was conducted in English. SBCR will arrange for these questions to be translated into the five most commonly spoken languages. The data from this revised form will aid staff in assessing future needs of LEP populations.

Notice and Outreach

NRC announces meetings that are open to the public on its Public Meetings Schedule page at <http://www.nrc.gov/public-involve/public-meetings/index.cfm> and in the *Federal Register*, at least 10 calendar days before the meeting date. Members of the public who do not have access to the Internet can contact the NRC’s Public Document Room staff for information on scheduled meetings at 1-800-397-4209 or 301-415-4737. Where Affected Offices anticipate a high level of public interest or where the topic is controversial, OPA prepares a press release and handles other media relations. Where staff deems it necessary, the Affected Office leading the meeting will purchase media advertisements.

For all future public meeting notices, staff will include generic language on the availability of language services and the process for requesting such services, including contact information for the service coordinator. This language will be approved by SBCR and OGC, and will be translated into the five most commonly spoken non-English languages in the U.S. per Census data. *Federal Register* notices will contain the language services information in English, but the public meeting notices on the NRC webpage should contain the information in English, the five most commonly spoken non-English languages, and any other language spoken by a significant

LEP population with an interest in the meeting that staff identified through its outreach efforts. Staff will continue to issue public meeting notices with as much advanced notice as possible.

To enhance outreach efforts:

- Staff will increase its contact with known stakeholders, local governments, community-based organizations, and advocacy groups; and
- Staff will work with OPA to contact multicultural media outlets as necessary and appropriate.

10.2 Public Commission Meetings⁵

Meetings held by the Commission are open to the public pursuant to the Government in the Sunshine Act and NRC implementing regulations.⁶ The Commission holds meetings on its significant public health and safety regulatory issues, which are of varying levels of interest to the public. SECY staff organizes all Commission meetings on behalf of the Office of the Commission. Although some Commission meetings are open to the general public as are the public staff meetings, the target audience at Commission meetings differs in that it is typically members of the nuclear industry and representative public interest groups.

Needs Assessment

The NRC has had limited interactions with LEP persons at Commission meetings, and SECY has not been aware of requests for language services.

Language Services

As appropriate, SECY will provide language services, such as an oral interpretation at a meeting, or written translation services for the various documents associated with the public meeting, including the relevant background information or a summary thereof, the presentation, or the transcript.

SECY, through its POC, will keep a record of any language services requested and/or provided. SECY will create a feedback form, which will ask attendees' preferred language of communication and whether attendees had difficulty understanding the meeting because it was conducted in English. SBCR will arrange for these questions to be translated into the five most commonly spoken languages. The results of this feedback form will help SECY to reassess the needs of LEP populations.

⁵ NRC Advisory Committees, ACRS and ACMUI, advise the Commission on various nuclear regulatory matters and hold public meetings that are governed by the Federal Advisory Committee Act at 5 U.S.C. Appendix 2 § 10. The analysis of the public Advisory Committee meetings is generally the same as that for the public Commission meetings. Therefore, the commitments in Section 10.2 also apply to public ACRS and ACMUI meetings.

⁶ See 5 U.S.C. § 552b.; 10 CFR §§ 9.100-109. No NRC policy or directive is specific to public Commission meetings.

Notice

SECY announces upcoming Commission meetings on its webpage at <http://www.nrc.gov/about-nrc/policy-making/schedule.html> and in *Federal Register*, at least one week before the meeting date. SECY strives to give as much advance notice as possible while accommodating the demanding schedules of the Commissioners, which are subject to last-minute change.

For all future public Commission meeting notices, SECY will include generic language on the availability of language services and the process for requesting such services. This language will be identical to that used for staff public meeting notices, as described in Section 10.1. No independent outreach efforts are identified for public Commission meetings.

10.3 Public Hearings

The NRC conducts hearings on disputed matters involved in the licensing of nuclear reactors, nuclear materials, and nuclear materials facilities. Hearings are also available to contest civil penalties for infractions of NRC regulations or staff orders directing that some action be taken. The NRC regulations that govern the hearing process are in Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders (10 CFR Part 2). Hearings are conducted by the ASLBP or the Commission.

Individuals or entities whose interests are affected by an NRC licensing or enforcement action may participate in hearings, when they have met the pertinent legal requirements in the regulations. Unless sensitive information is being discussed, hearings are open to public observation.

Needs Assessment

The NRC has had limited interactions with LEP persons at public hearings, and neither the ASLBP nor SECY has been aware of requests for language services.

Language Services

As appropriate, the ASLBP or SECY will provide language services upon request. The Office should consider whether the requestor is a participant in or observer of the hearing. Before and after evidentiary hearings are conducted, there may be a number of oral arguments, written pleadings, and case management conferences. The Office should work with the requestor to determine his or her particular informational needs. However, as the NRC conducts its official business in English, hearings involving technical and complex issues are not generally the type of activity for which agencies are expected to provide full language services. The four-factor analysis would generally lead to the conclusion that oral interpretation for hearings and their associated arguments and conferences, and translation of associated pleadings and orders are not justified given the high costs, the nature of the information being communicated, and the intended or expected audience. It may be appropriate to provide translations of summaries of important orders upon request in a given case.

The ASLBP and SECY, through their POCs, will keep a record of language services requested and/or provided. This information will be used to reassess the needs of LEP populations.

Notice

Generally, a notice of an opportunity for hearing is published in the *Federal Register*. Hearing requests and intervention petitions ordinarily must be filed within 60 days of the date of this publication in the *Federal Register*. If a hearing request is granted, notice of the hearing will be published in the *Federal Register* and on the NRC webpage.

For all future public hearing notices, the ASLBP or SECY will include generic language on the availability of language services and the process for requesting such services. This language will be identical to that used for staff public meeting notices, as described in Section 10.1. No independent outreach efforts are identified for public hearings.

10.4 Law Enforcement Activities

The Office of Investigations (OI) performs law enforcement activities by conducting investigations of alleged wrongdoing by licensees, certificate holders, permittees, or applicants; by contractors or vendors of such entities; or by employees of the foregoing entities who may have violated the Atomic Energy Act, the Energy Reorganization Act, or rules, orders, and license conditions issued by the Commission. OI liaisons work with law enforcement agencies and makes appropriate referrals to the Department of Justice (DOJ) for criminal prosecutions. While OI investigations align with the agency's important mission to provide for the safe use of radioactive materials for beneficial civil purposes, these investigations are not typically matters of "life or death." When an investigation involves allegations of criminal activity, OI makes appropriate referrals to the DOJ, which determines whether to pursue criminal prosecution.

Needs Assessments

OI investigations focus on the nuclear industry, whose members are generally proficient in English. Although not routinely, OI special agents occasionally conduct interviews with LEP persons and have requested assistance with language services from the technical staff, NRC court reporting services and/or other law enforcement agencies.

Examples of when language assistance was provided to LEP individuals by OI:

- Interviews conducted in Puerto Rico.
- Interviews conducted in Mexico with residents in various cities regarding NRC licensed activities.
- Interviews involving individuals employed with Southern California Edison whose primary languages were Vietnamese, Hindu, and/or Spanish (just to name a few).

Language Services

It is anticipated that future OI involvement with counterfeit parts and new reactor construction may involve contact with individuals whose primary languages are Chinese, Japanese and/or Korean. Based on the present and anticipated future interaction with LEP populations, OI will have access to the language services available to the rest of the agency.

Notice and Outreach

No independent notice or outreach efforts are identified for OI.

The Office of Inspector General (OIG) carries out its investigative mission by performing investigations relating to the integrity of NRC programs and operations. These investigations primarily focus on allegations of fraud, waste, and abuse; possibly violations of criminal statutes; and misconduct by NRC employees, contractors and grantees. OIG makes referrals to DOJ on OIG related criminal matters, and coordinates investigations and OIG initiatives with other Federal, state, and local investigative agencies and other OIGs. Additionally, OIG investigates allegations of irregularities or abuses in NRC programs and operations with special emphasis on those NRC activities that impact public health and safety.

Needs Assessments

OIG investigations result from allegations or referrals from private citizens; licensee employees; NRC employees; Congress; other federal, State, and local law enforcement agencies; OIG audits; the OIG hotline; and proactive efforts directed at areas bearing a high potential for fraud, waste, and abuse. Because OIG conducts interviews with members of the public, it is anticipated that there will be future interaction with LEP populations. Therefore, it is reasonable that OIG have access to the language services available to the rest of the agency.

Notice and Outreach

No independent notice or outreach efforts are identified for OIG.

10.5 Vital Documents

Vital documents must be translated when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program or activity, needs information in a language other than English to communicate effectively. Vital documents are those that contain information that is critical for obtaining federal services and/or benefits, or is required by law. Whether or not a document (or the information it solicits) is vital may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

As the NRC does not provide benefits or services directly to individual members of the public in the manner that many other Federal agencies do (e.g. the Veterans Administration or Health and Human Services), the NRC might not possess many documents that are considered vital. Nevertheless, the NRC will continue to translate vital documents and, as appropriate and where resources allow, will continue to translate documents that are routinely provided to the public and contain important information about the NRC's significant activities. These documents will be translated into the non-English language of each regularly-encountered LEP group eligible to be served or likely to be affected. For lengthier and more technical documents that are targeted to the public, Affected Offices should provide an English-language summary that will be translated into other languages.

Attachment A lists several types of “General Audience Brochures,” which the NRC considers priority documents for translation. These documents provide general background information on the NRC’s role and responsibilities as a regulatory agency, how the public can be involved in the NRC’s activities, and information on the materials and facilities the NRC regulates. This information is often provided at public meetings and is a good introduction for the public to the NRC and its mission. If there is heightened public interest in a particular topic, Affected Offices should consider translating information on that topic or creating a concise factsheet with the significant information for translation. Affected Offices will update this list annually by notifying their POC.⁷ Affected Offices will consider whether documents should be translated into the five most commonly spoken languages in the U.S. or into the most commonly spoken languages around NRC-licensed facilities.

10.6 Public Website

The NRC’s public website is an important means of communication with the public. It provides substantive information on radiological health and safety issues, environmental issues, information on how the public can participate in the NRC’s activities, and information on how the NRC operates.

The entire website need not be translated into other languages. However, the NRC will post the documents it has already translated onto its website. On the NRC’s homepage, there will be a link (or links) to information available in other languages. Other agencies provide links on their homepages to information collections in non-English languages, especially Spanish. In addition to the translated document being available on the non-English version of the NRC website, there will be a tag indicating the availability of the document in a language other than English where the document resides on the English version of the website.

The NRC will initially create a Spanish-language version of its website. It will not replicate all of the information provided in English, but it will include translations of the high-priority documents identified in the previous Section, 10.5. After a Spanish-language version is created, the NRC will consider creating versions of its website in other languages as well.

SBCR will also update its LEP webpage, <http://www.nrc.gov/about-nrc/civil-rights/limited-english.html>, so that it is a centralized repository of the NRC’s LEP resources.

11.0 OTHER RESOURCES

The NRC recognizes that developing partnerships with other Federal agencies is a valuable way to share information and evaluate its own program. NRC representatives participate in the meetings of the Interagency Working Group on LEP, created pursuant to Executive Order 13166 and consisting of representatives from over 35 Federal agencies. The Interagency Working Group’s website, www.lep.gov, is a data repository, providing information, tools, and technical assistance regarding LEP.

⁷ It is anticipated that updates to the General Audience Brochures will be documents created by the Affected Offices.

12.0 TRAINING

SBCR will develop a training program for POCs and all other employees expected to implement the language assistance services set out in the LEP Program/Plan. At the conclusion of the training, these employees should be knowledgeable about 1) LEP Program, 2) Domestic and Foreign Translations Services Contracts, 3) LEP regulations and how to comply with requirements, 4) the nature and scope of language assistance services and resources available to them and 5) the procedures through which they may access those services to assist in the discharge of their respective duties.

13.0 TECHNICAL ASSISTANCE

POCs will provide technical assistance to their Affected Offices, which will consist of advising Affected Offices on the LEP requirements. SBCR will provide technical assistance regarding the availability of technical and professional translation and interpretation services and website development and modifications. Where further assistance is needed, SBCR and OGC will provide advice.

14.0 MONITORING, CONTINUOUS ASSESSMENT, AND UPDATING THE PLAN

The NRC will evaluate and monitor the implementation of the LEP Program/Plan. SBCR will meet with POCs, and a representative from OGC on a quarterly basis to identify barriers to language access, consult with stakeholders, and formulate strategies and responses to overcome the barriers to meaningful language access. The group will also discuss LEP encounters and feedback from LEP persons served, and share best practices in language assistance and public outreach regarding NRC's LEP efforts.

SBCR, with the input of the POCs, will reassess this Plan on an annual basis by December 31st to ensure that the scope and nature of the language services provided under the Plan reflect updated information on relevant LEP populations, their language assistance needs, and the experience of NRC staff, and is consistent with the objectives of the LEP Program. After consulting with the POCs, SBCR will make any necessary updates to this Plan.