

REQUEST REPLY BY 12/17/99



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

RELEASED TO THE PDR
December 2, 1999

COMSECY-99-037

SECRETARY
2/23/00 rsj
date initials

Approved with edits
Ed Mc Guffigan Jr.
1/21/2000

MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: Annette Vietti-Cook, Secretary

Annette Vietti-Cook

SUBJECT: INTERNAL COMMISSION PROCEDURES

Attached is a proposed revision to Chapter IV "Commission Meetings" of the Commission's Internal Procedures. Chapter IV has been revised to include a process for stakeholder participation in Commission meetings and to include reference to Non-Sunshine Act discussions. May I please have your comments by c.o.b. December 17, 1999.

Attachment:
As Stated

cc: OGC
EDO
CIO
CFO

DF03

CHAPTER IV – COMMISSION MEETINGS

- b. projections and requirements known to SECY;
- c. input from Commissioners, OGC, OCA, IP, CFO, and CIO;
- d. availability of Commissioners;
- e. readiness of affirmation items;
- f. requests for meetings with the Commission by outside agencies or organizations; and
- g. requests for a meeting by any Commissioner.

When only
the staff
will be
making a
presentation,
the meeting
will
generally
be
scheduled
for
one hour.

2. First priority is given to the scheduling of meetings, principally ^{at} from 10:00 a.m. ~~11:30 a.m.~~, and from 2:00 p.m. ~~to 3:30 p.m.~~, on days when all Commissioners are available. ~~When outside stakeholders are to be included, the meeting time would be extended from 1.5 hours to 2 hours.~~ *or longer.* However, meetings ^{are} ~~to last longer than~~ ^{expected} ~~2 hours~~ may be divided into two sessions.
3. Factors such as holidays, Congressional hearings, availability of staff, and the conflicting schedules of individual Commissioners influence the dates and times available for meetings. As part of the data-gathering process, Commissioners' staffs enter individual travel and leave plans and other appointment information of each Commissioner into an on-line automated calendaring system which provides an integrated daily schedule of Commissioner availability.
4. SECY meets at pre-agenda sessions with the Chairman, and representatives of OGC, EDO, and OCA. ~~SECY also briefs the Executive Assistants from each Commissioner's office on the agenda prior to an Agenda Planning Session.~~ SECY provides a proposed Commission schedule with 7 planning weeks. The results of the meeting form the basis for the Chairman's proposed agenda to the other Commissioners.
5. The schedule, as approved by the Chairman, is reviewed and approved by the Commission at Agenda Planning Sessions conducted by the Chairman. Commissioners and/or their representatives and representatives from EDO, CIO, CFO, OGC, SECY, OCA, ~~and~~ OPA, and ~~OGAA~~ normally attend and participate as appropriate. In recognition of the collegial process, an individual Commissioner's request that a meeting be scheduled will be granted unless a majority of the Commission disapproves the request. The approved schedule for the subsequent ~~7~~ 6 week period is published by SECY and given wide circulation to the

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Headquarters and Regional Offices. A summary of the schedule ~~is also~~ is also released to the *Federal Register* for publication and posted to the NRC Home Page on the World Wide Web.

6. In addition, the Secretary includes in the Commission's agenda scheduling package a listing of ~~projected future meetings~~ projected and completed Commissioner visits to nuclear power plants and other facilities, schedules of emergency planning exercises, and a 12 month projection of Commissioners' travel and leave.

Guidelines for Stakeholder Participation in Commission Meetings

(a) In planning Commission meetings, the Office of the Secretary, in coordination with the staff, will identify potential meetings where stakeholders could be invited to speak at a Commission meeting. The emphasis will be on the meeting topics where a decision by the Commission or the need is required (e.g., information vote papers) or will be before the Commission for action.

(b) The Office of the Secretary, in coordination with the staff, will prepare a list of stakeholders that could be considered for invitation to attend the Commission. The staff should identify to the Office of the Secretary the stakeholders that have shown interest in the particular meeting topic along with its ways of participation that could assist the Commission in reaching a decision on a particularly active stakeholder. The list will be distributed to the Commission and discussed as part of agenda planning.

(c) The Commission will decide as part of agenda planning who will participate in the Commission meetings. Priority consideration will be given to other Federal Agencies, States, elected officials, and organizations that represent a broad spectrum of views that have specific interest in the meeting topic and bring a unique perspective to the meeting and actions in the subject matter. To the extent possible, the Commission will work to balance the interests of the groups represented at the meeting. The Commission's goal of including stakeholders in Commission meetings is to give the Commission information on a cross-section of views on a given topic. It is not the intent to be unrealistic to try to have every stakeholder on a given topic represented at a meeting. Other criteria include: all individuals who wish to speak will be encouraged to do so on the Commission's interests will presenters who have agreed to participate and submit written comments for Commission consideration which will be included as part of the record. The Commission will not normally reconsider a decision

and persons

(points of view) range

(the original is ambiguous on who submits)

✓
✓
✓ achieve a
[The original sounds too much like what the Com. does in making policies]

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not to invite a stakeholder assuming that the stakeholder was identified and previously considered in the Commission's deliberations on that matter. Should a stakeholder who was not considered wish to appear, the Commission reserves the option to consider whether participation in that matter would be helpful to the Commission. Staff will be notified of such matters in writing. The Secretary will be notified of such matters in writing in advance of the meeting and the minutes of such meetings will be provided at the meeting. The Commission will finalize the minutes to a Commission meeting at least 2 weeks in advance of the meeting.

[The last sentence in this # is deadline enough]

b. The Office of the Secretary will arrange the matters and invite the participants that have been invited to by the Commission. Only one stakeholder will be permitted to bring unless the Commission determines that greater participation is desirable and necessary. The length of the meeting will be extended to 90 minutes. Outside participants will be invited. The names as appropriate. The letter of invitation from the Secretary will state that participants should submit written materials no later than 5 business days in advance of the meeting and should summarize their key points at the Commission meeting in 5 to 10 minutes. The amount of time for each stakeholder will be determined in the context of Agenda Plan. The letter will clearly state if any different deadlines apply. The Commission will release an invitation to stakeholders at least 10 business days in advance of the meeting.

or

or more

However, meetings expected to last more than 2 hours may be divided into two sessions.

[made unnecessary by the end of (c)]

c. NRC staff will submit to the Commission pertinent staff papers or other documents 10 business days in advance of the scheduled Commission meeting. The Commission will be given at least 2 business days to review the staff's meeting materials to determine if they should be released to the outside meeting participants and the public. It is the job of the Commission to make these documents available to meeting participants and placed in the Public Document Room at least 2 weeks in advance of the Commission meeting. Meeting materials are to be placed in a tray during the Commission meeting, may need to be restricted.

(for example, if the staff paper was not released to the public at least 10 business days before the meeting)

10 business days

FORMAT FOR COMMISSION MEETINGS

The Commission has conducted business in both open and closed meetings and in several different meeting formats over the years. Adjustments in style, format, and conduct are

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to the Commission for review at least 15 days in advance of the meeting. This will allow the Commission time to review the documents prior to release to the meeting participants and the public.

business
public release
Day will occur generally at least 10 business days prior to the meeting.

2. Documents at Meetings

At open Commission meetings, SECY ensures that copies of the principal documents referenced in the Commission schedule and viewgraphs are placed near the entrance of the Commission Conference Room for members of the public. The presenters (staff unit or outside entity) are responsible for providing sufficient copies of the viewgraphs or other relevant written information for public availability and should ensure they arrive in the briefing room 20 minutes prior to the start of the meeting. SECY will provide copies of SECY papers. On occasion, additional documents will be available to members of the public at the meeting if it is anticipated that the discussion will draw upon information contained in the documents. Every document made publicly available at the meeting is placed in the Public Document Room after the conclusion of the meeting. Occasionally, documents are made available in the Public Document Room in advance of a Commission meeting on the subject.

STAFF REQUIREMENTS MEMORANDA

After meetings, Commission decisions are recorded in a Staff Requirements Memorandum (SRM) prepared by the Secretary and issued to the action addressee, with copies to the Commissioners and interested staff offices to memorialize the Commission decisions or actions that took place in the meeting and the requirements placed on the staff for implementing action. Procedures for developing, reviewing, and issuing meeting SRMs are identical to those described in Chapter III for voting SRMs.