

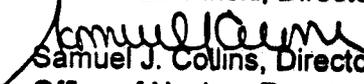


UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 29, 1999

MEMORANDUM TO: William F. Kane, Associate Director, ADIP
Brian W. Sheron, Associate Director, ADPT
Jacqueline E. Silber, Director, PMAS
David B. Matthews, Director, DRIP
Bruce A. Boger, Director, DIPM
Gary M. Holahan, Director, DSSA
Jack R. Strosnider, Director, DE
John A. Zwolinski, Director, DLPM

FROM:


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

SUBJECT: CONDUCTING PUBLIC MEETINGS

Several meetings in the last few months have elicited protests from members of the public who felt that adequate public notice was not given or that meetings were closed inappropriately. In light of these recent events, I thought it would be appropriate to review the agency's policy regarding public meetings in two general areas - open public meetings and timeliness of meeting notices.

NRC Management Directive 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff," provides guidance on when meetings should be open to the public. MD 3.5 states that, generally, meetings should be open unless the subject involves proprietary, safeguards, personal, or criminal information. Meetings involving a general information exchange having no direct, substantive connection to a specific NRC regulatory decision or action may also be closed. MD 3.5 emphasizes that meetings between the staff and licensees or trade groups to discuss technical issues or licensee performance would normally be open because they may lead to a specific regulatory decision or action.

I believe that, unless there are extenuating circumstances, all meetings between the staff and licensees, vendors, or industry groups should be open public meetings. I particularly want to ensure that the staff makes an informed decision regarding closing a meeting due to the proprietary nature of the material. To facilitate this, the staff should require the licensee, vendor, or industry group to provide a copy of the material to the staff before the meeting. The staff should review the material and make a preliminary decision on the proprietary nature of the material before deciding whether to close the meeting.

MD 3.5 also describes the NRC policy for providing early notice of meetings with licensees and other industry groups. Specifically, MD 3.5 states that meetings should be noticed at least 10 calendar days in advance of the meeting. I recognize that special circumstances may arise that hinder our ability to conduct important safety business and still meet this guidance. MD 3.5 does have a process for noticing meetings less than 10 calendar days in advance of the meeting. I

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believe that these circumstances are the exception, however, and I expect you to adhere to the guidance of MD 3.5 and work with your staff to provide as much advance notice of industry meetings as possible.

A second area for improvement is the present practice of posting meeting notices. The NRR staff generally does a good job of providing written notice as required by MD 3.5. However, given recent technology improvements, the public now relies more on electronic media such as the NRC web site or the recorded telephone message than written meeting notices placed in the public document room. Therefore, MD 3.5 is being revised to require posting meeting notices on our web site as well as the formal written notice. In the interim, the staff should make every effort to ensure that we take advantage of the electronic media.

In a memorandum from Bill Russell to senior NRR managers dated September 25, 1996, Mr. Russell noted that the technical staff should continue their close contacts with NEI on assigned issues; however, he also assigned responsibility to the Generic Issues and Environmental Projects Branch (PGEB) for coordinating interactions between NRR staff and owners groups, vendors, and NEI. The memorandum stated that NRR technical staff should make the PGEB project manager aware of upcoming meetings with NEI. It also stated that the PGEB project manager will coordinate meetings, issue meeting notices, and make sure that NRC licensing practices are employed when dealing with NEI. Currently, the PGEB NEI project manager is Stu Magruder (415-3139). He should be kept informed of all interactions between NRR staff and NEI. Any questions about this memorandum should be directed to Cindi Carpenter, Chief, RGEB, at 415-1282.