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NRC ISSUES POLICY STATEMENT ON USE  
OF ALTERNATIVE MEANS OF DISPUTE RESOLUTION

The Nuclear Regulatory Commission has issued a Policy Statement which sets forth its position on the use of "alternative means of dispute resolution" (ADR) to resolve issues in controversy in NRC administrative programs.

ADR processes include, but are not limited to, settlement negotiations, conciliation, facilitation, mediation, fact-finding, mini-trials and arbitration or combinations of these processes. They present options in lieu of adjudicative or adversarial methods of resolving conflict and usually involve the use of a neutral third party.

The Policy Statement responds to the requirements of the Administrative Dispute Resolution Act which was enacted by the Congress in November 1990. That legislation also requires each Federal Agency to designate a senior official as its dispute resolution specialist, to provide training for the dispute resolution specialist and certain other employees in ADR processes and to examine its administrative programs. As also required, the Policy Statement was coordinated with the Administrative Conference of the United States and the Federal Mediation and Conciliation Service.

The Act authorizes and encourages, but does not require, the use of ADR. Further, participation in ADR processes is by agreement of the disputants and the use of those processes may not be required by the agency.

The Commission is seeking written comments on the Policy Statement (which was published in the Federal Register on August 14) by September 28. They should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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