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## Nuclear Information and Resource Service

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April 26, 2000

Mr. David L. Meyer, Chief - Rules and Directives Branch  
Office of Administration  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Mr. Meyer,

On behalf of Nuclear Information and Resource Service (NIRS) I am responding the Federal Register Notice of March 29, 2000 (Volume 65, Number 61) regarding the proposed move of the U.S. Nuclear Regulatory Commission Public Document Room (PDR) from its current location in Washington, D.C. to the agency headquarters in Rockville, Maryland.

The NRC has made significant gains in providing the interested public with access to agency and licensee documents pertinent to the public health and safety through access to Local Public Document Rooms and the agency's central PDR currently located in the Gelman Building on "L" Street in Washington, DC. Similarly, the NRC has made significant gains in providing a great degree of transparency to its regulatory process through the accessibility to the Local Public Document Rooms and the agency's central document room. The easy accessibility to current and archival documents and the degree of agency regulatory transparency is directly related to the degree of confidence the public maintains in the agency's regulatory competence. The agency repeatedly has conveyed its willingness to implement strategies to build public confidence in its regulatory competence.

However, the closure of NRC local public document rooms, once located in proximity to affected communities near operating reactor licensees, has diminished public confidence in the NRC willingness to provide and maintain easy document access and regulatory transparency to the affected public, particularly those within the emergency planning zones around nuclear power stations.

Similarly, the relocation of the agency's central PDR to a location in Rockville, Maryland raises a number of issues pertaining to public confidence in the agency's mission and regulatory competence. Historically, the NRC PDR has been a stalwart in the public interest eye in terms of the agency goal of regulatory competence. The public interest

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community has often praised the PDR organization and staff for its high standard and exemplary performance in providing information to the public.

In light of the proposed relocation, many in the public interest community now view an old adage appropriate, "If it ain't broke, don't fix it." That same community is now wary of dramatic change to the document access system in context of the many dramatic changes occurring within the agency regulatory oversight, not least of which are the by the broad range of problems and frustrations associated with the Agency-wide Document Access and Management System (ADAMS).

The following issues associated with the proposed relocation include:

1) Central Location To Public Interest Groups and Industry Representative Firms

The NIRS staff has frequently used the PDR at its Washington, DC location on "L" Street. NIRS uses the PDR not only for its own documentation and research purposes, but also acting on behalf of specific public information requests from outside the District and in fact from around the world. NIRS is aware that a number of national-based public interest and public safety groups, as well as public and industry law firms, use the PDR at its convenient location in the Gelman Building in downtown Washington, DC.

NIRS believes that moving the PDR to Rockville, MD will significantly inconvenience those interest groups who are located within the District who have historically used a centrally located PDR to provide a broad range of public stakeholders from far and wide with information on a timely manner.

2) Physical Size and Equipment Availability of the Relocated Public Document Room

NIRS is concerned about the possible reduction of the physical size of any new PDR location. Any subsequent relocation of the PDR should not reduce the current square footage floor space available for the filing of hard copy of docketed information and the tables and chairs for visiting researchers. NIRS believes that the agency may be moving hastily to reduce floor space available to the filing of agency documents and licensee dockets in favor of an electronic public document access to the exclusion of access to hard copy material. This is of particular concern given the numerous problems still being encountered by ADAMS.

Additionally, the removal of docketed hard copy material from the PDR, basically means that you have to know what you are looking for in order to find it. It excludes the ability to periodically randomly peruse a particular appendix of a hard copy docket for information. The provision for serendipity, the random and circumstantial access to information, is a positive feature in providing transparency. Additionally, while NIRS has accessed archival material at the PDR with success, it does constitute an extension to the time frame of document retrieval, which if linked to other changes with the PDR could complicate or hinder document access.

NIRS is therefore concerned that the proposal to move large portions of hard copy docketed material into archives will reduce public access and the transparency of the regulatory process.

NIRS is concerned about the possible reduction of reading and research equipment available to the public in a relocated PDR. The availability of microfiche reading machines and computer terminals should not be decreased in a relocation of the PDR. If any changes are to be made to the availability of space for equipment and furniture, it should be increased.

### 3) Librarian and Support Services Staff Size

NIRS is concerned about the possible reduction of library and support service staffing as the result of any subsequent relocation of the PDR. The current PDR staff has provided exemplary service and timely responses to public inquiries and request for documents. Any subsequent relocation should not include a reduction in staff or supportive staff that could translate into the diminishing of the agency response time and quality of service to public inquiries.

### 4) PDR Contract Copier Services

The NRC should retain the PDR Copy Service contracts in the event of any relocation of the PDR in order to provide the public with a timely response to information requests and research documents.

### 5) Move to Exclusive Electronic Access Through the NRC ADAMS

NIRS is extremely concerned with the agency's controversial expedited move to ADAMS without successful trial runs. NIRS has expressed these concerns to NRC Commission Chair Richard Meserve by letter. It is apparent that many of the decisions being made in preparation of the relocation of the PDR have wrongly assumed the successful operation of a fully functional ADAMS. Since this is not the case, NIRS supports the delay of any implementation of relocation decisions until all problems affecting public document access associated with the current ADAMS are fully resolved.

### 6) Selective NRC Archival Document Elimination

NIRS is aware that the NRC is currently planning on destroying agency documents currently stored in the PDR. Documents being considered for destruction include archival documents not requested by the public. NIRS opposes the destruction of archival and current agency documents. NIRS opposes the proposed destruction of archival and current files whether the decision to relocate the PDR is implemented or not. The NRC is in the unique position of archiving industry/agency records that may contain information pertinent to the health and safety of generations of public yet-to-be born. NRC cannot be assigned with the task of destroying any part of the legacy of duly docketed agency documents. In one example alone, the NRC Request for Additional Information of October 6, 1996 resulted in several utilities requesting that their entire docket be copied

and shipped to the licensees. It is not the prerogative of the regulatory agency to deem any docketed material irrelevant and subject to destruction and to allow such would set a dangerous precedent.

7) Establishing and Updating A Centralized Set of Technical Specifications for Each Licensee

NIRS supports the PDR in establishing the consolidation of Technical Specifications for each nuclear power and nuclear material licensee. Currently, Technical Specifications are not maintained in an updated and consolidated set for each licensee within the PDR. NIRS supports the hard copy compilation of Technical Specifications in the event of the relocation of the PDR or in the event the PDR is maintained at its current location. However, in the event the PDR is relocated, NRC planning should provide for floor space to display updated docketed compendiums of each licensee's Technical Specifications.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Gunter", with a long horizontal flourish extending to the right.

Paul Gunter, Director  
Reactor Watchdog Project  
NIRS