

IN RESPONSE, PLEASE
REFER TO: M991109A

December 13, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

Stuart Reiter
Acting Chief Information Officer

FROM: Annette L. Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - MEETING ON NRC INTERACTIONS
WITH STAKEHOLDERS ON NUCLEAR MATERIALS AND
WASTE ACTIVITIES, 9:00 A.M., TUESDAY, NOVEMBER 9,
1999, AUDITORIUM, TWO WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission met with invited stakeholders representing the nuclear materials industry, a public interest group, the Organization of Agreement States, the National Congress of American Indians, and the NRC staff to conduct a discussion on improving stakeholder participation processes used in the nuclear materials and waste activities.

The Commission appreciates the support and the time spent by the various individuals and organizations that participated in the stakeholder meeting. The broad representation of views provides the Commission with necessary insights for improving its interactions with all stakeholders.

The Commission commends the staff's past efforts to improve materials stakeholder participation and encourages the staff to consider the comments and discussion provided during the course of the meeting in order to improve interactions with stakeholders, and to incorporate the suggestions, as appropriate, into current NRC activities and plans. If problems are identified as additional improvements are made, the staff should request Commission guidance as necessary.

The following areas for improvement were highlighted by stakeholders:

1. **Communication Skills of NRC Representatives** - NRC representatives were often process oriented, legalistic, and reluctant to communicate about issues.

Action: NRC management should clearly communicate the Commission's expectation for timely, open, accurate communications with all stakeholders. Additional training in this area should be provided as needed to the staff.

2. **Responsiveness to Stakeholder Comments and Concerns** - Stakeholders were often unaware of the disposition of their comments and concerns that were provided to

the NRC staff.

Action: NRC management and staff should ensure that, before comments are solicited, stakeholders are informed how their comments will be used. Stakeholders should also be informed how the NRC responses to their comments can be obtained, if comments are being addressed individually. If not, the staff should inform stakeholders about any summary documents that discuss the resolution of comments.

3. **Increased Use of Dedicated Teams, Working Groups, Published Activity Plans, Scoping Meetings, Regional and Facilitated Meetings, and Participatory Workshops** - Stakeholders noted that when these techniques are used, NRC has been successful in obtaining and considering stakeholder input.

Action: NRC management should continue the use of these techniques in all major NRC activities. The staff should maintain and improve, as appropriate, the use of those techniques that have proven to be effective in ensuring adequate stakeholder input. As part of the improvement process, the staff should internally document the pros and cons of each technique as part of a lessons learned process.

4. **Stakeholder Representation** - Public Interest Groups were concerned that they were underrepresented at the meeting.

Action: To the extent practicable, the Commission should ensure that a diversity of stakeholder groups are represented at its meetings. The staff should work with SECY to ensure that a wide range of public interest groups are adequately included.

5. **NRC Web Page and Access to Information** - The NRC web page is difficult to navigate to find information. Information should be available on the web in a timely way. The NRC should use technology that facilitates information exchange with stakeholders, including use of "list servers."

Also, the NRC should be sensitive to the large number of public stakeholders that do not have Internet access. The NRC should ensure information is provided via other means.

Action: The staff should take action in the following areas: (1) make the agency web site easier to navigate for ease of locating information while ensuring that information is available in a timely way, (2) facilitate information exchange with agency stakeholders, and (3) ensure that agency information is provided by other means for the large number of stakeholders without Internet access. In all instances, the OCIO is the lead organization.

(1) Improving NRC's Web Site

- In conjunction with current efforts underway to improve the NRC web site, review other major web sites (such as but not limited to OSHA, EPA, cadc.uscourts.gov, and thomas.loc.gov web pages) as models for possible improvements of the NRC site.

- Solicit the views of stakeholders who are frequent users of NRC's and other web sites as well as the views of others with experience retrieving information from the Web, such as members of the general public, researchers, and representatives of the library community. The staff should actively meet and hold discussions with these individuals in the development of an improved NRC web site.
- Work with the new NRC Communications Manager to identify and implement goals for the public site to support NRC's strategic plan.
- Ensure that the public site is compliant with the Americans with Disabilities Act.

(2) Facilitating Information Exchange with Agency Stakeholders

- Work with NMSS and OSP to explore the costs for the re-establishment of the "list servers" to reach out actively to stakeholders.

(3) Facilitating Information Availability for Stakeholders without Internet Access

- Review, update, and consider expanding the range of information sources currently available (e.g., PDR 800 number, the "Citizen's Guide to NRC Information") to improve awareness of access to agency information for stakeholders without Internet access.
- Consider, for example, enhanced outreach to public librarians to enlist their support in helping those who are not Internet-aware or who do not have Web access in their homes.

The staff is to provide a status report, including a completion plan, to the Commission on the above 3 items.

(CIO/EDO)

(SECY Suspense: 2/15/00)

6. **Compatibility Requirements** - Carefully weigh more stringent compatibility requirements for Agreement States so as to assure greater consistency in regulatory requirements involving interstate commerce. Setting compatibility high minimizes variations in regulations between the NRC and the Agreement States. These variations can be costly and confusing, and do not improve safety. Sometimes, the Agreement State rules have consequences that were not expected and affected parties may not be adequately informed about proposed or final revisions.

Action: In conjunction with current efforts to improve materials regulations, evaluate the appropriate compatibility levels for new regulations, including the public comment process in Agreement States, so as to balance the benefits of uniformity in regulations that have transboundary implications against the benefits of providing flexibility to the Agreement States. Additionally, provide an evaluation of the feasibility of NRC creating and maintaining a web page serving as a bulletin board for Agreement State rulemaking activities. This bulletin board may consist of simply a link to all the appropriate NRC and

Agreement State web sites or something different. As part of this evaluation, the staff should provide the Commission with pros and cons of the proposal addressing issues such as (1) would the web site be cost effective, (2) proposed methods of financing the web site, (3) should Agreement State participation be voluntary or mandatory, (4) legal implications of developing the web site, and (5) potential alternative methods than the proposed web site for ensuring copies of Agreement States' proposed and final rules are readily accessible to persons in other States.

(EDO/CIO)

(SECY Suspense: 5/30/00)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-17