

EDO Principal Correspondence Control

FROM: DUE: 06/20/02

EDO CONTROL: G20020351  
DOC DT: 06/10/02  
FINAL REPLY:

David Lochbaum  
Union of Concerned Scientist, UCS

Edwin Lyman  
Nuclear Control Institute, NCI

TO:

Commission

FOR SIGNATURE OF : \*\* PRI \*\*

CRC NO: 02-0411

Chairman

DESC:

Request for Resumption of Public Meetings on  
Security

ROUTING:

Travers  
Paperiello  
Kane  
Norry  
Craig  
Burns/Cyr  
Collins, NRR  
Landau, OEDO

DATE: 06/11/02

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Template: 5209-017

E Rids: 5209-01

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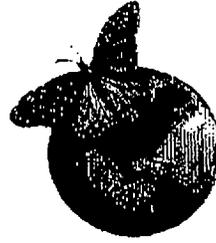
Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECy-017

Erid: SECy-001





**Union of  
Concerned  
Scientists**

Citizens and Scientists for Environmental Solutions

June 10, 2002

Chairman Richard A. Meserve  
Commissioner Nils J. Diaz  
Commissioner Greta J. Dicus  
Commissioner Edward McGaffigan, Jr.  
Commissioner Jeffrey S. Merrifield  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

**SUBJECT: REQUEST FOR RESUMPTION OF PUBLIC MEETINGS ON SECURITY**

Dear Chairman and Commissioners:

Resource limitations usually force non-governmental organizations (NGOs) to avoid duplication of effort by having one NGO take the lead on a concern with other NGOs providing support on an as-needed basis. A compelling sign of how important nuclear plant security issues are to the NGO community is the level of engagement there has been with the NRC on this matter. After the NRC attempted to terminate force-on-force security tests in July 1998, representatives from Greenpeace, the Nuclear Information and Resource Service, Public Citizen's Critical Mass Energy and Environmental Project, and TMI Alert have joined representatives of our organizations, the Nuclear Control Institute (NCI) and the Union of Concerned Scientists (UCS) at many of the NRC public meetings on security issues. While our organizations have slightly different solutions to the security problems, we are united in our belief that nuclear plant security needs to be improved and the best way to define and achieve those improvements is in a public forum.

The NRC suspended public meetings on nuclear security following the events of 09/11. We recognize that the agency, and the federal government more broadly, is struggling with where to draw the line between what information can be discussed in public and what information should remain undisclosed. We hope you recognize that the public's interest in and concerns over nuclear plant security have only been heightened by recent events.

To alleviate growing tension and to facilitate the transition back to more routine NRC public meetings, we urge the Commission to expeditiously direct its staff to initiate interim public meetings on security. The format we propose for the interim meetings is intended to achieve our current primary objective of ensuring that the NRC staff understands the concerns of the NGO community regarding security and is aware of recommendations by the NGOs to resolve those concerns. Our proposed meeting format also supports of current secondary objective of providing an opportunity for the NRC staff to, at its discretion, inform the NGOs about publicly available information on relevant security issues.

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Specifically, the format we propose for the interim public meetings is patterned after meetings conducted by the Advisory Committee on Reactor Safeguards (ACRS). The ACRS frequently holds meetings where interested parties (NRC staff, industry representatives, NGOs, etc.) are invited to make presentations. ACRS members ask clarifying questions during and following the presentations. In addition, ACRS members ask presenters their thoughts on alternatives to their conclusions and recommendations. But the meetings are not structured to enable the presenters to query the ACRS members.

We propose that the NRC staff play the ACRS role in the interim public meetings. The NGOs could make presentations to the NRC staff about their security concerns and any recommendations for solutions. The NRC staff could ask the NGOs clarifying questions. As with ACRS meetings, all other stakeholders would be welcome to attend the interim public meetings and make statements before the meeting adjourns. This format would not force the NRC staff to agree or disagree with concerns expressed by the NGOs or to disclose whether recommendations made by the NGOs had or had not been incorporated into various NRC orders and advisories. It would also avoid making the NRC staff respond with some version of "no comment" to questions that cannot be publicly answered at this time.

We hope that the Commission will authorize interim public meetings on security using our proposed format or some reasonable facsimile. We believe it is a workable compromise in this uncertain time.

If for some reason the Commission refuses to authorize interim public meetings on security at this time, we request that you consider another alternative. The NGOs could host a series of meetings on security at their offices, with the NRC and other stakeholders (i.e., industry representatives) invited to participate to their own comfort level. As a minimum, we would expect the NRC staff to send one or more representatives to these meetings to listen to the NGO concerns and gather any hand-outs. The NRC representatives would not have to utter a word or even make eye contact. At their own discretion, the NRC representatives would be free to ask clarifying questions of the NGO presenters, read a prepared statement, or make other statements. All of the other stakeholders would be equally free to engage the NGO presenters. But neither the NGO presenters nor the other stakeholders would have the opportunity to query the NRC representatives.

We would also consider hybrid meetings. For example, we could try one or more NGO-hosted meetings. Assuming they met everyone's expectations, they could be supplemented by or replaced by NRC-hosted interim public meetings.

The short-term goal we seek is re-introduction of public input to the NRC on nuclear plant security issues. The long-term goal is resumption of the open dialogue, albeit perhaps with tighter restrictions on the information disclosed, on the issue. We view either of the options outlined above as a way to reach this short-term goal and facilitate reaching the long-term goal. We hope the Commission agrees.

Sincerely,



for Edwin Lyman  
President  
Nuclear Control Institute



David Lochbaum  
Nuclear Safety Engineer  
Union of Concerned Scientists