

September 16, 2002

MEMORANDUM TO: Martin Virgilio, Director
Office of Nuclear Materials Safety
and Safeguards

THROUGH: John Greeves, Director /RA/
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

FROM: Janet Kotra, Team Leader /RA/
HLW Public Outreach Team

SUBJECT: TRIP REPORT ON PARTICIPATION IN THE 3rd SESSION OF THE
ORGANIZATION FOR ECONOMIC CO-OPERATION AND
DEVELOPMENT NUCLEAR ENERGY AGENCY FORUM ON
STAKEHOLDER CONFIDENCE April 24-26, 2002

Attached is a trip report documenting the Division of Waste Management's (DWM) staff participation in the 3rd annual meeting of the Organization for Economic Co-operation and Development (OECD) Nuclear Energy Agency (NEA) Forum on Stakeholder Confidence. This report expands upon a "quick-look" report prepared on May 2, 2002. The author acknowledges the lateness of the formal report (brought about by the press of other business). She commits to submit timely reports in the future. DWM believes the content of this report may be of interest to the Commission, and recommends that OIP forward the report to the Commission.

Attachments: 1. NRC Foreign Trip Report
2. Agenda

cc: J. Craig (OEDO)
J. D. Lee (OIP)
T. Rothschild (OGC)
L. Silvious (ONSIR/INFOSEC)
M. Federline (NMSS)
T. Sherr (NMSS/FCSS)
J. Kennedy (NMSS/DWM)

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DATE	9/05/02		9/05/02		9/09/02		9/11/02	

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NRC FOREIGN TRIP REPORT

Subject

TRIP REPORT ON PARTICIPATION IN THE 3rd SESSION OF THE OECD NUCLEAR ENERGY AGENCY (NEA) FORUM ON STAKEHOLDER CONFIDENCE (FSC) April 24-26, 2002

Dates of Travel and Countries/Organizations Visited

April 24-26, 2002; Forum on Stakeholder Confidence (FSC); Paris, France

Sensitivity

Not applicable

Background

Traveler is NRC's designated representative to an International Forum on Stakeholder Confidence. As a member of its core group, she was invited to chair a discussion session at the 3rd annual meeting of the Forum.

Abstract

On April 24-26, 2002, I attended the third session of the Forum on Stakeholder Confidence (FSC) in Paris, France. The FSC is a working party to Radioactive Waste Management Committee (RWMC) of the Organization for Economic Co-operation and Development's (OECD's) Nuclear Energy Agency (NEA). Participants presented talks on the European Commission and OECD-sponsored activities related to civil society. Regulators, implementers, and policy specialists discussed the lessons learned and remaining open questions associated with public confidence in the disposal of radioactive waste. Participants described the evolution of public debate on radioactive waste management in the United Kingdom. The European Union (EU) representative to the FSC described the latest Eurobarometer inquiry on the views of the EU public about radioactive waste management. Participants also discussed the Environmental Impact Assessment as a tool for public and stakeholder participation. The FSC also discussed the recent topical session, "Trust in Organizations" that was sponsored by RWMC. The NEA secretariat for the FSC presented a draft paper on stepwise decision making in radioactive waste management. Finally, as a member of the FSC core group, I chaired a discussion of a proposed October 2002 FSC workshop in Canada. As part of this workshop, FSC members plan to meet with a broad array of stakeholders from two communities in Ontario—one which has accepted disposal of uranium milling waste in their community, and a second that has refused. FSC members will examine those factors that fostered, or lessened stakeholder confidence in the two communities. In a series of facilitated roundtable discussions, FSC members will also explore important contributors to confidence of Canadian stakeholders, especially in light of new legislation expected from (and subsequently passed by) the Canadian Parliament governing the selection of a management strategy for spent nuclear fuel. In my view, this forum for exchanging experience firsthand and learning from other countries' successes and failures at building trust and stakeholders' confidence is extremely valuable to NRC's public outreach efforts. Participation in FSC meetings and workshops strengthens NRC's credibility in this arena and contributes to NRC's performance goals for maintaining safety and enhancing public confidence. The next FSC meeting following the October 2002 workshop in Canada is scheduled for May 2003 in Paris.

Attachment 1

Discussion

1. Introduction

On April 24-26, 2002, I represented the NRC at the third meeting of the Forum on Stakeholder Confidence (FSC) held in Paris, France. The U.S. Department of Energy (DOE) and the U.S. Environmental Protection Agency (EPA) also sent representatives, as did implementers and regulators from more than 15 countries. The meeting took place at the headquarters of the Organization for Economic Cooperation and Development (OECD). The Agenda for this session is provided as Attachment 2. The FSC is a working party to Radioactive Waste Management Committee (RWMC) of the Organization for Economic Co-operation and Development's (OECD's) Nuclear Energy Agency (NEA). The RWMC chartered the FSC in March 2000. The FSC is the RWMC's main support group to keep under review the worldwide experience of its member organizations in outreach programs and to identify and examine issues affecting the confidence of stakeholder in radioactive waste management projects. The charter extends until Spring of 2003, when the RWMC will decide whether to extend the mandate of the FSC or to address stakeholder confidence issues by other means. The FSC is chartered to facilitate the exchange of successful as well as less than successful experiences in achieving public confidence in the management of radioactive waste. The FSC comprises members from thirteen countries with active waste management programs as well as members from the International Atomic Energy Agency and the European Commission. It holds one annual meeting in Paris of FSC members. In addition, the Forum also sponsors an annual workshop with wider participation to examine, in depth, issues of stakeholder confidence that have arisen in a particular member country's waste program.

2. Opening Remarks and Welcome

Opening remarks were provided by the Director General of the NEA, Luis Echávarri. He cited the importance of the Forum's work to understanding the evolving relationship between governments and civil society with regard to nuclear safety and waste issues. Forum Chairman, Yves LeBars also welcomed the forum delegates and presented the agenda.

3. Update and Information on Relevant International Activities

Forum delegates heard several presentations and discussed the lessons learned and remaining open questions associated with public confidence in the disposal of radioactive waste. Perspectives of implementers, regulators, R&D specialists, and policy makers were addressed.

The Forum then received an overview of OECD-sponsored activities related to civil society. "Civil Society" in the OECD context refers to all of society excluding government, business and labor. Representatives of "civil society" extend beyond NGOs, who often claim to speak for the broader public. They also include "think tanks," foundations, and social service organizations, such as the Red Cross. The OECD explicitly recognizes that effective relations between governments and citizens are a central element of good governance. It has recently completed a review of government responses to public demands for access to information opportunities and active participation in policymaking. This review found that in all OECD countries the scope, quantity and quality of information provided to the public has increased greatly over the past 20 years. Consultation and opportunities to provide feedback have also increased. Still lacking, according to this review, however, were examples of active participation and efforts to engage citizens in policymaking on a partnership basis.

The EU representative to the FSC described the latest Eurobarometer inquiry on the views of the EU public about radioactive waste management. The Eurobarometer Surveys are run twice a year to gauge public opinion in the EU countries on a wide range of important topics. They include face-to-face interviews in people's homes and are conducted in interviewees' native languages. Results were presented from the most recent survey conducted in October and November 2001. Major conclusions include: 1) People consider themselves badly informed about radioactive waste; 2) People have little trust in the nuclear industry; 3) People have very limited knowledge about basic facts (e.g. origins of waste, quantities, and scale of hazards); 4) People are concerned about short and long-range risks of HLW disposal in equal measure; 5) People strongly believe that the present generation should manage the waste it produces; 6) People think nuclear power should remain an option—if all radioactive waste is managed safely **but** 7) nearly half believe that the impasse in HLW disposal is because there is no safe way to do it.

The FSC also discussed the recent topical session, "Trust in Organizations," sponsored by the RWMC. Observations from the topical session correspond quite closely with those from FSC activities. Among these are that: a sound and fair process is as important as technical competence; personal relationships are key to building trust but sufficient time and resources are needed for engagement; clear expectations of outcomes for stakeholders must be established at the beginning of a process; listening is the most important step in achieving trust; regulators and developers must be viewed as responsible organizations; and accountability, transparency and openness are key to building trust.

4. Other Presentations of Interest

Participants from England, Scotland, and Ireland described the evolution of public debate on radioactive waste management in the United Kingdom. A topical session addressed the use of the Environmental Impact Assessment or Impact Statement (EIS, in the U.S.) as a tool for public and stakeholder participation. The U.S. EPA delegate to the forum presented an overview of the U.S. National Environmental Policy Act (NEPA) process. Before this presentation, I interacted with the EPA delegate to clarify the differences between the standard EIS process, and that mandated by the Nuclear Waste Policy Act for the proposed site at Yucca Mountain. The EPA delegate adopted my suggested changes to his presentation, and invited me to address many of the Forum member's questions about Yucca Mountain, following his talk.

5. Plans for October 2002 Workshop in Canada

As a member of the FSC core group, I chaired a discussion of a proposed October 2002 FSC workshop in Canada. As part of this workshop, FSC members plan to meet with a broad array of stakeholders from two communities in southern Ontario—one which has accepted disposal of uranium milling waste in their community, and a second that has refused. FSC members will examine those factors that fostered, or diminished stakeholder confidence in the two communities. In a series of facilitated roundtable discussions, FSC members will also explore important contributors to confidence of Canadian stakeholders, especially in light of new legislation, the Nuclear Fuel Waste Act, expected from (and subsequently passed in June by) the Canadian Parliament governing the selection of a management strategy for spent nuclear fuel.

6. Closing Observations

In my view, exchanging experience firsthand and learning from other countries' successes and failures at building trust and stakeholders' confidence is extremely valuable to NRC's public outreach efforts. Participation in FSC meetings and workshops strengthens NRC's credibility in this arena and contributes to NRC's performance goals for maintaining safety and enhancing public confidence. The next FSC meeting following the October 2002 workshop in Canada is scheduled for May 2003 in Paris.

Commission Action

None required.

"On the Margins"

DOE may be asked to consider hosting the next FSC workshop in Fall/Winter 2003, now that the President's recommendation of the Yucca Mountain site has taken effect. Such a workshop with Yucca Mountain stakeholders may be complicated by pending litigation. Forum interest in the progress of the proposed repository at Yucca Mountain and DOE's relationship with its stakeholders remains high.