

OFFICE OF INTERNATIONAL PROGRAMS

INSTRUCTION for handling

INFORMATION CORRECTION REQUESTS (ICRs) AND APPEALS INFORMATION QUALITY PROGRAM

Policy

It is the policy of the U.S. Nuclear Regulatory Commission to make every effort to ensure the quality of all information it relies on for making decisions or disseminates to the public. NRC's policies and practices are designed to ensure that the proper level of quality is established and maintained which is commensurate with the nature of the information. Thus, the most influential scientific, financial, and statistical data are subject to the most rigorous quality standards. The NRC will correct information that does not meet its standards or the Office of Management and Budget's (OMB) guidelines based on the significance and impact of the correction. The NRC Information Quality Guidelines are general statements of agency policy and are not legally binding of the agency or on affected persons.

Objectives

This procedure sets forth the office's instructions for processing, evaluating, and responding to information correction requests (ICRs) and appeals.

Background

On September 28, 2001, the Office of Management and Budget (OMB) issued its new guidelines for ensuring and maximizing the quality (defined as utility, integrity, and objectivity) of information disseminated by Federal agencies. OMB issued subsequent guidance on February 22, 2002. In response the NRC issued its Draft NRC Information Quality Guidelines (67 FR 22463) for public comment on May 3, 2002. These guidelines contained the scope of the guidelines, description of NRC's information quality standards, and an administrative mechanism by which the public can seek correction. The Information Quality Task Group (consisting of a member from SECY, ADM, RES, NMSS, NRR, OGC, EDO, and lead by the CIO's office) drafted guidelines, requested and incorporated comments from the public. The guidelines passed a review by OMB, gained approval by the Commission, and the final NRC Information Quality Guidelines were published in the Federal Register on October 1, 2002. A *Information Quality Draft Instruction* (Appendix A) and *Information Quality Handbook* (Appendix B) were also issued. The Draft Instruction and the Handbook, along with The *NRC Information Quality Quality Guidelines* (Appendix C) are the basis for this office procedure.

Basic Requirements

The NRC has established the position of Information Quality Coordinator (IQC) who will have the overall responsibility for the ICR review and appeals process and provide consistency to the agency's response to ICRs. Additionally, the Office of Chief Information Officer requested that each office identify point of contact called Information Office Coordinator (IOC), Initial Review Officer (IRO), and Appeal Review Office (ARO). The following outlines the role of each in the ICR review and appeal process within the Office of International Programs.

Process

A. Information Correction Request

1. Upon receipt of an ICR, the IOC will date stamp the incoming ICR and assign it to the appropriate staff member(s) for review (copy to Team Leader and the IRO). The IOC will inform the Office Director's secretary of the assignment and due date for entry in the OIP tracking system. If uncertain concerning assignment, consult the Team Leader and/or the IRO. The IRO for OIP is the Deputy Director.
2. The staff member(s) will evaluate the request (1) to determine the validity of the asserted error; (2) to evaluate the impact if error(s) is found; and (3) to document findings. Further, where error is found, the staff member(s) should (1) advise the Team Leader and the IRO of the error; (2) determine what if any corrective action should be taken; and (3) provide the schedule for the corrective action. If this is acceptable to the IRO, the staff member(s) should then send an E-mail to the IOC in sufficient detail so that the IOC can respond to the IQC within 30 calendar days of initial receipt of the ICR by the IOC. Also, the staff assigned the ICR should notify the IOC within 2-3 days after assignment of the ICR if more than 30 days will be needed to complete the ICR, the reason why, and the expected date of completion. This information will be forwarded by the IOC to the IRO for approval, then to the IQC.
3. The IOC will route ICR to the appropriate staff for review.
4. Assess consistency of decisions within the office to correct or not to correct information and coordinate with office staff as appropriate.
5. Transmit the decision made within the office to correct or not to correct information to the IQC.
6. Maintain file folder for each ICR and pertinent information

B. Information Correction Request Appeal

1. Upon receipt of an ICR appeal, the IOC will date stamp the incoming appeal and forward it to the ARO. The ARO for OIP is the Office Director. The IOC will also inform the Office Director's secretary of the assignment and due date for entry in the OIP tracking system.
2. Initially, the ARO will review the appeal to determine if it is of such a nature as to require more than 30 days to review. If additional time is required, the ARO will send an E-mail to the IOC stating that more time is needed to conduct the review, the justification for the extension, and a new schedule for completing the review. This E-mail should be sent to the IOC as soon as possible, but not later than 20 calendar days following receipt of the ICR appeal by the IOC. Subsequently, the ARO will review the ICR appeal based on additional appeal information. If necessary, the ARO will consult with other Federal agencies or NRC staff in responding to the appeal.
3. The ARO will determine whether an error exists and a correction is warranted, and if so, what action will be taken. The degree of corrective action recommended by the ARO should reflect the nature and timeliness of the information involved, as well as its impact on other agency processes and activities.
4. Upon completion of the ICR appeal review, the ARO will provide a memorandum to the IOC that will include the appeal determination. If the appeal is upheld, the ARO will also include a statement of the corrective action taken or to be taken and a schedule for completion of actions to be taken.
5. The IOC will forward this information to the IQC with a copy to appropriate office support staff with instructions that the ICR appeal should be made public through ADAMS (personal privacy information to be withheld).

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Information Quality Draft Instruction

Appendix
A

Policy

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) to ensure the quality of all information it relies on for making decisions or disseminates to the public. NRC's policies and practices are designed to ensure that the appropriate level of quality commensurate with the nature of the information is established and maintained. Thus, the most influential scientific, financial, and statistical data are subject to the most rigorous quality standards. NRC will correct information that does not meet its standards and/or the Office of Management and Budget's (OMB) guidelines based on significance and impact of the correction.

Objectives

To ensure that--

NRC conforms to the NRC Information Quality Guidelines and OMB's guidelines.

Disseminated information meets the information quality criteria for utility, integrity, and objectivity as described in the information quality standards found in the Handbook to this draft instruction.

The highest level of quality is imposed on influential scientific, financial, or statistical information.

Information correction requests (ICR) receive appropriate consideration.

Organizational Responsibilities and Delegations of Authority:

Executive Director for Operations (EDO)

Provides oversight of NRC's Information Quality.

Chief Information Officer (CIO)

Ensures that NRC's Information Quality is consistent with Federal statutes and OMB guidance.

Ensures that a process to address the ICRs is effectively implemented throughout NRC.

Ensures the development of appropriate agency-wide training for Information Quality.

Designates the agency's Information Quality Coordinator (IQC).

Provides automated data processing assistance including continuing development, enhancement, and modification of the tracking system to monitor ICRs.

Information Quality Coordinator (IQC)

Manages ICR review and appeal process for Information Quality.

Maintains the official ICR files.

Prepares the annual report to the Office of Management and Budget and other necessary reports to keep management abreast of the status and issues relating to ICR reviews.

Assesses consistency of decisions to correct or not to correct information.

Independently assess each decision to correct information for its impact on other agency processes and activities.

Office of the General Counsel (OGC) and Regional Counsels

Provides legal opinions and advice related to NRC's Information Quality Guidelines.

Reviews substantive ICR denials to assure there is no legal objection to the denial.

Office Directors and Regional Administrators

Ensures that staff are aware of and follow the NRC's policies on Information Quality.

Appoints an information office coordinator (IOC) to facilitate the review of requests for correction and be responsible for the management of the process within the office or region.

Ensures appropriate development of office procedures to implement the NRC Information Quality Guidelines.

Information Office Coordinator (IOC)

Manages the ICR review and appeal process within the designated office.

Maintains the office ICR files.

Routes ICRs to the appropriate reviewers.

Assesses consistency of decisions within the office to correct or not to correct information and informs IQC.

Assesses each decision to correct information for its impact within the office and informs IQC.

Transmits ICR review findings from reviewer to IQC.

Initial Review Official (IRO)

Evaluates assigned initial ICR for validity.

Evaluates assigned initial ICR for impact if found valid.

Evaluates assigned initial ICR for necessity to correct if found valid.

Document findings and sends to IQC through IOC.

Appeal Review Official (ARO)

Evaluates assigned appeal ICRs validity based on additional appeal information.

Evaluates assigned appeal ICRs for impact if found valid based on appeal information.

Evaluates assigned appeal ICR for necessity to correct if found valid based on additional appeal information.

Documents findings and sends to IQC through IOC

NRC Employees

Know the NRC Information Quality Guidelines.

Develop work products to office and agency standards.

Applicability

The policy and guidance in this instruction and handbook apply to all NRC employees.

Handbook

This handbook contains detailed procedures for Information Quality.

References

Treasury and General Appropriations Act for FY 2001 (Pub.L.106-554, Section 515(a)).

Safe Drinking Water Act Amendments of 1996 (42 U.S.C. 300g-1).

Paperwork Reduction Act (44 U.S.C. 3502(1)).

Office of Management and Budget, Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, Federal Register, Vol. 67, No. 36, February 22, 2002.

NRC, Information Quality Guidelines, Federal Register, Vol. 67, No. ??, ????

Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission, NUREG-BR-0058, Rev. 3.

Regulatory Analysis Technical Evaluation Handbook, NUREG/BR-0184.

Information Quality Handbook

General Information

This handbook is presented in three parts. Part I is the NRC Information Quality Guidelines that set forth the NRC policy on scope of administrative process by which the public requests changes to information disseminated by the agency, agency information quality standards, and the administrative process to request changes to information disseminated by the agency. Part II provides an overview of the quality of NRC products and how quality is achieved as defined in the NRC information quality standards. Part III is a discussion of the administrative process and how the agency will process the request.

Part I

INTRODUCTION

On September 28, 2001, the Office of Management and Budget (OMB) issued its new guidelines for ensuring and maximizing the quality (defined as utility, integrity, and objectivity) of information disseminated by Federal agencies. OMB issued subsequent guidance on February 22, 2002. In response, the U. S. Nuclear Regulatory Commission (NRC) issued its Draft NRC Information Quality Guidelines (67 FR 22463) for public comment on May 3, 2002. These guidelines contained the scope of the guidelines, description of NRC's information quality standards, and an administrative mechanism by which the public can seek correction of information disseminated by the NRC.

NRC INFORMATION QUALITY GUIDELINES

The U.S. Nuclear Regulatory Commission (NRC) is committed to ensuring the quality of all information that it relies on or disseminates. The NRC's policies and practices are designed to ensure that the agency establishes and maintains an appropriate level of quality commensurate with the nature of the information. Thus, the most influential scientific, financial, and statistical data are subject to the most rigorous quality standards. The NRC will correct information that does not meet its guidelines or those of OMB based on the significance and impact of the correction. The NRC Information Quality Guidelines are general statements of agency policy and are not legally binding on the agency or on affected persons.

SCOPE OF INFORMATION SUBJECT TO THESE GUIDELINES

Because of the importance of openness and transparency, the NRC routinely makes available to the public the majority of its regulatory documents, information about its decision making processes, and the standards used to analyze information submitted by the regulated community. OMB's guidelines require the NRC to apply information quality standards only to a subset of this information; however, the NRC is committed to ensuring the quality of all of the information it disseminates, whether or not it is specifically covered by these guidelines. In

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addition, the NRC has many existing processes by which the public may comment on agency information. The agency will continue to use these processes to respond to comments and requests, regardless of whether they are specifically covered by these guidelines

The agency's information quality reviews apply to NRC information that is publicly disseminated for the first time on or after October 1, 2002. The fact that an information product is already on NRC's Website or in the Public Document Room prior to October 1, 2002, and is still maintained by NRC (e.g., in NRC's files, in publications that NRC continues to distribute on its Website), does not make the information subject to these guidelines or to the request for correction process if it falls within the archival records exemption. Information disseminated prior to October 1, 2002, is subject to the correction and appeal process should the information be questioned and the requester can demonstrate that the challenged data, which is publicly available through agency Websites or other means, serves agency program responsibilities and/or is relied upon by the public as official government data. Additionally, if specific information has previously been disseminated and is not covered by these guidelines, that information may still be subject to the NRC Information Quality Guidelines during a post October 1, 2002, dissemination of the information in which NRC either adopts, endorses or uses the information to formulate or support a regulation, guidance, or other Agency decision or position

Information Subject to These Guidelines

These guidelines apply to print and electronic versions of agency information. The types of NRC information covered by the guidelines include, but are not limited to, the following

- rulemakings
- inspection reports
- findings of the reactor oversight process
- regulatory guides and other guidance to licensees
- generic communications to licensees, including information notices, generic letters, bulletins, and others
- technical reports
- Safety Evaluations and Safety Evaluation Reports
- information that other parties provide to the NRC upon which the NRC relies or which the NRC disseminates

Information Not Subject to These Guidelines

On the basis of the OMB guidelines, the types of NRC information exempt from the guidelines include, but are not limited to, the following.

- information products intended to be limited to the allegations process, public filings, subpoenas, records compiled for law enforcement purposes or that are involved in adjudicative processes
- non-scientific and/or non-statistical general, procedural, or organizational information, which is prepared for NRC management and operation, and is not primarily intended for public dissemination
- information that is neither initiated nor sponsored by the NRC and is not relied upon or disseminated by the NRC
- information that expresses opinions, rather than formal agency views
- information that is intended to be limited to intra-agency use
- shared government information or information that is intended to be limited to inter-agency use
- information that is prepared for dissemination to agency employees, contractors, or grantees
- agency correspondence that is not primarily intended for public dissemination, but is made publicly available solely to enable the public to be aware of the NRC's interactions with individuals, including applicants, licensees, and others who make formal requests to the agency
- agency press releases, fact sheets, press conferences, or similar communications (in any medium) that announce, support the announcement, or give public notice of information that the NRC has disseminated elsewhere
- Congressional testimony and other submissions to Congress containing information that the NRC has previously disseminated to the public
- agency speeches
- publications of individual employees, grantees, and contractors, in which the information is published in the same manner used by academic colleagues, and which include an appropriate disclaimer that the views expressed are the individual's or entities' own and do not reflect the views of the NRC
- archival records
- trade secrets, intellectual property, classified, restricted, unclassified safeguards, proprietary, sensitive homeland security, privacy, and other information not subject to disclosure under the Freedom of Information Act

- responses to requests made under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or similar laws
- interpretations of data or information, or requests to de-publish information

Applicability to Proposed Rulemaking and Other Public Comment Processes

The correction and appeal process that will address data quality challenges normally will not apply to information disseminated by the NRC through a comprehensive public comment process, e.g., *Federal Register* notices of proposed rulemakings, regulatory analyses, requests for comments on information collections subject to the Paperwork Reduction Act, environmental impact statements, and other documents for which NRC solicits public comments. Persons questioning the quality of information disseminated in those documents, or documents referenced or relied upon in those documents, should submit comments as directed in the *Federal Register* or other notices requesting public comment on the given document.

The NRC will use its existing processes for responding to public comments in addressing the request for correction, and will describe the actions it has taken with regard to the request in the *Federal Register* notice of the final agency rule, regulatory analysis, or other final action. In cases where the agency disseminates a study, analysis, or other information prior to the final agency action or information product, ICRs will be considered prior to the final agency action or information product in those cases where the agency has determined that an earlier response would not unduly delay issuance of the agency action or information product and the requester has shown a reasonable likelihood of suffering actual harm from the agency's dissemination if the agency does not resolve the ICR prior to the final agency action or information product.

Waiver of standards under urgent conditions

The NRC's information quality standards may be temporarily waived for information that is disseminated under urgent situations. The NRC will consider "urgent situations" to include emergency conditions at licensed facilities, as well as imminent or credible threats to the public health and safety, the common defense and security, including homeland security, the environment, and other situations deemed to be urgent conditions on a case-by-case basis.

NRC QUALITY STANDARDS

Information, including third-party information, that the NRC relies on or disseminates must meet both the NRC Information Quality Standards and OMB Information Quality Guidelines in order to ensure and maximize information quality. These information quality standards also apply to the creation, collection, acquisition, and maintenance of information by the NRC. The NRC will ensure that its draft information collection packages submitted for OMB approval will result in the information being collected, maintained, and used in a manner that is consistent with NRC and OMB information quality guidelines. Agency policies and procedures will ensure that the NRC meets and maintains these standards.

The NRC has set information quality as a measure of agency performance. The NRC will meet the information quality criteria for utility, integrity, and objectivity, as defined in the OMB and NRC guidelines. The following NRC standards expound on how the NRC will apply the OMB criteria in its regulatory environment. The degree of rigor of the pre-dissemination reviews will be commensurate with the nature and significance of the information.

The NRC will impose the highest level of quality on *influential scientific, financial, or statistical information*, which the agency defines as information that forms the technical basis for a substantive rulemaking that has substantial impact on an industry. The NRC may also deem other types of information as "influential" under Section 515(a) of Public Law 106-554 of the Treasury and General Appropriations Act, on a case-by-case basis. In determining what constitutes *influential scientific, financial, or statistical information*, the NRC considers two principal factors. First, the information may have a clear and substantial impact that has a high probability of occurring. Second, the information may impact regulatory decisions affecting a broad class of applicants or licensees. (Although information contained in a regulatory decision for an individual applicant or licensee may have substantial impact, it is limited in its breadth, therefore may not be deemed "influential" for the purposes of these guidelines.)

The NRC applies the most rigorous procedures to ensure the quality of such "influential" information. The NRC achieves the highest level of quality by adherence to procedures that ensure utility, integrity, and objectivity. The reproducibility of original and supporting data for *influential scientific, financial, or statistical information* will be consistent with commonly accepted scientific, financial, or statistical standards. When reproducibility is not achievable through public access because of confidentiality protection or compelling interests, analytical results will receive especially rigorous reviews. The staff will describe the specific reviews, as well as the specific data sources, quantitative methods, and assumptions used.

The following provides a definition of the elements of information quality (utility, integrity, and objectivity) and a description how the NRC ensures information quality.

Utility is the usefulness of the information to its intended users. To ensure information utility, the NRC will:

- Adhere to NRC policy on the dissemination of information to the public, which clearly specifies what is to be made available to the public and when it should be available for public release.
- Make information associated with the agency regulatory processes and decisions public unless release is restricted because, for example, a given regulatory process or decision contains classified national security information, safeguards information, proprietary information, sensitive homeland security information, or other information that is protected from disclosure under the Freedom of Information Act.
- Use feedback mechanisms at the NRC's Web site to request public comments on what information the NRC disseminates and how it is disseminated.

- Request public comments on individual documents and hold public meetings, as appropriate, to solicit public comments
- Assist the public in quickly and conveniently locating the information they are seeking through the NRC's Public Document Room, or its Web site

Integrity is the security of information from unauthorized access or revision to ensure that the information is not compromised through corruption or falsification. To ensure information integrity, the NRC will adhere to agency policies for personnel security, computer security, information security, and records management, which include the following key components.

- Systems development and life cycle management policies require that computer systems must be designed and tested to prevent inadvertent or deliberate alteration and ensure appropriate access controls
- Computer and personnel security policies ensure that employees and contractors who have access to electronic information and associated computer systems are screened for trustworthiness and assigned the appropriate level of access
- Records management policies require that agency records must be properly maintained and protected. In particular, the NRC's electronic records management system (i.e., Agencywide Documents Access and Management System, (ADAMS)) is designed to ensure that documents that are disseminated to the public are protected from alteration or falsification

Objectivity involves two distinct elements, including presentation and substance. Information must be presented in a manner that is accurate, clear, complete, and unbiased. In addition, the substance of the information presented must be accurate, reliable, and unbiased. To ensure information objectivity, the NRC will

- Achieve accuracy and completeness in the following ways:
 - Provide formal review of and concurrence with all information disseminated, including rulemaking documents, inspection reports, technical reports, generic communications, and all other agency documents covered by these guidelines.
 - Encourage peer review of NRC research products. The primary objective of the peer review is to judge the technical adequacy of the research and to bring the widest and best knowledge to bear on the quality of research products. The NRC has adopted criteria for the selection of peer reviewers and the performance of peer reviews that are consistent with OMB guidelines.
 - Adhere to Quality Management Control standards prior to disseminating information at the NRC's public Web site.
- Ensure that information is reliable and unbiased in the following ways:

- Apply sound statistical and research methods to generate data and analytical results for scientific and statistical information
- Use peer reviews, consistent with OMB guidelines, of agency-sponsored research that is relied upon. Where information has been subjected to formal, independent, external peer review, the information may generally be presumed to be of acceptable objectivity. However, this presumption is rebuttable based on a persuasive showing in a particular instance.
- Use reviews of agency information by independent advisory committees, as appropriate, including the Advisory Committee on Reactor Safeguards (ACRS), the Advisory Committee on Nuclear Waste (ACNW), and the Advisory Committee on the Medical Uses of Isotopes (ACMUI).
- Use reviews by the Committee to Review Generic Requirements (CRGR), as appropriate, for information and related analyses with generic implications.
- Use reviews by Agreement States, as appropriate, for matters pertaining to the regulation of nuclear materials
- Provide opportunities for the public and States to comment on rulemakings, Commission policy statements, regulatory guides, and other information products, as appropriate.
- Hold public meetings to seek public views and solicit public comments through the NRC's Website and *Federal Register* notices, as appropriate
- Comply with internal policy to ensure unbiased incident investigation team investigations.
- Use reviews of proposed policy decisions by the five-member Commission.
- Achieve transparency in the following ways:
 - Include in relevant agency information products descriptions of the data and methods used to develop the information product in a way that would make it possible for an independent, qualified individual or organization to reproduce the results
 - Adhere to NRC policy and guidance overseeing the performance of regulatory analyses as provided in publicly available "Regulatory Analysis Guidelines of the U. S. Nuclear Regulatory Commission," NUREG/BR-0058, Rev. 3, and publicly available "Regulatory Analysis Technical Evaluation Handbook," NUREG/BR-0184. The NRC will perform regulatory analyses that assess uncertainty, in the context of quantifying risk, and communicate those findings to

the public in a manner that meets the intent of the OMB referenced information quality standards

- Achieve clarity in the following ways:
 - Adhere to the agency's Plain Language Program in written and electronic products.
 - Ensure that the all disseminated information receives appropriate editorial review.
 - Respond to stakeholder comments on the clarity of proposed actions.

NRC ADMINISTRATIVE PROCESS FOR THE PUBLIC TO SEEK CORRECTION OF INFORMATION

(1) What You Must Do If You Are an Affected Person

Use the following procedure to seek correction, under Section 515(a), of information that does not meet NRC or OMB Information Quality Guidelines:

- Submit your Information Correction Request (ICR) within 60 calendar days of the initial information dissemination or within 60 calendar days of NRC notice of intent to rely, or its reliance, on the information
- Submit a discussion of why the NRC should consider your ICR (along with your ICR), if you submit the ICR after 60 calendar days after the initial information dissemination or after 60 calendar days after the NRC notice of intent to rely, or its reliance, on the information.
- State that your ICR is submitted in accordance with the NRC's Information Quality Guidelines.
- Include your name, mailing address, fax number, e-mail address, telephone number, and organizational affiliation, if any. The NRC needs this information to respond to your ICR and contact you if necessary.
- Describe clearly the information you believe is in error and requires correction. Include the source of the information (for example, the name and date of the report or data product), the exact location of the error (for example, the page, figure, table, or Web page address), and a detailed description of the information to be corrected. A copy of the specific information that the ICR covers would assist the NRC in its review of your ICR.
- State specifically why the information should be corrected and, if possible, recommend specifically how it should be corrected

- Provide a copy of supporting documentary evidence, such as comparable data or research results on the same topic, or a specific authoritative source to help in the review of your ICR. If you supply the documentary evidence by means of a reference, the reference must be specific enough to allow the NRC to easily locate the information you identify as the basis for the ICR.
- State specifically how you are affected by the information for which you are seeking correction.

(2) How to Submit Your Request

You must submit your ICR under these guidelines in writing by mail, fax, e-mail, or Internet, as follows:

- Mail: Information Quality Coordinator
U. S. Nuclear Regulatory Commission
Washington, DC 20555
- Fax: 301-415-5130
- E-mail: Infoquality@nrc.gov
- Internet: <http://www.nrc.gov/public-involve/info-quality/contactus.html>

(3) What the NRC Will Do with Your Initial Request

Based on a review of the information you provide, the NRC will take the following actions:

- Perform an acceptance review to confirm that you have provided the necessary information regarding the ICR for the staff to review and make a decision.
- Submit your ICR for review to an Initial Review Official (IRO) who is knowledgeable of the subject matter related to your ICR and who normally will be at the Branch Chief level and, in most cases, a member of the Senior Executive Service
- Consult with other Federal agencies or NRC staff in responding to your ICR, as appropriate.
- Determine whether an error exists and a correction is warranted and, if so, what action will be taken.

- Notify you as soon as possible within the 45 day period if the ICR requires more than 45 calendar days to resolve. The NRC will inform you that more time is required, state the reason why, and include an estimated decision date
- Notify you of the agency's final decision regarding your ICR within 45 calendar days by letter, e-mail, or fax. The NRC's response will explain the findings of the review and any actions that the NRC will take.

(4) How You May Appeal the NRC Decision in Regard to Your Initial Request

Use the following procedure if you wish to appeal the NRC's denial of your ICR, or if you wish to appeal the decision on the corrective action:

- Submit your appeal within 30 calendar days of receipt of NRC's notification of denial or notification of the corrective action. (Only the original requester may appeal the decision.)
- Identify clearly the original ICR, and specify the NRC decision that you are appealing
- Describe clearly the basis for your appeal and how the response failed to resolve your ICR.
- Submit your appeal in accordance with the directions in the agency's initial response.

(5) What the NRC Will Do with Your Appeal

Based on a review of the information you provide in the appeal, the NRC will take the following actions:

- Perform an acceptance review to confirm that you have provided the necessary information regarding the ICR for the staff to review and make a decision
- Submit your request for review to an Appeal Review Official (ARO), typically at the Division Director level, who is a member of the Senior Executive Service and who, in most cases, does not supervise the IRO responsible for the initial response to the ICR
- Limit the appeal review to the basis of the appeal.
- Consult with other Federal agencies or NRC staff in responding to your appeal, as appropriate.
- Determine whether an error exists and a correction is warranted and, if so, what action will be taken.

- Notify you as soon as possible within the 30 day period if the appeal requires more than 30 calendar days to resolve. The NRC will inform you that more time is required, state the reason why, and include an estimated decision date.
- Notify you of the agency's final decision regarding your appeal within 30 calendar days by letter, e-mail, or fax. The NRC's response will explain the findings of the appeal and any actions that the NRC will take.

(6) Corrections

The correction process is designed to address the genuine and valid needs of affected persons without disrupting agency operations. You should be aware that you bear the burden of proof with respect to both the need for correction and the type of correction requested. In determining whether to correct information, the NRC may reject claims made in bad faith or without justification. The NRC is required to undertake only the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved.

The NRC may base its decisions regarding appropriate corrective action(s) on such factors as the significance of the asserted error, the benefits that are likely to be derived from such a correction, the observation of budget and resource priorities and restraints, and the agency's more pressing priorities and obligations.

Subject to applicable laws, the NRC's corrective measures may include, without limitation, personal contacts via letter or telephone, form letters, press releases, postings on the NRC's Website, correction in the next version of a document, or other appropriate methods that would give affected persons reasonable notice of any corrective actions made.

It is the NRC's intent to make corrections within a reasonable time after the agency has made the determination that a correction is appropriate. However, the NRC's budget, resources, and priorities, as well as the complexity of the correction itself, may affect when corrections are made.

In cases where the agency disseminates a study, analysis, or other information prior to the final agency action or information product, ICRs will be considered prior to the final agency action or information product in those cases where the agency has determined that an earlier response would not unduly delay issuance of the agency action or information product and the requester has shown a reasonable likelihood of suffering actual harm from the agency's dissemination if the agency does not resolve the ICR prior to the final agency action or information product.

The NRC will continue to process any decision or document that has had a related ICR unless the NRC decides that the information requires correction before the process may continue.

Your request for correction and the correction process will be open to the public as a commitment to transparency. Your ICR and NRC responses will be made public through ADAMS. Note: Your personal privacy information will not be made public.

(7) Annual Report

The NRC will identify the number and nature of the ICRs received and their resolution, including an explanation of decisions to deny or limit corrective actions in its annual fiscal year reports to the OMB.

Part II

OVERVIEW OF THE QUALITY OF NRC PRODUCTS

The NRC has long been committed to ensuring the quality of the information that it makes public. Existing policies and practices ensure that NRC publically available information reflects a level of quality commensurate with the nature of the information. The agency uses a graduated approach to ensuring information quality-the more influential the information, the more robust the quality standards used-with the most influential scientific, financial, and statistical data being subject to the most rigorous quality standards.

For example, NRC quality control practices include (1) the appropriate level of management review and approval as part of the concurrence process, (2) internal review groups like the Committee for Review of Generic Requirements, Probabilistic Risk Assessment Steering Committee, and Risk-Informed Licensing Panel, (3) public comment on NRC policy before it is finalized, (4) public comment on rules and other documents, (5) participation of the public and affected parties in meetings, both with the staff and the Commission, (6) early and substantial feedback from the Agreement States, (7) independent peer review of research products, (8) independent review by Advisory Committee on Reactor Safeguards (ACRS), Advisory Committee on Nuclear Waste (ACNW), and Advisory Committee for Medical Uses of Isotopes (ACMUI), and (9) review by the five-member Commission

NRC information subject to these Information Quality Guidelines includes, but is not limited to, documents pertaining to rulemakings, inspections of regulated facilities, Regulatory Guides, findings of the reactor oversight process (ROP), generic communications, and technical reports such as NUREGs, Safety Evaluation Reports, Environmental Assessments, and Environmental Impact Statements. Table 1 lists information that is subject to the guidelines and NRC quality processes that currently exist for ensuring quality.

There are several types of NRC initiated or sponsored information that are not subject to OMB's or the NRC's information quality guidelines. The guidelines apply only to information "disseminated" to the public, and OMB says that "dissemination" does not include (1) adjudicative process, public filings, or subpoenas, (2) distribution limited to government employees or agency contractors or grantees, (3) intra- or inter-agency use or sharing of government information, (4) responses to requests for agency records under the Freedom of Information Act, Privacy Act, or Federal Advisory Committee Act or similar law, (5) correspondence with individuals or persons, (6) press releases, and (7) archival records.

In addition, the information quality standards may be waived temporarily for information disseminated under urgent situations. The NRC will consider the following as urgent situations: emergency conditions at licensed facilities and imminent or credible threats to the public health

and safety, the environment, and the common defense and security, including homeland security.

It should be recognized that just because OMB and the NRC do not apply their guidelines to a particular NRC information product does not mean that the NRC is any less committed to the quality of its information, whether "disseminated" or not. Indeed, the NRC will ensure the level of quality appropriate to each kind of information it generates. Therefore, in effect, the primary difference is that information subject to the guidelines will also be subject to correction through the special administrative mechanism called for by OMB's guidelines and the NRC's conforming guidelines, whereas information not subject to the guidelines and/or information already disseminated through a comprehensive public review process, will not be subject to correction through this special administrative mechanism.

At interagency working group meetings held by OMB following the publication of its guidelines, OMB encouraged the agencies to interpret in a broad manner the types of agency initiated or sponsored information that are not covered by the guidelines. The staff has followed OMB's lead here. For example:

- Adjudication will encompass only actions actually being adjudicated
- Intra-agency use includes all SECY papers because these documents are primarily for the use of agency decision-makers and in many cases are made public as a matter of Commission policy. This is a reasonable interpretation of the OMB guidelines because there is no legal requirement that many of them be released to the public, even if requested under the Freedom of Information Act. Moreover, this broad approach is consistent with the purposes underlying the OMB guidelines; staff does not believe SECY papers are the type of information products that OMB envisioned being covered by the information quality law.
- NRC information products that contain trade secrets, intellectual property, unclassified safeguards information, classified national security information, proprietary information, restricted data, sensitive homeland security information or other information withholdable under the Freedom of Information Act are not covered by the guidelines and its administrative mechanism for correction.
- Also not covered are NRC information products that are of a non-scientific/non-statistical general, procedural, or organizational information, such as Part 2 and the fee rule
- NRC correspondence with individuals or persons are not covered. This includes correspondence to members of Congress

Table 2 lists information that is not subject to the guidelines, the reasons why it is not, and the NRC quality processes that currently exist. It should be understood that while the table indicates a class of information is not covered by the guidelines, there may be limited circumstances where information within that class would be subject to these guidelines.

OMB guidelines require that agencies review information to assure its quality prior to being disseminated. The current NRC quality practices and processes are considered to meet this "pre-dissemination" review. These NRC quality reviews would apply to agency information publicly disseminated for the first time on or after October 1, 2002. Information that was already on NRC's Web site or in the Public Document Room prior to October 1, 2002, need not go through a special NRC quality review. All information subject to these guidelines and disseminated on or after October 1, 2002, is subject to the administrative process for correction regardless of when the information was first disseminated. Although it is not clear from OMB's guidelines, if NRC information products subject to these guidelines are disseminated after October 1, 2002, and rely on information disseminated prior to October 1, 2002, then the NRC quality reviews of the older information would be required and this information would be subject to the special administrative process for seeking public correction

Table 1
NRC Information Products
Information Subject to the Public Seeking Correction

Information Product	Existing Guidance Documents/Processes that Pertain to Quality of Data	Existing Required Data Quality Reviews	Existing Way Public Can Request Corrections?
Published proposed and final rules and final policy statements, including supporting documents (except those of a non-scientific/non-statistical, general, procedural or organizational nature)	<ul style="list-style-type: none"> -MD 6.3, The Rulemaking Process -NUREG/BR-0053, Rev. 5, Regulations Handbook -NUREG/BR-0058, Rev. 3, Regulatory Analysis, -MD 3.54, Collections of Information and Reports Management -Paperwork Reduction Act Review by OMB -NRR Office Letters -NMSS Policy and Procedures -ACRS/ACNW/ACMUI/CRGR Charter -EDO/ACRS MOU -Rulemaking Plan 	<ul style="list-style-type: none"> -Office Concurrence -EDO Concurrence -Reactor: ACRS/CRGR -Waste/Decomm: ACNW -Part 35: ACMUI -Materials: Agreement State Coordination 	Yes Public comment on all proposed rules

Table 1
NRC Information Products
Information Subject to the Public Seeking Correction

Information Product	Existing Guidance Documents/Processes that Pertain to Quality of Data	Existing Required Data Quality Reviews	Existing Way Public Can Request Corrections?
Generic Communications, including Bulletins, Letters, Information Notices, Regulatory Issues Summaries	<ul style="list-style-type: none"> -ACRS/ACNW/ACMUI/CRGR Charters -EDO/ACRS MOU - Licensing Assistant Handbook - Inspection Manual 	<ul style="list-style-type: none"> -Division Concurrence -Reactor.ACRS/CRGR -Waste/Decomm: ACNW sometimes -Part 35 ACMUI sometimes -Materials: Agreement States 	No
Regulatory Actions not Subject to Adjudication (NOEDs, Exemptions and Reliefs)	<ul style="list-style-type: none"> -Enforcement Manual -Project Manager Handbook 	<ul style="list-style-type: none"> -Division or Branch Concurrence 	No
Non-Licensing SERs (e.g., approves a topical report) and generic EAs/EIS	<ul style="list-style-type: none"> -PM Handbook -Licensing Assistant Handbook -Standard Review Plans 	<ul style="list-style-type: none"> -Division or Branch Concurrence 	Public comment for EIS and Certification of compliance SERs for spent fuel casks
Licenses and Certificates, Amendments, Renewals, Transfers, Exemptions	<ul style="list-style-type: none"> -NRR Office Letters -Project Manager Handbook -Licensing Assistant Handbook 	<ul style="list-style-type: none"> -Branch/Division/Office Concurrence 	No

Table 1
NRC Information Products
Information Subject to the Public Seeking Correction

Information Product	Existing Guidance Documents/Processes that Pertain to Quality of Data	Existing Required Data Quality Reviews	Existing Way Public Can Request Corrections?
Licensing Environmental Impact Statement and Environmental Assessments	<ul style="list-style-type: none"> -NUREGs for EAs/EISs -Project Manager Handbook -Licensing Assistant Handbook 	-Branch/Division/Office Concurrence	Yes
Safety Evaluation Reports and Safety Evaluations (for license)	<ul style="list-style-type: none"> - NRR Office Letters - Project Manager Handbook - Licensing Assistant Handbook - Standard Review Plans 	Branch/Division concurrence	No
Generic Environmental Impact Statements	<ul style="list-style-type: none"> -MD 3.6-3 8 NUREG Publications -ACRS Charter -EDO/ACRS MOU -Part 51 	<ul style="list-style-type: none"> -Publications Review -ACRS/ACNW -Office/Division Review 	Yes - Public Comment
Guidance for licensees including Regulatory Guides, Standard Format and Content Guides, Branch Technical Positions	<ul style="list-style-type: none"> -ACRS/ACNW/ACMUI /CRGR Charters -EDO/ACRS MOU - NUREG on Standard Format and Content for Regulatory Guides 	<ul style="list-style-type: none"> -Reactor Office Concurrence, ACRS, CRGR -Waste/Decomm: Office or Division concurrence, ACNW -Part 35: Division concurrence, ACMUI -Materials: Division concurrence 	Yes -public comment

Table 1
NRC Information Products
Information Subject to the Public Seeking Correction

Information Product	Existing Guidance Documents/Processes that Pertain to Quality of Data	Existing Required Data Quality Reviews	Existing Way Public Can Request Corrections?
Reactor Oversight Process (ROP) Findings	-MC O609 -Risk Significance Determination	-Region and NRR Concurrence	Yes - Licensee comment
Inspection Reports	-Inspection Manual	-Regional Branch or HQ Branch Concurrence	Yes - Licensee exit meeting
Publicly Accessible Databases (NMED, Sealed Sources and Devices, Daily Plant Status, etc)	-Compliance with SDLCM -Data Entry Quality Assurance	-Sponsor QC	No
NUREGS (Staff Technical)	-MD 3.6-3 8 NUREG Publication -ACRS and ACNW Charter -EDO/ACRS MOU -RES Office Letters	-Publications Review -ACRS/ACNW -CRGR -Office or Division review -Peer Review (some)	Varies with importance of topic and end use
NUREG/CRs (Contractor)	-MD 3.6-3 8 NUREG Publication -ACRS and ACNW Charter -EDO/ACRS MOU -RES Office Letters	-Publications Review -Office or Division Review -Peer Review (some)	Varies with importance of topic and end use
NUREGs intended for the general public	-MD 3.6-3.8 NUREG Publications	-Publications Review -OPA Office -Office/Division Review	No

Table 1
NRC Information Products
Information Subject to the Public Seeking Correction

Information Product	Existing Guidance Documents/Processes that Pertain to Quality of Data	Existing Required Data Quality Reviews	Existing Way Public Can Request Corrections?
Communications with standard setting organizations	-M.D. 6.5, NRC Participation in the Development and Use of Consensus Standards		No
Webpage content other than documents	-Web Management Controls	-Review by Sponsor -Web Liaison -Sensitivity Reviews -Publications Staff (Web, Editors, Graphics)	Yes

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Correspondence to licensees, public, individual members of congress, States, petitioners, contractors,	Correspondence with individuals or persons	- MD3 57 Correspondence Directive -ADAMS -Internal Commission Procedures - Project Manager Handbook -Licensing Assistant Handbook	Branch/Division/Office/EDO/Commission Concurrence	No
Reports to Congress or letters to Congressional Committees (includes President's Budget to Congress, Performance & Accountability Report, Strategic Plan, Information Digest)	-Correspondence with individuals or persons -Non-scientific/non-statistical general, procedural, or organizational	-MD 3.57, Correspondence Directive -ADAMS -Internal Commission Procedures	Office/EDO/Commission Concurrence	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
International Agreements and supporting information (Bilateral and multilateral) and technical information supplied to others as part of international agreements	Inter-agency (with State Dept)		Office/Commission Concurrence	No
Reports to other agencies including Small Business Regulatory Enforcement Fairness Act Report to OMB, Report on Information Collection Budget to OMB etc.	Inter-agency use	-NUREG/BR-0053, The NRC Regulations Handbook	Branch/Division/Office concurrence	No
Internal Memoranda	Intra-agency use	-MD 3.57, Correspondence Directive -ADAMS	Concurrence	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Internal NRC Policy and Procedures, including Management Directives, Internal Commission Procedures, Office Letters and Procedures, Inspection Procedures, Enforcement Manual, PM Handbook, Decomm PM Handbook, etc.	Intra-agency use	-MD 1 1, MD System .	Division Director or Office Director concurrence, MD review process	No
Response to FOIA or Privacy Act Requests	Responses to requests made under FOIA, Privacy Act, FACA or similar laws	-10 CFR Part 9 -MD 3 1, FOIA	Division/Office concurrence	No
Procurement solicitations	Distribution limited to agency contractors or grantees	10 CFR	Contract Officer	No
Interagency agreements and interagency MOUs	Inter-agency use		Office/Commission concurrence	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Research Information Letters (RILs)	Intra-agency use	-RES Office Letter	Office Concurrence	No
E-gov applications, including forms, how to file, fee information	Non-scientific/non-statistical general, procedural, or organizational	-MD 3 55, Forms -RIS 2001-5	Branch/Division/Office Concurrence	No
Organizational information, including org charts, descriptions of laws and regulations that underpin agency activities, biographies, phone directories	Non-scientific/non-statistical general, procedural, or organizational	-MD Vol 9, Organization and Functions -MD Vol 10, Personnel Management	Branch/Division/Office Concurrence	No
Federal employee pay, benefits, employment opportunities and the like	Non-scientific/non-statistical general, procedural, or organizational	-OPM Regulations -MD Vol 9, Organization and Functions -MD Vol 10, Personnel Management	EDO Concurrence for Management Directives	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
SECY Papers	Intra-agency use	-Internal Commission Procedures -MD 3.57, Correspondence Procedures -NRR Office Letters	EDO concurrence	No
Staff Requirements Memoranda (SRM)	Intra-agency use	-Internal Commission Procedures	Commission concurrence	No
Commission Voting Records (CVR)	Intra-agency use	-Internal Commission Procedures	Commission concurrence	No
Commission Action Memoranda (COM)	Intra-agency use	-Internal Commission Procedures	Commission concurrence	No
Individual Commissioner Vote Sheets on SECY Papers, COMs	Intra-agency use	-Internal Commission Procedures	Commissioner concurrence	No
Commission History (Books)	Archival		-External Peer Review - Publisher Review	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Press Releases	Press Release	-MD 5.5, Public Affairs Program	-OPA/Chairman	No
Public Meeting Notices	Non-scientific/non-statistical general, procedural, or organizational	-MD 3.5, Meetings Open to the Public -Project Manager Handbook -Licensing Assistant Handbook	Project Manager	No
CRGR Meeting Notices and Minutes	Non-scientific/non-statistical general, procedural, or organizational	-CRGR Charter	CRGR	No
Full Written Explanation and Certification of Closed Commission Meetings	Non-scientific/non-statistical general, procedural, or organizational	-Sunshine Act	OGC	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Meeting presentations, minutes summaries, and transcripts (Commission, Advisory Committee)	-Non-scientific/non-statistical general, procedural, or organizational -Personal opinions	-Internal Commission Procedures -Project Manager Handbook	-SECY -Advisory Committee Management Officer	No
Speeches, Testimony, Q's & A's and Presentations	Non-scientific/non-statistical general, procedural, or organizational	-Internal Commission Procedures	Division/Office/EDO/Commission concurrence	No
Papers, Journal Articles	Opinions	-MD 3 9, Staff Speeches -NRR Office Letters -Project Manager Handbook	Branch/Division/Office/EDO concurrence	No
NMSS Licensee Newsletter, MOX Newsletter, etc	Press Release	-NUREG/Staff Report	Section concurrence	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Federal Register Notices (themselves), including FONSI and General Notices	Non-scientific/non-statistical general, procedural, or organizational	-Project Manager Handbook -Licensing Assistant Handbook -Part 51 for FONSI	Project Manager/ Branch/Division/Office/EDO/Commission concurrence	No
Orders	Adjudicative	10 CFR, Part 2	Office/EDO/ Commission concurrence	Opportunity for hearing; emergency public safety info exempt.
Demand or Request for Information	Adjudicative	10 CFR	-Division/Office/EDO concurrence -CRGR	Yes-Licensee can correct info in response
Notice of Violation	Adjudicative	Enforcement Manual	Branch/Division concurrence	Licensee response can correct and exit meeting

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Adjudicatory Documents, including Licensing Board Notifications	Adjudicative	Licensing Assistant Handbook	-Division concurrence -ASLBP/SECY review	No
2.206 Director Decision and Petition Status Reports	Adjudicative	-MD 8.11, Review Process for 10CFR2 206 Petitions -NRR Office Letters -Project Manager Handbook -Licensing Assistant Handbook	Office concurrence	No, MD now provides for issuance of proposed decision
Petitions (2.206 petitions and rulemaking petitions)	Correspondence with individuals or persons	-Regulations Handbook -10 CFR, Part 2	(none)	Rulemaking petitions are published for comment
License Applications or other information provided by licensees (includes Topical Reports and Event Reports)	Not originated or sponsored by the agency	10 CFR, Part 2	(none)	Public can request hearing on application

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Comments, including rulemaking comments and all other comments	Not originated or sponsored by the agency	10 CFR, Part 2	(none)	Comes from public
Preliminary Notifications	Non-routine safety related info	Inspection Manual	Office concurrence	No
Integrated Materials Performance Evaluation Program (IMPEP) and Review of New Agreement Requests	Inter-agency use (with States)	-MD 5 6, IMPEP -MD 5.10 -STP Procedures SA-100, SA-106, SA-111 & SA-700	-IMPEP Board -Office/Commission concurrence	-States may comment, but not public -New Agreement Requests published for public comment
Confirmatory Action Letters	Correspondence	-Inspection Manual -Licensing Assistant Handbook	Division/Office concurrence	No
Standard Review Plan	Intra-agency use	Generally become NUREGs	Branch/Division/Office concurrence	Some are published for public comment

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
NUREGS intended for internal use, e.g., NUREG/BR-0053 - The NRC Regulations Handbook	Intra-agency use, frequently procedural	MD 3.6-3 8 NUREG Publications	Branch/Division/Office concurrence	No
NRC portion of the Unified Agenda of Federal Regulatory and De-regulatory Actions	Compilation	-Public Law 96-354, Regulatory Flexibility Act -Executive Order 12866, Regulatory Planning and Review	Branch concurrence	No
NRC Regulatory Agenda (NUREG-0936)	Compilation	OMB Guidance	Branch concurrence	No
NRC Rules and Regulations (based on public documents; this is a compilation of all rules)	Compilation	-NUREG/BR-0053 (specifically Parts 5, 7 and 17) - Administrative Procedure Act (5 USC 551-553)	Concurrence	No

Table 2
NRC Information Products
Information Not Subject to the Public Seeking Correction

Information Product	Exemption	Existing Guidance Documents, Processes (Name/number)	Existing Required Pre-dissemination Reviews	Existing Way Public Can Request Corrections?
Published non-scientific/non-statistical, general, or procedural proposed and final rules and final policy statements, including supporting documents (e.g., Parts 2, 170 and 171)	Non-scientific/non-statistical general, procedural, or organizational	-MD 6.3, The Rulemaking Process -NUREG/BR-0053, Rev. 5, Regulations Handbook -NUREG/BR-0058, Rev 3, Regulatory Analysis, -MD 3.54, Collections of Information and Reports Management -Paperwork Reduction Act Review by OMB	-Office Concurrence -EDO Concurrence	Yes Public comment on all proposed rules -EDO/ACRS MOU -Rulemaking Plan

Part III

INFORMATION CORRECTION PROCESS

Corrections

Affected parties can request correction of information that has been disseminated by NRC. NRC will correct information that does not meet its standards and the OMB guidelines based on significance and impact of the correction

The correction process is designed to address the genuine and valid needs of affected persons without disrupting agency operations. In making a determination of whether to correct information, claims may be rejected if they are made in bad faith or without justification; and, NRC is required to undertake only the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved

Subject to applicable laws, correction measures may include, without limitation, personal contacts via letter or telephones, form letters, press releases or posting on the NRC web site, correction in the next version of a document, or other appropriate methods that would give affected persons reasonable notice of any corrective actions made.

It is NRC's intent to make corrections within a reasonable time after the agency has made the determination that a correction is appropriate. However, budget, resources, and priorities, as well as the complexity of the correction itself, may affect when corrections are made.

The NRC will continue to process any decision or document that has had a request for correction of information related to the decision or document unless it is decided that the information requires correction before the process may continue.

ICRs and NRC responses will be made public as a commitment to transparency.

Receipt of Initial Information Correction Request (ICR)

Any ICR must be submitted by an affected party in writing within 60 calendar days (absent good cause shown) of the initial information dissemination or within 60 calendar days (absent good cause shown) of NRC notice of intent to rely or its reliance on the information.

The ICR must state that it is being submitted in accordance with NRC's Information Quality Guidelines and describe clearly the information that is believed to be in error and requires correction

The ICR must state specifically why the information should be corrected, and if possible, recommend specifically how it should be corrected

Any employee who receives an ICR will immediately send it to the Information Quality Coordinator (IQC).

Information Quality Coordinator (IQC) Actions

When the IQC receives an ICR, it will be marked with the date of receipt and assigned a sequential case number to be used as the reference in all matters about the ICR.

The IQC will perform an acceptance review within 5 calendar days which will include

- Determining if the submitter of the ICR is an affected party.
- Determining if all the necessary information on which the correction review will be performed was included with the ICR

If the IQC determines that the ICR meets the acceptance criteria, the requester will be informed that the ICR has been accepted and the anticipated completion date

If the IQC determines that the ICR does not meet the acceptance criteria, the requester will be informed why the ICR was not accepted and how to resubmit

If the ICR is accepted, the IQC will assign the ICR to the office which is knowledgeable of the information in question, typically the office that issued the document for which correction is being requested

Office Processing Actions for ICRs

The information office coordinator (IOC) should follow his or her office procedures to ensure that the appropriate IRO at the Branch Chief level is assigned to review the ICR.

The IRO will review the ICR and all information submitted by the requester and make a determination whether there is an error or not, if a correction is warranted, and if so, what action will be taken. The IRO may consult with other Federal agencies or staff in making this determination.

The IRO will consider, at a minimum, the following in making the determination:

- the significance of the asserted error
- the benefits that are likely to be derived from such a correction
- the costs of the correction

- the agency's more pressing priorities and obligations

The IRO will provide a written determination to the IOC. This determination, at a minimum, will include:

- the determination if there is an error, if so, then add the following:
- the justification for making a correction or not making a correction
- any corrective action taken or to be taken
- the schedule for the corrective actions
- the IRO's name, title, office, and date of determination

Within 30 calendar days after the IOC received the action from the IQC, the IOC will provide the written determination to the IQC or will inform the IQC that more time is required and the reasons why.

Responding to the Requester for ICRs

If the ICR review requires more than 45 calendar days to resolve, the requester will be informed that more time is required, the reason why, and an estimated decision date.

The IQC will independently assess each decision to correct information for its impact on other agency processes and activities.

The IQC will prepare the response to the requester. The response will contain the IRO's determination. If the corrective action taken or to be taken was not the requester's recommended solution or if no corrective action was taken, the response will contain information on how the requester can appeal the agency's decision.

The IQC will obtain the necessary concurrences in the response.

Receipt of ICR Appeals

Any employee who receives an appeal to an ICR shall immediately send it to the IQC.

When the IQC receives an appeal, it will be marked with the date of receipt and assigned a sequential case number to be used as the reference in all matters about the appeal.

The IQC will perform an acceptance review within 2 calendar days which will include:

- Determining if the submitter of the appeal is the original requester.

- Determining if all the necessary information on which the appeal review will be performed was included with the appeal

If the IQC determines that the appeal meets the acceptance criteria, the requester will be informed that the appeal has been accepted and the anticipated completion date.

If the IQC determines that the appeal does not meet the acceptance criteria, the requester will be informed why the appeal was not accepted

If the appeal is accepted, the IQC will assign the appeal to the office which is knowledgeable of the information in question, typically the office that made the determination on the initial ICR.

Office Processing Actions for Appeals

The IOC should follow his or her office procedures to ensure that the appropriate ARO at the Division Director level is assigned to review the appeal. This Division Director will not supervise the Branch Chief responsible for the initial determination.

The ARO's review will be limited to the basis of the appeal. The ARO may consult with other Federal agencies or staff in reaching a decision on the appeal.

The ARO will provide a written determination to the IOC. This determination, at a minimum, will include:

- the justification for upholding or overturning the decision on the initial ICR
- any corrective action taken or to be taken
- the schedule for the corrective actions
- the ARO's name, title, office, and date of determination

Within 20 calendar days after the IOC receives the action from the IQC, the IOC will provide the written determination to the IQC or will provide the reasons why.

Responding to the Requester for Appeals

If the appeal review requires more than 30 calendar days to resolve, the requester will be informed that more time is required, the reason why, and an estimated decision date.

If the decision on the initial ICR was overturned, the IQC will independently assess the decision to correct information for its impact on other agency processes and activities.

The IQC will prepare the response to the requester. The response will contain the IRO's determination.

The IQC will obtain the necessary concurrences in the response.

Follow Up Actions

If corrective actions are not completed at the time the response is sent to the requester, the IQC will track any necessary follow up actions.

[7590-01-P]

NUCLEAR REGULATORY COMMISSION

NRC Information Quality Guidelines

AGENCY: Nuclear Regulatory Commission.

ACTION: Publication of NRC Information Quality Guidelines.

SUMMARY: The NRC Information Quality Guidelines contain the Commission's policy and procedures for ensuring the quality of information before it is disseminated to the public. It also contains the procedures by which an affected person may obtain correction of information that does not comply with the guidelines.

DATES: The NRC Information Quality Guidelines are effective October 1, 2002.

ADDRESSES: Information Correction Requests may be mailed to the Information Quality Coordinator, Office of the Chief Information Officer, Mail Stop: T6-D8, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, e-mailed to infoquality@nrc.gov, or faxed to 301-415-5130. Information Correction Requests may also be submitted at the NRC Web site information quality comment form that is accessible from NRC's "Contact Us" Web page (<http://www.nrc.gov/public-involve/info-quality/contactus.html>). Information Correction Requests may be delivered to the Information Quality Coordinator, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

FOR FURTHER INFORMATION CONTACT: Phillip Ray, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-2972 or by Internet electronic mail at infoquality@nrc.gov.

SUPPLEMENTARY INFORMATION:

OMB and Agency Responsibilities

Section 515(a) of the Treasury and General Government Appropriations Act, FY 2001 (P.L. 106-554), directed the Director, Office of Management and Budget (OMB), to issue guidelines that provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies in fulfillment of the purposes and provisions of the Paperwork Reduction Act. OMB issued its final guidelines on September 28, 2001. Subsequent guidance was issued by OMB on February 22, 2002 (67 FR 8452). These guidelines require agencies subject to the Paperwork Reduction Act to publish in the Federal Register a notice of availability of the final Information Quality Guidelines and post the guidelines on the agency's public Web Site by October 1, 2002. Also, these agencies will:

1. Ensure that information covered by these guidelines and disseminated for the first time on or after this date has undergone reviews for quality.

Appendix
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2. On January 1, 2004, and each January 1 thereafter, the agencies will submit to the Director of OMB a report on the number and nature of requests received regarding compliance with these OMB guidelines and the resolution of requests received.

NRC INFORMATION QUALITY GUIDELINES

The U.S. Nuclear Regulatory Commission (NRC) is committed to ensuring the quality of all information that it relies on or disseminates. The NRC's policies and practices are designed to ensure that the agency establishes and maintains an appropriate level of quality commensurate with the nature of the information. Thus, the most influential scientific, financial, and statistical data are subject to the most rigorous quality standards. The NRC will correct information that does not meet its guidelines or those of OMB based on the significance and impact of the correction. The NRC Information Quality Guidelines are general statements of agency policy and are not legally binding on the agency or on affected persons.

SCOPE OF INFORMATION SUBJECT TO THESE GUIDELINES

Because of the importance of openness and transparency, the NRC routinely makes available to the public the majority of its regulatory documents, information about its decision making processes, and the standards used to analyze information submitted by the regulated community. OMB's guidelines require the NRC to apply information quality standards only to a subset of this information; however, the NRC is committed to ensuring the quality of all of the information it disseminates, whether or not it is specifically covered by these guidelines. In addition, the NRC has many existing processes by which the public may comment on agency information. The agency will continue to use these processes to respond to comments and requests, regardless of whether they are specifically covered by these guidelines.

The agency's information quality reviews apply to NRC information that is publicly disseminated for the first time on or after October 1, 2002. The fact that an information product is already on NRC's Website or in the Public Document Room prior to October 1, 2002, and is still maintained by NRC (e.g., in NRC's files, in publications that NRC continues to distribute on its Website), does not make the information subject to these guidelines or to the request for correction process if it falls within the archival records exemption. Information disseminated prior to October 1, 2002, is subject to the correction and appeal process should the information be questioned and the requester can demonstrate that the challenged data, which is publicly available through agency Websites or other means, serves agency program responsibilities and/or is relied upon by the public as official government data. Additionally, if specific information has previously been disseminated and is not covered by these guidelines, that information may still be subject to the NRC Information Quality Guidelines during a post October 1, 2002, dissemination of the information in which NRC either adopts, endorses or uses the information to formulate or support a regulation, guidance, or other Agency decision or position.

Information Subject to These Guidelines

These guidelines apply to print and electronic versions of agency information. The types of NRC information covered by the guidelines include, but are not limited to, the following:

- rulemakings
- inspection reports

- findings of the reactor oversight process
- regulatory guides and other guidance to licensees
- generic communications to licensees, including information notices, generic letters, bulletins, and others
- technical reports
- Safety Evaluations and Safety Evaluation Reports
- information that other parties provide to the NRC upon which the NRC relies or which the NRC disseminates

Information Not Subject to These Guidelines

On the basis of the OMB guidelines, the types of NRC information exempt from the guidelines include, but are not limited to, the following:

- information products intended to be limited to the allegations process, public filings, subpoenas, records compiled for law enforcement purposes or that are involved in adjudicative processes
- non-scientific and/or non-statistical general, procedural, or organizational information, which is prepared for NRC management and operation, and is not primarily intended for public dissemination
- information that is neither initiated nor sponsored by the NRC and is not relied upon or disseminated by the NRC
- information that expresses opinions, rather than formal agency views
- information that is intended to be limited to intra-agency use
- shared government information or information that is intended to be limited to inter-agency use
- information that is prepared for dissemination to agency employees, contractors, or grantees
- agency correspondence that is not primarily intended for public dissemination, but is made publicly available solely to enable the public to be aware of the NRC's interactions with individuals, including applicants, licensees, and others who make formal requests to the agency
- agency press releases, fact sheets, press conferences, or similar communications (in any medium) that announce, support the announcement, or give public notice of information that the NRC has disseminated elsewhere

- Congressional testimony and other submissions to Congress containing information that the NRC has previously disseminated to the public
- agency speeches
- publications of individual employees, grantees, and contractors, in which the information is published in the same manner used by academic colleagues, and which include an appropriate disclaimer that the views expressed are the individual's or entities' own and do not reflect the views of the NRC
- archival records
- trade secrets, intellectual property, classified, restricted, unclassified safeguards, proprietary, sensitive homeland security, privacy, and other information not subject to disclosure under the Freedom of Information Act
- responses to requests made under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or similar laws
- interpretations of data or information, or requests to de-publish information

Applicability to Proposed Rulemaking and Other Public Comment Processes

The correction and appeal process that will address data quality challenges normally will not apply to information disseminated by the NRC through a comprehensive public comment process, e.g., *Federal Register* notices of proposed rulemakings, regulatory analyses, requests for comments on information collections subject to the Paperwork Reduction Act, environmental impact statements, and other documents for which NRC solicits public comments. Persons questioning the quality of information disseminated in those documents, or documents referenced or relied upon in those documents, should submit comments as directed in the *Federal Register* or other notices requesting public comment on the given document.

The NRC will use its existing processes for responding to public comments in addressing the request for correction, and will describe the actions it has taken with regard to the request in the *Federal Register* notice of the final agency rule, regulatory analysis, or other final action. In cases where the agency disseminates a study, analysis, or other information prior to the final agency action or information product, ICRs will be considered prior to the final agency action or information product in those cases where the agency has determined that an earlier response would not unduly delay issuance of the agency action or information product and the requester has shown a reasonable likelihood of suffering actual harm from the agency's dissemination if the agency does not resolve the ICR prior to the final agency action or information product.

Waiver of standards under urgent conditions

The NRC's information quality standards may be temporarily waived for information that is disseminated under urgent situations. The NRC will consider "urgent situations" to include emergency conditions at licensed facilities, as well as imminent or credible threats to the public health and safety, the common defense and security, including homeland security, the environment, and other situations deemed to be urgent conditions on a case-by-case basis.

NRC QUALITY STANDARDS

Information, including third-party information, that the NRC relies on or disseminates must meet both the NRC Information Quality Standards and OMB Information Quality Guidelines in order to ensure and maximize information quality. These information quality standards also apply to the creation, collection, acquisition, and maintenance of information by the NRC. The NRC will ensure that its draft information collection packages submitted for OMB approval will result in the information being collected, maintained, and used in a manner that is consistent with NRC and OMB information quality guidelines. Agency policies and procedures will ensure that the NRC meets and maintains these standards.

The NRC has set information quality as a measure of agency performance. The NRC will meet the information quality criteria for utility, integrity, and objectivity, as defined in the OMB and NRC guidelines. The following NRC standards expound on how the NRC will apply the OMB criteria in its regulatory environment. The degree of rigor of the pre-dissemination reviews will be commensurate with the nature and significance of the information.

The NRC will impose the highest level of quality on *influential scientific, financial, or statistical information*, which the agency defines as information that forms the technical basis for a substantive rulemaking that has substantial impact on an industry. The NRC may also deem other types of information as "influential" under Section 515(a) of Public Law 106-554 of the Treasury and General Appropriations Act, on a case-by-case basis. In determining what constitutes *influential scientific, financial, or statistical information*, the NRC considers two principal factors. First, the information may have a clear and substantial impact that has a high probability of occurring. Second, the information may impact regulatory decisions affecting a broad class of applicants or licensees. (Although information contained in a regulatory decision for an individual applicant or licensee may have substantial impact, it is limited in its breadth, therefore may not be deemed "influential" for the purposes of these guidelines.)

The NRC applies the most rigorous procedures to ensure the quality of such "influential" information. The NRC achieves the highest level of quality by adherence to procedures that ensure utility, integrity, and objectivity. The reproducibility of original and supporting data for *influential scientific, financial, or statistical information* will be consistent with commonly accepted scientific, financial, or statistical standards. When reproducibility is not achievable through public access because of confidentiality protection or compelling interests, analytical results will receive especially rigorous reviews. The staff will describe the specific reviews, as well as the specific data sources, quantitative methods, and assumptions used.

The following provides a definition of the elements of information quality (utility, integrity, and objectivity) and a description how the NRC ensures information quality.

Utility is the usefulness of the information to its intended users. To ensure information utility, the NRC will:

- Adhere to NRC policy on the dissemination of information to the public, which clearly specifies what is to be made available to the public and when it should be available for public release.

- Make information associated with the agency regulatory processes and decisions public unless release is restricted because, for example, a given regulatory process or decision contains classified national security information, safeguards information, proprietary information, sensitive homeland security information, or other information that is protected from disclosure under the Freedom of Information Act.
- Use feedback mechanisms at the NRC's Web site to request public comments on what information the NRC disseminates and how it is disseminated.
- Request public comments on individual documents and hold public meetings, as appropriate, to solicit public comments.
- Assist the public in quickly and conveniently locating the information they are seeking through the NRC's Public Document Room, or its Web site.

Integrity is the security of information from unauthorized access or revision to ensure that the information is not compromised through corruption or falsification. To ensure information integrity, the NRC will adhere to agency policies for personnel security, computer security, information security, and records management, which include the following key components:

- Systems development and life cycle management policies require that computer systems must be designed and tested to prevent inadvertent or deliberate alteration and ensure appropriate access controls
- Computer and personnel security policies ensure that employees and contractors who have access to electronic information and associated computer systems are screened for trustworthiness and assigned the appropriate level of access
- Records management policies require that agency records must be properly maintained and protected. In particular, the NRC's electronic records management system (i.e., Agencywide Documents Access and Management System, (ADAMS)) is designed to ensure that documents that are disseminated to the public are protected from alteration or falsification.

Objectivity involves two distinct elements, including presentation and substance. Information must be presented in a manner that is accurate, clear, complete, and unbiased. In addition, the substance of the information presented must be accurate, reliable, and unbiased. To ensure information objectivity, the NRC will

- Achieve accuracy and completeness in the following ways:
 - Provide formal review of and concurrence with all information disseminated, including rulemaking documents, inspection reports, technical reports, generic communications, and all other agency documents covered by these guidelines.
 - Encourage peer review of NRC research products. The primary objective of the peer review is to judge the technical adequacy of the research and to bring the widest and best knowledge to bear on the quality of research products. The NRC has adopted criteria for the selection of peer reviewers and the performance of peer reviews that are consistent with OMB guidelines.

- Adhere to Quality Management Control standards prior to disseminating information at the NRC's public Web site.
- Ensure that information is reliable and unbiased in the following ways:
 - Apply sound statistical and research methods to generate data and analytical results for scientific and statistical information.
 - Use peer reviews, consistent with OMB guidelines, of agency-sponsored research that is relied upon. Where information has been subjected to formal, independent, external peer review, the information may generally be presumed to be of acceptable objectivity. However, this presumption is rebuttable based on a persuasive showing in a particular instance.
 - Use reviews of agency information by independent advisory committees, as appropriate, including the Advisory Committee on Reactor Safeguards (ACRS), the Advisory Committee on Nuclear Waste (ACNW), and the Advisory Committee on the Medical Uses of Isotopes (ACMUI).
 - Use reviews by the Committee to Review Generic Requirements (CRGR), as appropriate, for information and related analyses with generic implications.
 - Use reviews by Agreement States, as appropriate, for matters pertaining to the regulation of nuclear materials.
 - Provide opportunities for the public and States to comment on rulemakings, Commission policy statements, regulatory guides, and other information products, as appropriate.
 - Hold public meetings to seek public views and solicit public comments through the NRC's Website and *Federal Register* notices, as appropriate.
 - Comply with internal policy to ensure unbiased incident investigation team investigations.
 - Use reviews of proposed policy decisions by the five-member Commission.
- Achieve transparency in the following ways.
 - Include in relevant agency information products descriptions of the data and methods used to develop the information product in a way that would make it possible for an independent, qualified individual or organization to reproduce the results.
 - Adhere to NRC policy and guidance overseeing the performance of regulatory analyses as provided in publicly available "Regulatory Analysis Guidelines of the U. S. Nuclear Regulatory Commission," NUREG/BR-0058, Rev. 3, and publicly available "Regulatory Analysis Technical Evaluation Handbook,"

NUREG/BR-0184. The NRC will perform regulatory analyses that assess uncertainty, in the context of quantifying risk, and communicate those findings to the public in a manner that meets the intent of the OMB referenced information quality standards.

- Achieve clarity in the following ways:
 - Adhere to the agency's Plain Language Program in written and electronic products.
 - Ensure that the all disseminated information receives appropriate editorial review.
 - Respond to stakeholder comments on the clarity of proposed actions.

NRC ADMINISTRATIVE PROCESS FOR THE PUBLIC TO SEEK CORRECTION OF INFORMATION

(1) What You Must Do If You Are an Affected Person

Use the following procedure to seek correction, under Section 515(a), of information that does not meet NRC or OMB Information Quality Guidelines:

- Submit your Information Correction Request (ICR) within 60 calendar days of the initial information dissemination or within 60 calendar days of NRC notice of intent to rely, or its reliance, on the information.
- Submit a discussion of why the NRC should consider your ICR (along with your ICR), if you submit the ICR after 60 calendar days after the initial information dissemination or after 60 calendar days after the NRC notice of intent to rely, or its reliance, on the information
- State that your ICR is submitted in accordance with the NRC's Information Quality Guidelines
- Include your name, mailing address, fax number, e-mail address, telephone number, and organizational affiliation, if any. The NRC needs this information to respond to your ICR and contact you if necessary.
- Describe clearly the information you believe is in error and requires correction. Include the source of the information (for example, the name and date of the report or data product), the exact location of the error (for example, the page, figure, table, or Web page address), and a detailed description of the information to be corrected. A copy of the specific information that the ICR covers would assist the NRC in its review of your ICR.
- State specifically why the information should be corrected and, if possible, recommend specifically how it should be corrected.
- Provide a copy of supporting documentary evidence, such as comparable data or research results on the same topic, or a specific authoritative source to help in the review

of your ICR. If you supply the documentary evidence by means of a reference, the reference must be specific enough to allow the NRC to easily locate the information you identify as the basis for the ICR.

- State specifically how you are affected by the information for which you are seeking correction.

(2) How to Submit Your Request

You must submit your ICR under these guidelines in writing by mail, fax, e-mail, or Internet, as follows:

- Mail: Information Quality Coordinator
U. S. Nuclear Regulatory Commission
Washington, DC 20555
- Fax: 301-415-5130
- E-mail: Infoquality@nrc.gov
- Internet: <http://www.nrc.gov/public-involve/info-quality/contactus.html>

(3) What the NRC Will Do with Your Initial Request

Based on a review of the information you provide, the NRC will take the following actions:

- Perform an acceptance review to confirm that you have provided the necessary information regarding the ICR for the staff to review and make a decision.
- Submit your ICR for review to an Initial Review Official (IRO) who is knowledgeable of the subject matter related to your ICR and who normally will be at the Branch Chief level and, in most cases, a member of the Senior Executive Service.
- Consult with other Federal agencies or NRC staff in responding to your ICR, as appropriate.
- Determine whether an error exists and a correction is warranted and, if so, what action will be taken.
- Notify you as soon as possible within the 45 day period if the ICR requires more than 45 calendar days to resolve. The NRC will inform you that more time is required, state the reason why, and include an estimated decision date.

- Notify you of the agency's final decision regarding your ICR within 45 calendar days by letter, e-mail, or fax. The NRC's response will explain the findings of the review and any actions that the NRC will take.

(4) How You May Appeal the NRC Decision in Regard to Your Initial Request

Use the following procedure if you wish to appeal the NRC's denial of your ICR, or if you wish to appeal the decision on the corrective action:

- Submit your appeal within 30 calendar days of receipt of NRC's notification of denial or notification of the corrective action. (Only the original requester may appeal the decision.)
- Identify clearly the original ICR, and specify the NRC decision that you are appealing.
- Describe clearly the basis for your appeal and how the response failed to resolve your ICR.
- Submit your appeal in accordance with the directions in the agency's initial response.

(5) What the NRC Will Do with Your Appeal

Based on a review of the information you provide in the appeal, the NRC will take the following actions:

- Perform an acceptance review to confirm that you have provided the necessary information regarding the ICR for the staff to review and make a decision.
- Submit your request for review to an Appeal Review Official (ARO), typically at the Division Director level, who is a member of the Senior Executive Service and who, in most cases, does not supervise the IRO responsible for the initial response to the ICR.
- Limit the appeal review to the basis of the appeal.
- Consult with other Federal agencies or NRC staff in responding to your appeal, as appropriate
- Determine whether an error exists and a correction is warranted and, if so, what action will be taken.
- Notify you as soon as possible within the 30 day period if the appeal requires more than 30 calendar days to resolve. The NRC will inform you that more time is required, state the reason why, and include an estimated decision date.

- Notify you of the agency's final decision regarding your appeal within 30 calendar days by letter, e-mail, or fax. The NRC's response will explain the findings of the appeal and any actions that the NRC will take.

(6) Corrections

The correction process is designed to address the genuine and valid needs of affected persons without disrupting agency operations. You should be aware that you bear the burden of proof with respect to both the need for correction and the type of correction requested. In determining whether to correct information, the NRC may reject claims made in bad faith or without justification. The NRC is required to undertake only the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved.

The NRC may base its decisions regarding appropriate corrective action(s) on such factors as the significance of the asserted error, the benefits that are likely to be derived from such a correction, the observation of budget and resource priorities and restraints, and the agency's more pressing priorities and obligations.

Subject to applicable laws, the NRC's corrective measures may include, without limitation, personal contacts via letter or telephone, form letters, press releases, postings on the NRC's Website, correction in the next version of a document, or other appropriate methods that would give affected persons reasonable notice of any corrective actions made.

It is the NRC's intent to make corrections within a reasonable time after the agency has made the determination that a correction is appropriate. However, the NRC's budget, resources, and priorities, as well as the complexity of the correction itself, may affect when corrections are made.

In cases where the agency disseminates a study, analysis, or other information prior to the final agency action or information product, ICRs will be considered prior to the final agency action or information product in those cases where the agency has determined that an earlier response would not unduly delay issuance of the agency action or information product and the requester has shown a reasonable likelihood of suffering actual harm from the agency's dissemination if the agency does not resolve the ICR prior to the final agency action or information product.

The NRC will continue to process any decision or document that has had a related ICR unless the NRC decides that the information requires correction before the process may continue.

Your request for correction and the correction process will be open to the public as a commitment to transparency. Your ICR and NRC responses will be made public through ADAMS. Note: Your personal privacy information will not be made public.

(7) Annual Report

The NRC will identify the number and nature of the ICRs received and their resolution, including an explanation of decisions to deny or limit corrective actions in its annual fiscal year reports to the OMB.

Dated at Rockville, Maryland, this 20th day of September 2002.

For the Nuclear Regulatory Commission.

Jacqueline E. Silber ,
Deputy Chief Information Officer
Office of the Chief Information Officer.