

FOIA/PA REQUEST

From: uid no body <nobody@nrc.gov>
To: <foia@nrc.gov>
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Subject: WWW Form Submission

Case No. 2004-0078
Date Recd. 12-18-03
Action Off. Post
Related Case: _____

Below is the result of your feedback form. It was submitted by

() on Thursday, December 18, 2003 at 12:00:35

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Desc: Non-concurrences by staff members in the Office of NMSS relating to safety evaluation reports issued by the office. It is UCS's understanding that NMSS developed non-concurrences as a vehicle for staff members to use when they disagree with safety evaluation reports, in part or in whole.

FeeCategory: Educational

MediaType:

FeeCategory_Description:

Expedite_ImminentThreatText:

Expedite_UrgencyToInformText:

Waiver_Purpose: The requested material will be used to better understand the decision-making process within NRC. Publicly available information on the NRC's differing professional view/differing professional opinion (PDV/DPO) process, such as the Office of Inspector General report and the NRC's own report chaired by Mr. Fitzgerald, provided insights on how lack of consensus is handled. The non-concurrence process developed by NMSS is another way that lack of consensus is handled, but UCS has not seen any information in the public domain on this related process.

Waiver_ExtentToExtractAnalyze: UCS will review the requested materials in context of prior reviews of publicly available information on other methods of handling lack of consensus within NRC (i.e., the DPV/DPO process) to determine if the non-concurrence process appears better than, worse than, or equivalent to it.

Waiver_SpecificActivityQuals: In the past, UCS has made presentations to the NRC Commission and to the Congressional committees overseeing the NRC on the importance of NRC staff feeling free to voice safety concerns. UCS intends to review the requested materials and factor it into future presentations to these same bodies on this subject until our concerns are resolved.

Waiver_ImpactPublicUnderstanding: Information on the NRC's DPV/DPO process and its outcomes is publicly available. Information on NMSS's non-concurrence process is not publicly available. Release of the requested information will enable UCS, a public interest group, and others to understand this alternative process and evaluate it relative to the DPV/DPO process.

Waiver_NatureOfPublic: The primary audiences for UCS's assessment of the requested material will be the NRC Commission and staff and the Congressional committees overseeing the NRC.

Waiver_MeansOfDissemination: UCS intends to incorporate any insights gained from our review of the requested materials into presentations we make during public meetings/hearings conducted by the NRC and Congress. UCS's presentations will include written materials which then are entered into the public record (such as inclusion in the NRC's Public Document Room files).

Waiver_FreeToPublicOrFee: UCS does not and will not charge a fee for our presentation materials. Our presentations on this subject will not be copyrighted or otherwise restricted in their access/dissemination.

Waiver_PrivateCommericalInterest: None.
