

Ex. 5 &
outside scope

2. Rulemaking Process Improvements - status report.

Bill Huffman briefly discussed recent task force activity.

The leadership teams of NMSS and NRR were briefed. Each LT seemed to be supportive of the effort and interested in future progress. The task force would like to make a brief presentation to a joint session of the NMSS/NRR executive teams before contacting upper level agency management.

Questions are being developed for the anticipated interview with the Commissioner's assistants.

Data collection is underway - some progress has been made in capturing historical information on rulemaking activity.

A SECY paper on regulatory analysis improvements is due in April.

Outside scope - release

3. Rulemaking Website - Access to public comment.

After the NRC Web was shut down to permit an extensive review of posted items for potentially sensitive security information, ADM was instructed to close public access to the comment libraries on the RuleForum and Technical Conference Websites. Interested persons may continue to post comments electronically but they are not able to view posted comments at this time. ADM noted that SECY has not changed its docketing procedures, public comments continue to be available through the PDR and ADAMS, and that, with the exception of those comments posted directly to the Web, comments are not posted until they have been docketed by SECY and entered into ADAMS.

ADM requested that NMSS and NRR review their ongoing rulemakings and petitions and the comments received on them for potentially sensitive security information or discussion threads to determine if a vulnerability exists and, if so, the extent of the problem. NMSS and NRR agreed to do so and identify those actions for which there may be security issues.

Pending the results of this review, ADM will discuss the issue with Mindy Landau, EDO, and seek to reopen the comment libraries to public access for all actions or, if appropriate, for all

actions except for those that have been specifically identified as being potentially security sensitive. If the review indicates that there may be a generic vulnerability, ADM will initiate discussions with SECY and the program offices concerning whether modifications to agency policy concerning comment receipt and docketing are needed.

4. RAP (Rulemaking Activity Plan).

ADM indicated that it intends to forward an electronic copy of the RAP to the program offices in December and the official request for program office response would go out in early January.

ADM requested information for specific actions from NMSS and NRR.

In response to a question concerning why the RAP was publicly available, ADM indicated that the ADAMS profile for the 2002 RAP would be changed so that the RAP would be considered a sensitive document and would not be made publicly available unless directed to do so by the Commission.

The next RCC meeting will be Wednesday, January 9, 2002, at 10:00 am in Room O10-B2. I know we discussed the second Tuesday but that looks to be my first day back from vacation and I'll probably need a day to reenter.

Outside scope - release