

From: Stephen Burns, OGL
To: Mindy Landau
Date: 10/23/01 12:27PM
Subject: REFERENCES IN NRC REGULATIONS TO POSTING ON THE WEB

Mindy - the attachment is a survey of NRC regulations to identify those that include a reference to posting documents or information on the NRC website.

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w/4
Ex. 5

[REDACTED]

CC: David Matthews; Patricia Norry

Information in this record was reviewed
in accordance with the Freedom of Information
Act, exemption 5
FOIA- 2003-378

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SUMMARY OF WEB SITE REFERENCES IN NRC REGULATIONS

NRC REGULATIONS WHICH MANDATE PLACEMENT OF INFORMATION ON THE WEB SITE

There are 25 regulations that require placement of information on the web site. They are as follows.

General Information on NRC organization; 1.3(a).

Part Two References; 2.110(c), 2.802(e), 2.804(b)(2), 2.809(a), 2.1301, 2.1303, 2.1306, 2.1330(b).

FOIA Regulations; 9.45(b).

Sunshine Act Regulations; 9.105(b), 9.107(d)(1), 9.108(b).

Licensing Regulations; 50.30(a)(5), 50.66, 50 Appendix O, 50 Appendix Q, 52 Appendix O(5), 52 Appendix Q(4).

High Level Waste Licensing; 60.18(f).

Emergency Access; 62.22(c).

Import/Export Licensing; 110.70; 110.71; 110.113.

Annual Fees; 171.16.

NRC REGULATIONS WHICH LIST THE NRC WEB SITE AS ONE POSSIBLE SOURCE OF INFORMATION

There are 22 regulations which list the NRC web site as a possible location for information. The most common format is the phrase "will be available at the NRC Web site and/or the NRC Public Document Room." These regulations are as follows.

Part Two References; 2.101(a)(2), 2.750(a), 2.790(a), 2.802(g), 2.1007(a)(2), 2.1231.

Advisory Committee Regulations; 7.10(b)(6), 7.11(c)(5), 7.14, 7.17.

FOIA Regulations; 9.21(b), 9.23.

Environmental Records; 51.62(a), 51.120.

High Level Waste Licensing; 60.61(d), 60.63(f).

Emergency Access; 62.11(b).

Waste Storage Facilities; 72.200.

Nuclear Material Safeguards; 75.2.

Reactor Site Criteria; 100.11(c).

Import/Export Licensing; 110.72; 110.112.

NRC REGULATIONS WHICH REFERENCE THE WEB SITE IN ANOTHER MANNER

There are 8 regulations which reference the NRC Web site without requiring that information be placed on it. Most of these regulations are either definitions of "NRC Web site" or requirements that petitioners requesting information show that the information currently available on the web site is insufficient. These regulations are as follows.

Part 2 References; 2.4, 2.740(b)(1).

Reactor Licensing; 52 Appendix A, 52 Appendix B, 52 Appendix C.

High Level Waste Licensing; 60.2.

Gaseous Diffusion Plants; 76.37(a).

Import/Export Licensing; 110.2.

NRC REGULATIONS WHICH REFER TO THE NRC WEB SITE**NRC REGULATIONS WHICH MANDATE PLACEMENT OF INFORMATION ON THE WEB SITE.**

1.3(a)- *General Information/ Sources of Additional Information.* NRC functional organization Charts are available for public inspection at the NRC Web site.

2.110(c)- *Licensing/ design review.* Upon completion of a design review NRR shall publish a determination of whether the design is acceptable and shall make available at the NRC Web site a report that analyzes the design.

2.802(e)- *Petition for Rulemaking.* If the petition contains the required information the Administration Office will assign a docket number, cause the petition to be formally docketed, and make a copy of the petition available at the NRC Web site.

2.804(b)(2)- *Notice of Proposed Rulemaking.* The manner and time within which members of the public may comment will be made available at the NRC Web site.

2.809(a)- *Participation of ACRS in Rulemaking.* ACRS may recommend that the Commission initiate rulemaking and the Commission must respond within 60 days. Both the ACRS recommendation and the Commission's response will be available at the NRC Web site.

2.1301- *License Transfer Applications.* The Commission will notice the receipt of each application for license transfer by placing a copy of the application on the NRC Web site.

2.1303- *License Transfer Applications.* The following documents pertaining to an application for a license transfer will be placed on the NRC Web site: a)the application; b)Commission correspondence with the applicant or licensee related to the application; c) Federal Register notices; d)the NRC staff Safety Evaluation Report; e)any NRC staff order which approves the license transfer application; and f) if a hearing is held, the hearing record and decision.

2.1306- *License Transfer Hearing Request or Intervention Petition.* A hearing request or intervention petition will only be timely if filed no later than 45 days after notice of receipt (of the transfer application) is placed at the NRC Web site.

2.1330(b)- *License Transfer Hearing Transcripts.* Transcripts will be placed at the NRC Web site.

9.45(b)- *Annual FOIA report to the Attorney General.* The NRC will make a copy of the most recent report available at the NRC Web site.

9.105(b)- *Government in the Sunshine Act, Closed Meetings.* Within one day of any vote to close a meeting the Secretary shall make publicly available at the NRC Web site a written copy of such vote reflecting the vote of each member in question. The Secretary shall further place a full written explanation of its action closing a meeting (or portion of a meeting) together with a list of all persons expected to attend the meeting and their affiliation on the website.

9.107(d)(1)- Public Announcement of Commission Meetings. The public announcement document shall be posted at the NRC Web site.

9.108(b)- Commission Meeting Minutes and Transcripts. The Commission shall make promptly available at the NRC Web site the transcript, electronic recording, or minutes of the discussion of any meeting.

50.30 (a)(5)- License Applications. At the time of filing an application, the Commission will make available at the NRC Web site a copy of the application, subsequent amendments, and other records pertinent to the facility.

50.66- Requirements for thermal annealing of the reactor pressure vessel. The NRC will review the Thermal Annealing Report and make available the results of its evaluation at the NRC Web site. The licensee may begin the thermal anneal after the NRC makes available the results of its evaluation at the NRC Web site. Within 15 days after NRC receipt of licensee submissions the staff shall make available at the NRC Web site a summary of its inspection of the thermal annealing. Within 45 days of receipt of licensee submissions the NRC staff shall complete full documentation of its inspection of the licensee's annealing process and make available this documentation at the NRC Web site.

50 Appendix O- Staff Review of Standard Power Reactor Designs. Upon completion of review of a standard design the NRC staff shall publish a determination as to whether or not the design is acceptable and make available at the NRC Web site an analysis of the design in the form of a report.

50 Appendix Q- Early Review of Site Suitability. Upon issuance of an NRC Staff Site Report the staff shall publish a notice of the availability of the report and make the report available on the NRC Web site.

52 Appendix O(5)- Staff Review of Standard Designs. The NRC staff shall publish a determination as to whether or not the design is acceptable and make available at the NRC web site an analysis of the design in the form of a report.

52 Appendix Q(4)- Early Site Suitability Review. The NRC shall prepare a Staff Site Report and make a copy of the report available at the NRC Web site.

60.18(f)- High-Level Waste Disposal Licenses. The Director shall publish a notice of availability of the site characterization analysis and a request for public comment within a reasonable period. The notice along with copies of the site characterization analysis shall be available at the NRC Web site.

62.22(c)- Emergency Access to Low-Level Waste Compacts. A final determination on emergency access will be available at the NRC Web site.

110.70- Import /Export Licensing. The Commission will make a copy of each import/ export license application available at the NRC Web site.

110.71- Import /Export Licensing. The Commission will make a copy of each license application withdrawal available at the NRC web site.

110.113- Import/Export Licensing Hearing Procedures. If the Commission considers information not in the hearing record in reaching its licensing decision the information will be made available at the NRC Web site.

171.16- Annual Fees, Small Entity Certifications. NRC Form 526 can be accessed through the NRC's external web site.

NRC REGULATIONS WHICH LIST THE NRC WEB SITE AS ONE POSSIBLE SOURCE OF INFORMATION.

2.101(a)(2)- License Application. A copy of the tendered application will be available for public inspection at the NRC Web site, and/or at the NRC public document room.

2.750(a)- Hearing Transcripts. The transcript will be available for inspection at the NRC Web site, and/or at the NRC Public Document Room.

2.790(a)- Availability of Records. Final NRC records and documents shall not, in the absence of a compelling reason for nondisclosure be exempt from disclosure and will be made available at the NRC Web site and/or at the NRC Public Document Room.

2.802(g)- Petition for Rulemaking. Administration will prepare a semiannual summary of pending petitions for rulemaking. This report will be available at the NRC Web site, and/or at the NRC Public Document Room.

2.1007(a)(2)- High Level Waste Geologic Repository Licensing. A system to provide electronic access to the Licensing Support Network shall be provided at the NRC Web site, and/or at the NRC Public Document Room.

2.1231- Informal Hearing Procedures. The Hearing file must be made available to the applicant or participant by service or making the file available at the NRC Web site. The hearing file must be available for public inspection at the NRC Web site and/or the NRC Public Document Room. Hearing file documents already available at the NRC Web site, and/or at the NRC Public Document Room may be incorporated into the hearing file by reference.

7.10(b)(6)- Duties of the NRC Advisory Committee Management Officer. The Officer shall ensure that copies of records, transcripts, papers, studies, or other documents that were made available to or prepared for or by each NRC advisory committee are available for public inspection and copying at the NRC Web site and/or at the NRC Public Document Room.

7.11(c)(5)- Duties of the Advisory Committee's Designated Federal Officer. The Officer shall make copies of committee documents required to be maintained for public inspection available at the NRC Web site and/or at the NRC Public Document Room.

7.14- Public Information on Advisory Committees. A complete set of charters of NRC advisory committees and copies of the annual reports will be maintained for public inspection at either the NRC Web site; and/or at the NRC Public Document Room. Copies of records, reports, transcripts, working papers, etc., shall be maintained for public inspection at the NRC Web site and/or the NRC Public Document Room.

7.17- Required Reports for Advisory Committees. A copy of the report on the activities of advisory committees submitted to the Administrator is made available at the NRC Web site and/or at the NRC Public Document Room. Any NRC advisory committee holding closed meetings shall issue a report setting forth a summary of its activities. A copy of the report is made available at the NRC Web site and/or at the NRC Public Document Room.

9.21(b)- Publically Available Records. Publically available records of the NRC's activities are made available at the NRC Web site and/or the NRC Public Document Room.

9.23- Requests for Records. If a requested agency record is located at a place other than the NRC Web site, the NRC Public Document Room, or the NRC headquarters, the NRC may make the record available for inspection and copying at either of the locations. If the requested record has been placed on the NRC Web site the NRC may inform the requester that the record is available at the NRC Web site and/or the NRC Public Document Room. Upon receipt of a FOIA request each office shall promptly identify those records that have already been made publically available at the NRC Web site and/or at the NRC Public Document Room.

51.62(a)- Environmental Impact Report for Waste Disposal. The environmental report may incorporate by reference information contained in a previous filing with the Commission provided that such references are clear and specific and copies of the information to be incorporated are available at the NRC Web site and/or at the NRC Public Document Room.

51.120- Public Availability of Environmental Records. Copies of environmental reports, impact statements, etc., will be made available at the NRC Web site and/or at the NRC Public Document Room.

60.61(d)- High Level Waste, Participation by State Governments and Affected Indian Tribes. Copies of all communications by the Director between State Governments and Indian Tribes are available at the NRC Web site and/or at the NRC Public Document Room.

60.63(f)- High Level Waste, Participation by State Governments and Affected Indian Tribes. A State or affected Indian Tribe may submit a proposal to facilitate its participation in the review of a site characterization plan and or license application. Such proposals, and responses thereto, shall be made available at the NRC Web site and/or at the NRC Public Document Room.

62.11(b)- Emergency Access to Low-Level Waste Compacts. A copy of a request for emergency access will be made available at the NRC Web site, and/or at the NRC Public Document Room.

72.200- License Requirements for Storage of Waste, Information Provided to State Governments and Local Indian Tribes. NMSS will provide copies of determinations and plans regarding storage to States and Local Indian Tribes. All communications must be made available at the NRC Web site and/or at the NRC Public Document Room.

75.2- Safeguards on Nuclear Material. A copy of the list of installations eligible for IAEA safeguards under the US/IAEA Safeguards Agreement is available at the NRC Web site and/or at the NRC Public Document Room.

100.11(c)- Reactor Site Criteria. Copies of Technical Information Document 14844 may be

obtained at the NRC Web site, at the NRC Public Document Room, or by writing the Director of NRR.

110.72- Import/Export Licensing. The following documents shall be made available at the NRC Web site or at the NRC Public Document Room: a) license application; b) Commission correspondence with the applicant; c) Federal Register notices; d) Commission letter requesting Executive Branch views; e) Correspondence from the State Department with Executive Branch views; f) Correspondence from foreign governments and international organizations; g) Filings pursuant to subpart I and Commission and Executive Branch responses; h) hearing record and decision; i) a statement of staff conclusions; and j) the license.

110.112- Import/Export Licensing Hearing Procedures. Transcripts of hearings will be made available at the NRC Web site and/or at the NRC Public Document Room.

NRC REGULATIONS WHICH REFERENCE THE NRC WEB SITE IN ANOTHER MANNER.

2.4- Domestic Licensing/ Definitions. NRC Public Document room means...the place where NRC makes computer terminals available to access the Electronic Reading Room component of ADAMS on the NRC Web site. NRC Web site is the Internet uniform resource locator name for the Internet address of the Web site where NRC will ordinarily make available its public records for inspection.

2.740(b)(1)-Discovery in Licensing Litigation. When any book, document or thing sought is reasonably available from another source, such as the NRC Web site, sufficient response to an interrogatory would be the location and a page reference to the relevant document.

52 Appendix A (VI)(E)(1)(b)- Design Certification for Advanced Boiling Water Reactor- Request for Proprietary and Safeguards Information. A person who wishes to review proprietary and safeguards information must make a request stating why the information currently available to the public at the NRC Web site and/or at the NRC Public Document Room is insufficient.

52 Appendix B (VI)(E)(1)(b)- Design Certification for the System 80+ Design- Request for Proprietary and Safeguards Information. A person who wishes to review proprietary and safeguards information must make a request stating why the information currently available to the public at the NRC Web site and/or at the NRC Public Document Room is insufficient.

52 Appendix C (VI)(E)(1)(b)- Design Certification for the AP600 Design- Request for Proprietary and Safeguards Information. A person who wishes to review proprietary and safeguards information must make a request stating why the information currently available to the public at the NRC Web site and/or at the NRC Public Document Room is insufficient.

60.2- High-Level Waste Disposal Definitions. NRC Public Document Room means.... the place where computer terminals are available to access the Electronic Reading Room component of ADAMS on the NRC Web site. NRC Web site, is the Internet uniform resource locator name for the Internet address of the Web site where NRC will ordinarily make available its public records for inspection.

76.37(a)- Certification of Gaseous Diffusion Plants. NMSS may, at the Director's discretion,

publish in the Federal Register a notice of the filing of an application for renewal specifying that copies of the application will be made available at the NRC Web site.

110.2- Import /Export Licensing Definitions. NRC Public Document Room means.....the place where computer terminals are available to access the Electronic Reading Room component of ADAMS on the NRC Web site. NRC Web site is the Internet uniform resource locator name for the Internet address of the Web site where NRC will ordinarily make available its public records for inspection.