

**FIFTH ANNUAL MEETING OF THE OECD/NEA FORUM ON STAKEHOLDER CONFIDENCE,
Paris, France, June 1-3, 2004
Foreign Trip Report**

Subject

Participation in the fifth annual meeting of the Forum on Stakeholder Confidence (FSC).

Dates of Travel and Countries/Organizations Visited

May 30 - June 4, 2004

Attended FSC meeting at the Paris, France Headquarters of the Organization for Economic Cooperation and Development (OECD). The FSC is a working party to the Radioactive Waste Management Committee (RWMC) of the OECD's Nuclear Energy Agency (NEA). While in Paris, I met with Gail Marcus, who recently assumed her post as Deputy Director General of the NEA. I also attended a core group meeting of the FSC immediately following the annual meeting, and worked with the NEA Secretariat to ensure the inclusion of NRC and U.S. comments into several draft FSC documents.

Author/Title/Agency Affiliation

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Sensitivity

Not applicable

Background/Purpose

in Paris, France. The FSC was chartered in 2000 by the RWMC. It is made up of members from thirteen countries with active waste management programs as well as representatives from the International Atomic Energy Agency and the European Commission. Delegates to the FSC from the U.S. Department of Energy (DOE) or the U.S. Environmental Protection Agency (EPA) did not attend this meeting. Besides the annual meeting in Paris, the Forum also sponsors an annual workshop with wider participation to examine, in detail, issues of stakeholder confidence that have arisen in a particular member country's waste program. The most recent of these country workshops was held in Belgium, in November 2003.

Abstract

Of particular note at this year's annual meeting were topical sessions on: 1) "Decision Making Processes at the Strategic Choice Stage: How different stakeholders are involved, and which values are taken into account"; 2) "Media Relations"; and 3) "Addressing Issues Raised by Stakeholders: Impacts on Process, Content, and Behavior in Waste Organizations." As part of the third topical session, I presented a paper, "Building Confidence in Nuclear Waste Regulation: How NRC is Adapting in Response to Stakeholder Concerns." In addition to these highly informative and discussion-provoking topical sessions, FSC members were briefed on a

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desk study prepared by the NEA Secretariat on “Stakeholder Involvement Techniques.” This study, accompanied by an extensive list of useful references from the various member state programs, was a follow-on to the topical session on the same subject held at last year’s annual meeting. FSC members agreed that the findings of this study should be prepared for publication as an FSC product. Forum members were also presented with a preliminary analysis of the results of a recent self-assessment questionnaire. They then engaged in a discussion of future FSC activities and program of work. FSC members also agreed to complete preparation, and subsequent publication, of a brochure describing the Forum’s activities and findings since its formation (August 2000 through June 2004). Before adjourning on June 3, FSC members heard updates from fellow delegates on member states’ waste programs, with emphasis on stakeholder issues. I continue to find that the opportunity to exchange experience firsthand and to learn from other countries’ successes and failures at building the trust and confidence of stakeholders is valuable to NRC’s public outreach program. Visible and constructive participation by NRC staff at FSC meetings and workshops enhances NRC’s credibility in this arena and contributes to NRC’s performance goals for maintaining safety and enhancing public confidence. Following the Fall workshop in Germany, the Forum’s next annual meeting will take place the week of June 6, 2005, in Paris.

Discussion

Opening

FSC Delegates were welcomed by the Director General of the NEA and the NEA Secretariat provided a brief update of FSC activities since the last business meeting. Brief presentations were provided of several international initiatives of interest to the FSC.

Desk Study on Stakeholder Involvement Techniques

FSC members were briefed on a desk study prepared by the NEA Secretariat on “Stakeholder Involvement Techniques.” This study, accompanied by an annotated bibliography of useful references from the various member state programs, was a follow-on to the topical session on the same subject held at last year’s annual meeting. In developing this product, FSC seeks to produce a short guide with pointers to easily accessible resource materials for informing deliberation through stakeholder involvement. FSC members agreed that the findings of this study should be prepared for publication as an FSC product.

FSC Phase-1 Self Evaluation and Way Forward Discussion

FSC members were presented with a preliminary analysis of the results of a recent self-assessment questionnaire. Early this year, the NEA Secretariat developed a questionnaire based on input from RWMC, FSC members and the FSC core group. It was tested prior to distribution to the FSC membership. Twenty five responses were received containing extensive comments and insights into the value and impact of FSC’s activities to date. In general, FSC members felt that so far the forum has accomplished what it set out to do. Following a discussion of future FSC activities and program of work, the members agreed to complete preparation, and subsequent publication, of a brochure describing the Forum’s activities and findings since its formation (August 2000 through June 2004). In addition to informing and

providing traceability to FSC documentation, this report will provide an historical perspective of what gave rise to the FSC and an overview of the FSC collective experience.

TOPICAL SESSION: “Decision Making Processes at the Strategic Choice Stage: How different stakeholders are involved, and which values are taken into account”

This topical session comprised three presentations from countries that are engaged in defining national strategic choices for the long-term management of long-lived radioactive waste. Stated deadlines for this process in all three countries (end of 2005) are quite similar.

In Canada, within the framework of the Nuclear Fuel Waste Act, the Nuclear Waste Management Organization (NWMO) must submit to the Minister of Natural Resources Canada a report comparing at least three solutions for managing spent fuel, including, but not limited to deep geologic disposal, centralized storage, and long-term onsite storage. Alongside providing the necessary scientific and technical rigor, NWMO’s task is to consider ethical and socio-economic implications, as well as traditional knowledge and the understandings of aboriginal people, and financial sustainability. According to the law, the selected method should reflect the values and aspirations of Canadian society as a whole. NWMO consider that they are best informed on these matters by the direct input of Canadians and have initiated discussion activities. Themes emerging from NWMO’s first year of public consultations include strong interest on the part of the public for responsible action today, adaptability for the future, accountability and transparency, and good governance. NWMO expects to issue its findings and recommendations in a report to the Canadian government in November 2005.

In **France**, two organizations coordinate research in the framework of a 1991 Law relating to research on the management of radioactive waste: ANDRA, for the feasibility of a reversible geologic repository, and the CEA, for long-term storage. Each must submit a report before 30 December 2005. The National Scientific Evaluation Committee (CNE) and Government then will have one year to present their own report to Parliament, possibly accompanied by proposed legislation to create a repository. France is building an underground research laboratory in a region in which a clay disposal site could theoretically be sited, and ANDRA will furnish a report on the potential of French granite formations to host an installation, without specifying a site. No centralized storage site has been officially named to date.

In the **United Kingdom**, the Government and devolved administrations for Scotland, Wales and Northern Ireland have appointed a new independent committee in November 2003, the Committee on Radioactive Waste Management (CoRWM). Its formation followed the collapse in 1997 of the NIREX program to build a deep underground repository for intermediate-level wastes and those low-level wastes unsuitable for near-surface disposal. CoRWM is asked to advise the government by 2006, after reviewing all options, for a long-term solution providing protection for people and the environment in managing all solid radioactive waste. The vast majority of radioactive waste in the UK is a legacy of past government activity and is government owned. CoRWM’s work program will include a range of ways to gain the views of the UK public and stakeholders. The active involvement of the public was cited as “vital” to ensuring that the public has confidence in the strategy that CoRWM will recommend. A government decision, based on the recommendations of CoRWM and those of a new government implementing agency, the Nuclear Decommissioning Authority (to be set up by April 2005), is anticipated in 2007.

TOPICAL SESSION: "Media Relations"

In this first FSC session devoted to the role of the media in contributing to (or detracting from) confidence in radioactive waste management, the FSC sought to learn, first hand, about the functioning of media companies, their structures and needs. The European editor of *Nucleonics Week* moderated this session. In her opening remarks, she noted a positive trend toward improved communication and dialogue between waste management organizations and the media over the past ten years. In large measure, she felt this could be attributed to actions taken by waste management organizations to open their approach and attempts to work more closely with all stakeholders. Speakers were chosen to represent the range of media, as well as different countries and a variety of waste management situations to serve as illustrative examples. Speakers included a professor of sociology, from the University of Zurich, who has conducted research on media coverage of biotechnology and the public's response to that coverage. He offered his perspective on how risk management and risk communication have evolved over the last twenty years, how the media functions in democratic societies, how risks are treated by the media, and presented some specific observations on how to improve risk communication. A French radio journalist who covers issues involving science and technology for Radio France Internationale, an editor of a medium- to large-circulation German daily newspaper, the *Frankfurter Rundschau*, and the editor of a local newspaper, *Diario Córdoba*, near the Spanish low-level waste facility at El Cabril, also contributed to the discussion. All of the speakers encouraged waste management organizations, both developers and regulators, to continue to be proactive in their dealings with the media. They cited the value of good quality, "pre-digested" information on technical topics that is simple, short and to the point. In particular, they noted the immense need for strong key pictures, graphics and visual aids, and encouraged waste management organizations to identify and develop their technical experts who are also effective communicators.

TOPICAL SESSION: "Addressing Issues Raised by Stakeholders: Impacts on Process, Content, and Behavior in Waste Organizations"

This session was designed to look at specific actions waste management organizations have taken to encourage and respond to the involvement and input of stakeholders. On behalf of NRC, I presented a paper, "Building Confidence in Nuclear Waste Regulation: How NRC is Adapting in Response to Stakeholder Concerns." The text and presentation slides for this talk were forwarded to the EDO, in accord with Management Directive 3.9, on May 24, 2004 [ADAMS No. : ML041400466]. In conjunction with my presentation, I distributed hard copies of the NRC's recently-published Guidelines for External Risk Communication [NUREG/BR-0308] as well as the contractor report summarizing the technical basis for the NRC's guidelines [NUREG/CR- 6840]. Other speakers included representatives of NIREX and ANDRA, developers of waste management facilities in the U.K. and France, respectively. The representative of NIREX spoke about how stakeholders' issues and concerns were being integrated into NIREX's technical research. For example, she noted how the "NIREX Disposal Concept" has evolved to become the "NIREX Phased Disposal Concept." After previously resisting the introduction of retrievability, NIREX reexamined this issue after calls for work on the issue from stakeholders and the government's refusal to issue permission for the Sellafield rock characterization facility in 1997. Subsequently, NIREX was able to use input from three public workshops to develop

its work program for monitoring and retrievability for its new disposal concept. Stakeholder critiques of NIREX behavior have also resulted in major organizational changes within NIREX, especially with respect to the creation of a Whistle Blower's Policy, and the inclusion of specific performance measures for all NIREX employees that evaluate their effectiveness in interacting with stakeholders.

After the Meeting

As a member of the Forum's core group, I attended a core group meeting, after the formal FSC meeting adjourned, and contributed to planning discussions for the next FSC country workshop, in Germany, the week of October 4, 2004. The following day I worked with the staff of the NEA Secretariat on revising the text of an FSC document on stepwise decision making and its importance to building stakeholder confidence. Earlier, delegates from all three U.S. participants (NRC, DOE and EPA) had expressed concern with prior drafts of this document, and NRC had submitted extensive comments and suggested modifications, coordinated among, and approved by, all three U.S. agencies, in May of 2003. Taking an approved extra day to work with the Secretariat's staff, I was able to ensure that virtually all of the U.S. comments were addressed in the current draft.

Pending Actions/Planned Next Steps for NRC

2004 FSC Country Workshop—"Disposal of Radioactive Waste: The Forming of a New Approach to Public Confidence in Germany," Community Visit (Gorleben) and National Workshop to be held in Germany, October 6-8, 2004

6th Annual Meeting of the FSC—To be held the week of June 6, 2005

Attachments

1. Proposed Agenda for the 5th Session of the Forum on Stakeholder Confidence
2. List of Participants