



Union of Concerned Scientists
Citizens and Scientists for Environmental Solutions

From: Jon Block, Project Manager, Nuclear Energy and Climate Change,
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To: Meeting on Improving Environmental Reviews, United States Nuclear
Regulatory Commission, HQ, White Flint, Rockville, MD
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Commissioner Jaczko posed a question in his comments on the Report of the Combined License Review Task Force that asks, essentially, do the agency's external stakeholders view the agency's processes and perceived efficiencies in the same manner as the NRC? This is an attempt to provide a partial answer to the Commissioner's question.

The Commissioner also noted in his comments that when the NRC speaks of the search for "efficiency" what that really means is "predictability". Both terms are the favorites of corporate law firm representatives and nuclear industry lobbyists. What they mean, respectively, is (1) getting whatever the client wants as quickly and cheaply as possible, and, (2) knowing exactly how long "quickly" will take.

In the fifteen years I have been observing this agency's behavior, the NRC has come a long way toward meeting nuclear industry expectations in this regard--and doing it entirely at the expense of meaningful public participation in agency process. That loss comes at a high price: imperiling the occupational and public health and safety and security of this country. Past contributions of members of the public to eliminating serious occupational and public health and safety and security problems and lapses have been effectively neutralized by this agency.

Members of the public now confront an agency much like the old Atomic Energy Commission (AEC)--dominated by the desires of the industry it is supposed to regulate,

working to advance and promote the industry instead of carrying out its primary charges under the Atomic Energy Act (AEA). This agency has substituted for meaningful participation and responsiveness to public input the schmooze-fest and glad hand.

Over the objections of two distinguished chief judges of the Atomic Safety and Licensing Board, the adjudicatory rules and procedures have been gutted, offering only a mere shadow of due process for intervenors. This, on top of (1) a rulemaking process driven by, and highly responsive to, the nuclear industry's wishes, and, (2) a public information system---all avenues including ADAMS--that is inadequate, unreliable, slow and generally inferior to the information retrieval systems of most public library catalogues.

So, to answer Commission Jaczko, this situation has an adverse impact upon the public perception of NRC process and efficiency. Members of the public, treated to truncated hearings, inferior access to information, and media hype instead of hard facts, come to the EIS (Environmental Impact Statement) process with not only diminished expectations, but complete and utter skepticism of the agency's intentions.

The desire for a quick-fix to the dismantled adjudicatory licensing process brings us here today--yet we know that we are only here as tokens--we know that our presence, our thoughts, our participation--no matter how active and intelligent and well-meant--will only be used to validate an entirely corrupt process with the stamp of "public participation". As for the changes we want to see--we need:

- Rapid access to information in ADAMS;
- Increased file size reception for comments with support for documents larger than 10Meg;
- A place at the table for public interest groups and citizens at every NRC meeting;
- No more private meetings between Commissioners and nuclear industry;
- Rapid FOIA access and responses;
- Adjudicatory rules modeled on the Federal Rules of Civil Procedure;

and

- Balanced fact-findings hearings in all significant agency rulemakings.

Thank you.