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General Information

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Document Information

Originator Name: Judy Treichel

Date of Incoming: 01/28/2013

Originator Org: Nevada Nuclear Waste Task Force, Incorporated

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OEDO POC: Lance Rakovan

OFFICE OF THE SECRETARY
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PAPER NUMBER: LTR-13-0073 **LOGGING DATE:** 01/28/2013
ACTION OFFICE: EDO
AUTHOR: Judy Treichel
AFFILIATION: NV
ADDRESSEE: Chairman and Commissioners
SUBJECT: Concerns regarding communication in reference to the January 23, 2013 NRC
Webinar/Teleconference - Potential Improvements in the Communication of Significant
Regulatory Issues
ACTION: Direct Reply
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SPECIAL HANDLING: Lead office to publicly release 24 hours after SECY's assignment, via SECY/EDO/DPC.
NOTES:
FILE LOCATION: ADAMS
DATE DUE: 02/27/2013 **DATE SIGNED:**

EDO --G20130078

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January 28, 2013

Chairwoman Allison M. Macfarlane
Commissioner Kristine L. Svinicki
Commissioner George Apostolakis
Commissioner William D. Magwood, IV
Commissioner William C. Ostendorff

U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairwoman Macfarlane:

On January 23, 2013 I participated in an NRC Webinar/Teleconference: Potential Improvements in the Communication of Significant Regulatory Issues. The call was setup and moderated by Lance Rakovan. Involved in the conference were local and state officials, representatives from other agencies, commercial nuclear industry reps and some members of the public. Prior to the meeting I was contacted by Lance and asked to provide brief comments to introduce some of the topics to be discussed.

As the meeting progressed it became clear that two very different situations were being discussed – NRC’s communication of information to people locally, and communication involving national or international issues. Those are not the same. In my opinion there were some good ideas for the local or regional communication efforts recommended to the NRC. Representatives in the discussion from communities with reactors or large government operations, some of whom had jobs related to public safety, found that the topic areas covering advisory committees, partnerships with other parties, and non-traditional venues had some appeal and some useful ideas were put forward.

This meeting was also intended to cover wider NRC communication efforts which have been lacking for a very long time but the sorts of ideas and strategies suggested missed the mark. I think that nationally the public needs not

just to hear from federal agencies but also to be heard by them when decisions are being made that will impact localities, regions, and the nation.

As I prepared for the meeting it occurred to me that NRC was attempting to seek better ways of communicating to elected officials and the public not with them. The preliminary materials had phrases like:

how should NRC communicate about...

get the agency's message out

advance public communication and education

There appears to be a perception at NRC that public opposition comes from a lack of ability to understand or correctly interpret the information presented. My experience is that that's not so. The public knows and understands what NRC is saying. Individuals and organizations have concluded that the agency probably can't or won't do what the public wants them to so the only course of action is to change the way the information is given until the public goes along or gets tired and just gives up. Well informed public advocates will not do that.

NRC communication to and with the public is about risk. Where there are disagreements between the Commission and the public such as at the San Onofre Nuclear Generating Station (SONGS) or the issue of Waste Confidence, the message from NRC is primarily that they are promoting safety. Often the public sees an effort to disguise risk. Statements like: "it's safe;" "there is no danger to the public;" "this is no more dangerous than..." only infuriate public advocates. They simply want to know what the risks are and what NRC plans to do to mitigate them...or not. Once the risks are known, the public and public interest organizations will form their own opinions about safety. If there are differences of opinion between the Commission and the public, there needs to be open and honest discussion.

If in fact, NRC genuinely wants to change course and establish effective communication, what's really needed I think, is for the tables to be turned. The public needs to hold a meeting with NRC decision makers and discuss with them the reasons why they don't seem to hear or understand us and how we can tell them what we want done in a way that it will either get done or an adequate justification will be given why not. Actually some variation of that may have started to happen. After decades of disappointment and frustration, public interest organizations have advanced to where they can take on NRC and other federal agencies with legal and technical arguments. And they appear to be at the point where they can present successful challenges to decisions and actions that

they oppose. It may be the only way that we can find out if what we said was ever considered in a decision.

Currently the public is angry about the NRC decision to impose a deadline so as to decide a very important issue quicker than the public believes is possible if the process is to be thorough and complete. That is, to have a decision regarding the Waste Confidence rule within two years – no extensions. The Waste Confidence EIS Scoping Comments submitted by public advocacy organizations clearly show that they now have qualified experts and attorneys who will continue to challenge the unjustified time constraints that NRC has imposed.

There is one thing that NRC has that to my knowledge is unique and it comes to mind every time I encounter communication roadblocks at the agency or hear the frustrations of others who do. In Nevada we had never dealt with the NRC until the Yucca Mountain repository battle. As the project progressed and we expected to face epic licensing hearings, we attended the hearings in Utah for the Private Fuel Storage facility and we learned about "Limited Appearance" sessions during NRC licensing. One of the hearing judges told the audience, "You can talk but we will not be listening. We will not consider what you say but one of the parties or attorneys here might bring what they hear from you into the hearing." So the deal is that the public gets to hear their voices in a microphone and they are expected to be satisfied knowing that they played their part. Many times, when attempting to get a message to NRC about an important issue we feel is important we seem to hit that same sort of barrier.

I hope that the Commission is actually interested in improving its communication with the public and will begin to appreciate the knowledge, sincerity, and importance of what informed people and organizations have to say. We need to know that what was said was heard through acknowledgement and meaningful responses back to us. Unlike the "limited appearance" this would mean communicating **with** and not **to** us.

Sincerely yours,

Judy Treichel
Executive Director

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Sincerely yours,



Judy Treichel
Executive Director

Joosten, Sandy

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From: Judynwtf@aol.com
Sent: Monday, January 28, 2013 3:24 PM
To: CHAIRMAN Resource; CMRSVINICKI Resource; CMRAPOSTOLAKIS Resource;
CMRMAGWOOD Resource; CMROSTENDORFF Resource
Subject: Public Communication
Attachments: Allison 0113 on letterhead.doc; allison signature page 001.jpg

Please see attached letter.

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