

Case No.: 2014-0059
 Date Rec'd: 11/22/13
 Specialist: Mc Clellan
 Related Case: _____

FOIA Resource

From: nobody@www.nrc.gov
Sent: Thursday, November 07, 2013 11:38 AM
To: FOIA Resource
Subject: WWW Form Submission

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Desc: All briefing packages, agendas, and notes for non-public meetings between Pacific Gas & Electric and the NRC Chairman, NRC Commissioner Svinicki, NRC Chairman Magwood, NRC Chairman Ostendorff, EDO William Borchardt, Deputy EDO Mike Weber, Deputy EDO Michael Johnson, and NRR Director Eric Leeds between January 1, 2012, and September 30, 2013, inclusive. "Non-public meeting" refers to any meeting not open to attendance by the public. Materials are requested from non-public meetings held between PG&E and the NRC list of persons, individually or in combination with others.

FeeCategory: Educational

MediaType:

FeeCategory_Description:

Expedite_ImminentThreatText:

Expedite_UrgencyToInformText:

Waiver_Purpose: An NGO colleague was recently informed that she could not discuss seismic issues at Diablo Canyon with the NRC Chairman during their upcoming non-public meeting. That ruling came from the Chairman's legal counsel. I will review the records provided in response to this request to see if the NRC is consistently applying this standard in all non-public meetings, or just with non-public meetings with members of the public.

Waiver_ExtentToExtractAnalyze: I have seen Drop-in packages prepared by the NRC staff for Commissioners upcoming meetings with licensees. I've also seen meeting summaries prepared for non-public meetings. These materials highlight what was discussed. I will review the requested materials to see if specific information about seismic issues at Diablo Canyon - the topic ruled out-of-bounds for my NGO colleague's meeting - was absent from PG&E's meetings with NRC officials. If so, it suggests fairness in application of this ruling. If not, the apparent inequity of applying this standard will likely be referred to the NRC's Office of the Inspector General.

Waiver_SpecificActivityQuals: As noted in the response to Item 2 above, I will review materials provided in response to this request to see if the NRC is consistently applying the ban against discussing specific seismic issues at Diablo Canyon. I am familiar with the ex parte communication boundaries since first becoming aware of it circa 1998 when Paul Blanch's meetings with the Commissioners raised the question. I read the subsequent OIG report on the matter. I've encountered times when my discussions during non-public meetings with the Chairman and Commissioners was limited because of an open 2.206 petition or other ongoing legal proceeding before the NRC. More often, I've had open discussions during non-public meetings because all parties steered clear of the ex parte boundaries. I want to see how consistently the Diablo Canyon seismic discussion ban was applied.

Waiver_ImpactPublicUnderstanding: The NRC conducts hundreds of public meetings annually, many in the vicinity of nuclear power plants. The public is probably not aware that NRC senior managers hold many non-public meetings with nuclear plant owners. UCS will strive to provide the public with a peek behind the curtain to reveal what is being discussed with whom during all these non-public meetings. Because UCS and other NGO representatives also meet with NRC senior managers in non-public meetings, I will be able to compare/contrast topics discussed during such meetings to determine whether appropriate discussion boundaries are being consistently applied. The end result will be commentary on whether the NRC provides a level playing field for communicating about nuclear plant safety issues.

Waiver_NatureOfPublic: The primary audience will be the public who routinely engages the NRC regarding nuclear plant safety -- NGO representatives and citizens living around the facilities. In other words, the people who attend NRC public meetings, submit comments on NRC proposed actions, and communicate to NRC with questions and comments.

Waiver_MeansOfDissemination: UCS has a blog, allthingsnuclear.org, that features weekly posts on nuclear safety issues. The results from my review of the requested materials will very likely be featured in one or more of these weekly posts. In addition, if my review identifies any apparent irregularities, I will refer the matter to the NRC's Office of the Inspector General. That referral will likely be posted to our blog or to the UCS website at www.ucsusa.org.

Waiver_FreeToPublicOrFee: There is no charge for viewing/downloading materials from the UCS blog and website.

Waiver_PrivateCommericalInterest: None

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