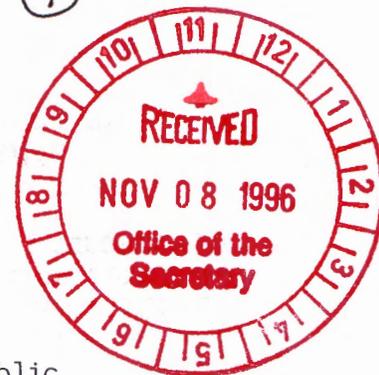


November 5, 1996

Mr. John C. Hoyle, Secretary  
Nuclear Regulatory Commission  
Washington, D.C. 20555



Dear Mr. Hoyle:

SUBJECT: Comments on Direction Setting Issue Paper No. 14--Public Communications Initiatives

This paper states "Skepticism and mistrust continue to be an element of the media's and public's attention to NRC's programs" (page 7). While the Commission has taken positive steps in recent years to open up its communications, such as the enhanced participatory rulemaking process and surveys of the regulated community, much more needs to be done. Here are some suggestions which could be incorporated into a Commission decisional document describing how the preferred option will be implemented.

1. Each time a facility is placed on the "watch list", the Chairman should conduct a public meeting near the vicinity of the site to explain the agency's action and respond to questions posed by the public. Similarly, each time a facility is taken off the "watch list", the Chairman should hold another public meeting to explain how the utility has addressed the NRC's concerns and again respond to public questions.

2. Even if a facility is not on the watch list, if there is public controversy regarding operation of a facility (especially following an incident) the Chairman or the Commission (not the staff) should hold a public meeting near the site. The purpose of the meeting would be to respond to public concerns.

3. Commissioners frequently travel to nuclear power plants. During these visits, meetings are frequently held with plant employees or the press. Some of these visits should include public meetings held at night. The Commissioner could explain the role of the NRC and answer public questions.

These first three recommendations are aimed at giving the Commission greater visibility in the concerned communities and demonstrating that the Commission is willing to listen to the public and respond to public concerns. Right now the Commissioners are faceless, decisionmaking officials in the concerned communities.

4. Some of the public frustration comes from the obstacles that the Commission has placed on public participation in our licensing process. The Commission applies Article III tests of standing and requires filing of detailed contentions before a party can be admitted. Some perceive these requirements as an indication that the Commission is not really interested in public participation. The means to address this would be modify 10 C.F.R. Part 2 to provide for legislative rather than formal adjudicatory hearings. Provisions could be made to adjudicate selected disputes when adjudication is the best means to resolve the issue. The Commission has argued before the Federal courts that section 189 of the Atomic Energy Act

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does not require formal adjudicatory hearings but has not conformed its regulations to that view. Such a course of action could increase public participation in our proceedings giving the agency greater credibility and should not delay issuance of licensing decisions. In many cases, this approach should result in licensing decisions being issued at an earlier date.

5. The Commission has separate public meetings at least once each year where representatives of the nuclear industry and of the States are afforded an opportunity to provide their thoughts on matters of interest to them. Similar meetings should be convened where representatives of environmental/public interest groups are afforded a similar opportunity to present their thoughts to the Commission.

6. Members of the Commission's advisory committees do not represent a wide enough range of perspectives. The Commission's main advisory committee, the Advisory Committee on Reactor Safeguards, has historically been comprised of academics, employees of the national laboratories, and retired nuclear industry employees. The Commission has never appointed a representative of a public interest/environmental organization to the ACRS. As a signal that the Commission wishes to receive a more diverse range of views, it should fill the next ACRS vacancy with a technically qualified individual who represents such a perspective.

Adoption of these last three recommendations would signal a greater Commission interest in hearing the views of members of the public whose views are not adequately represented by the nuclear industry, professional organizations, or the States.

Sincerely,

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Anonymous