



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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NRC PUBLIC AFFAIRS

All PM Personnel

PM OPERATING PROCEDURE 204, REVISION 1
MEETINGS WITH APPLICANTS/LICENSEES, ACRS AND INTERVENORS

This Revision supersedes and replaces earlier versions of this procedure. The major change reflects the new Commission policy of increased public participation in staff-applicant/licensee meetings. This new policy is an outgrowth of one of the recommendations of NUREG-0292, "Nuclear Power Plant Licensing: Opportunities for Improvement" (Denton Task Force). The portions of the procedure on ACRS meetings and meetings with intervenors also have been brought up to date.

The purpose of this procedure is to provide general guidance in the planning and conduct of meetings. It is not intended to prescribe detailed step-by-step directions nor to address every aspect of the subject. Within the broad context of the established general policy on meetings, a good deal of flexibility is needed to accommodate varied individual situations. Also, more specific guidance will be possible as we gain more experience with this policy.

Note that the term "applicant" as used throughout the remainder of this procedure means applicant or licensee, as appropriate.

This procedure has been reviewed by the management of NRR, the four NRR Divisions, OELD and OPA. All review comments have been accommodated.

DOR and DSE management endorse adoption of this procedure in their divisions.

A. Meetings With Applicants

1. General Policy

The statement of NRC staff policy on open meetings was published in the Federal Register on June 28, 1978 (43 FR 28058). All meetings conducted by the staff as part of the review of any proposed licensing action will be open to attendance by the general public, including parties to a hearing and petitioners for leave to intervene. In general, only staff and applicant representatives will participate actively in these meetings.

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The policy provides that others be permitted to attend only as observers. However, as a practical matter, the meeting chairperson may permit the observers at any meeting to participate by means of questions and comments during special defined periods in the meeting. Similar groundrules apply to meetings between staff and other parties or petitioners.

In addition, certain predesignated meetings will be planned specifically to provide information to the public and will be held near the proposed site. Suitable advance arrangements for and notification of these meetings will be made. Public participation in the form of questions and comments will be sought during special portions of such meetings. Note that public participation, as used in this procedure, is limited to submittal of questions and comments to staff and applicant during specified portions of meetings.

Site visits to plants under construction and operating, such as: Caseload Forecast Panel visits, Seismic Qualification Review Team visits, Electrical and Instrumentation drawing reviews, are not considered meetings and do not come under this policy. Notices of such visits should be issued but should state the purpose clearly and not refer to the visits as meetings. If there are requests from the public to attend such visits, which cannot be accommodated by staff and/or applicant, the problem should be elevated through the NRR management chain for resolution.

Meetings where classified or proprietary information is to be discussed are exempt from this policy. Other exceptions to the open meeting policy must be approved by the Director of NRR on a case-by-case basis. In such cases, where interested persons ask but are not permitted to attend, the staff will prepare a written summary of the unclassified/non-proprietary portions of the meeting and send it to those persons.

This general policy applies to safety and environmental reviews of construction permit, operating license, license amendment and early site approval applications. Basic distribution lists for meeting notices and reports are found in the DPM Secretarial Handbook.

Note that implementation of this meeting policy must be consistent with the Commission directive that it will be carried out within existing resource allocations and that travel costs will be minimized.

2. Policy Implementation and Responsibilities

Overall primary responsibility for planning, conducting, and documenting meetings is with the appropriate project management group (LWR & SAR in DPM; EP in DSE; S&P & E&P in DOR). The assigned case attorney from ELD participates as appropriate and has close coordination with the project manager. The Division of Contracts/ADM provides certain logistical support. I/E is kept informed of all meeting plans and participates if appropriate. Participation by the Offices of State Programs, Congressional Affairs and Public Affairs is determined on a case-by-case basis but they are kept informed of meetings in which public participation is sought.

All staff-applicant meetings, unless specifically excepted, are open to intervenors, other parties to the proceeding and members of the public. In contested proceedings, OELD will contact each intervenor on a one-time basis to explain the meeting policy and to issue a general invitation to all staff-applicant meetings. Also, the intervenors will be told that they will receive meeting notices routinely.

Selected meetings between staff and applicant will be arranged and held in the area of the site where the public will be invited to attend and to participate in the form of questions and comments during special portions of these meetings. Such meetings should be held on evenings or weekends whenever practical to facilitate public attendance. A few of these meetings should be held during the course of review of construction permit, operating license and early site approval applications at appropriate phases in the review. Similarly, such meetings should be arranged in connection with proposed licensing actions for operating reactors when this is determined to be appropriate and worthwhile. The project manager, in conjunction with the assigned OELD attorney, determines when site area meetings with public participation should be held and recommends such meetings for management approval. The project manager apprises the OELD attorney of the plans and keeps the attorney informed throughout the planning period.

An additional requirement for CP and early site approval reviews is a pre-docketing general introductory meeting in the area of the proposed site about 6 - 12 months prior to tendering of the application. The primary purpose of this single meeting is to describe to interested members of the public both the safety and environmental aspects of the proposed application, including

the planned location and type of plant, the regulatory process and the provisions for public participation in the licensing process. A portion of this meeting is set aside for comments and questions from the public and responses from staff and applicant. A sample agenda for such a meeting is attached as Enclosure 1.

For this introductory meeting the assistant director(s) of the appropriate project group(s) (generally ADLWR and/or ADEP), in consultation with the Office of Public Affairs, will attempt to get a local official or community group to sponsor or co-sponsor the meeting and provide a moderator/chairperson. If this cannot be arranged, the meeting is held without such participation and the project manager chairs the meeting. However, every effort should be made to encourage active participation by state and local officials. At this, or any other meeting where public participation is invited the chairperson will explain at the outset of the meeting how the meeting will be conducted and how, when and what scope of public comments/questions will be accepted and answered.

For those meetings to be held in the area of the site at which public attendance is sought, the project manager should notify the Division of Contracts, by memorandum or NRC Form 34, at least four weeks in advance of the meeting, of facility, equipment, and related requirements. The Division of Contracts rents or purchases the necessary facilities, supplies and services. The Office of Public Affairs and/or the local NRC public information specialist should identify the local newspapers with the best circulation in the immediate vicinity of the meeting site. The licensing assistant arranges, through the Division of Contracts, for ads in at least two of these newspapers to be run several times during the two week period preceding the meeting. The ads should be display-type, at least 3 columns by 10 inches in size, and easy to read and understand. A sample newspaper ad is attached as Enclosure 2. The licensing assistant also asks the Office of Public Affairs to prepare and issue appropriate press releases and public announcements. In addition, the Offices of State Programs and Congressional Affairs are notified of such meetings.

The project manager prepares and issues a meeting summary within two weeks following the meeting. In addition to the normal distribution, copies are sent to members of the public who attended and provided a mailing address. In the case of a meeting where members of the public were not permitted to

attend because the meeting involved classified or proprietary information, they are sent a summary of the unclassified/non-proprietary portions of the meeting.

Project Managers must coordinate plans for public meetings near the site to consolidate such meetings to the extent possible. The objective is to avoid a situation where a safety-related meeting is held and then an environmental or I/E sponsored meeting might be held within a week or two of the first one.

B. ACRS Meetings

The following guidelines are provided regarding staff preparation for and participation in ACRS meetings.

The LPM must plan the safety review schedule such that the Safety Evaluation Report is available to the ACRS and in the Public Document Room not later than the first working day of the month before the month in which the full Committee meeting is scheduled. The ACRS staff establishes the time and location of all Sub- and full Committee meetings, makes all necessary arrangements, and notifies the Licensing Project Manager (LPM). The ACRS staff also develops an agenda for the applicant and staff presentations, which is normally discussed informally with the LPM prior to finalization, and should be provided to the LPM three weeks prior to the meeting. The ACRS might ask the LPM to suggest additional agenda items. The LPM prepares and issues a meeting notice with agenda just as for any meeting with the applicant, at least two weeks prior to the meeting. The applicant is advised of the agenda by the LPM.

The ACRS staff is responsible for placing meeting notices in the Federal Register. The licensing assistant should place copies of such notices in the docket file and send the Federal Register notice to state and local officials and intervenors.

The LPM should notify the applicant, in advance of the meeting, of available presentation facilities and the need for copies of presentation materials for distribution. At the same time the LPM should determine any special presentation needs of the applicant and relay these to the ACRS. Twenty five copies of any presentation material used at the meeting by staff, applicants, vendors or others must be available at the time of the presentation. Any material used spontaneously, or in answer to questions during the course of discussion must be made available for copying immediately on conclusion of that discussion, if requested.

With few exceptions, all ACRS meetings are open to staff, applicant and the public. Certain executive sessions may be closed, as when writing letters on projects or discussing Committee membership. Sessions which include classified, proprietary or other sensitive or predecisional information also are closed to the public.

The LPM is the principal spokesman for the staff at Committee meetings. Reviewers should be called upon only to respond to questions which cannot be answered adequately by the LPM.

Staff attendance at ACRS meetings is defined in NRR Office Letter No. 12. For meetings associated with license application, the attendees should include:

- (1) LPM and Branch Chief - entire meeting
- (2) DPM Assistant Director or Deputy Director - entire meeting
- (3) DSS Deputy Director or an Assistant Director - entire meeting
- (4) DSE Deputy Director or an Assistant Director - entire meeting
- (5) Assigned reviewers for areas identified as subjects of discussion plus each reviewer's section leader or branch chief or assistant director - unless other arrangements are approved by DPM, these review personnel should be present at the start of the meeting and remain until released by the senior DPM representative.

Full transcripts of both Subcommittee and full Committee meetings normally are available within about 48 hours. In addition to the copies placed in the Public Document Room, a copy of each meeting transcript is routed to the NRC library in the Phillips Building and an additional copy is sent to the Technical Assistant to the Director of DPM. Copies of the full Committee transcripts are retained in the Technical Assistant's office for reference or loan. Subcommittee transcripts are forwarded to the LPM.

The LPM prepares a brief summary report of all ACRS meetings as soon as possible. The ACRS letter should be appended to the full Committee summary report, if available.

C. Meetings with Intervenors and Potential Intervenors

The revised staff policy on open meetings does not change the

existing practice of scheduling a special meeting with intervenors and potential intervenors on CP, OL and early site approval applications soon after docketing.

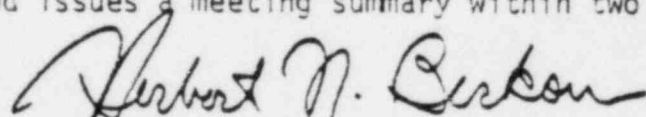
The following guidance is provided regarding such meetings.

The initial meeting with intervenors or persons petitioning to intervene in licensing proceedings should be held as soon as possible following the 30-day post-notice intervention period. The meeting should be held in the locality of the proposed plant at a place convenient to the intervenor or persons petitioning to intervene. As in the case of staff-applicant meetings, the project manager arranges for necessary facilities, supplies and services through the Division of Contracts. Subsequent meetings, if needed, are scheduled at the convenience of the persons involved, preferably at the NRC offices.

The LPM consults with the EPM and OELD attorney, establishes a schedule and agenda and decides which staff members should attend. Normally, the EPM and the OELD attorney attend with the LPM. These meetings are to be kept as informal and "non-legalistic" as possible. The LPM usually chairs these meetings but the EPM serves as chairperson if the only matters for discussion involve environmental concerns. Should such a meeting unexpectedly become dominated by intervenor's attorneys and legal detail, the PM will yield the chair to the OELD attorney. Applicants, other parties to the proceeding and members of the public may attend as observers.

The LPM issues the meeting notice with agenda at least two weeks in advance of the meeting, with copies sent to the service list. The Office of Public Affairs is notified by the project manager or licensing assistant. A decision is made regarding a public announcement and local media notification. OPA participation in the meeting is determined on a case-by-case basis.

At the meeting the project manager should discuss the general requirements and conduct of the licensing process and the schedule for the upcoming safety and environmental reviews. The project manager also should be prepared to deal with general and specific concerns related to the application. All such meetings are conducted as informally as possible and in a friendly and cooperative atmosphere. The project manager prepares and issues a meeting summary within two weeks of the meeting.



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Program Assistant to Director
Division of Project Management

Enclosures:
As Stated

cc: L. V. Gossick
H. Denton
J. Davis
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J. Fouchard
R. Ryan
D. Donoghue
R. DeYoung
R. Mattson
V. Stello
H. Thornburg
N. Moseley
E. Halman
D. Bunch
DSE AD's, BC's, SL's
DSS AD's, BC's, SL's
DOR AD's, BC's, SL's
EPM's
ORPM's

SAMPLE MEETING AGENDA FOR PREDOCKETING
GENERAL INTRODUCTORY MEETING

- I. Introductory Remarks.....Chairperson
 - 1. Welcome
 - 2. Purpose of the meeting
 - 3. Introduction of participants
 - (a) NRC staff
 - (b) Utility representatives
 - (c) State and local officials
 - (d) Others
 - 4. Conduct of meeting
 - (a) Presentation by NRC staff
 - (b) Presentation by the Utility
 - (c) Statements by State and local officials
 - (d) Provisions for comments and questions from public, and responses by participants

- II. Regulatory Process
 - 1. Safety Review.....LPM
 - 2. Environmental Review.....EPM
 - 3. Inspection and Enforcement.....I&E
 - 4. Legal.....ELD

- III. Summary Description of Proposed Facility - Utility
- IV. Remarks by State and Local Officials
- V. Comments and Questions from the Public & Responses by Participants - Chairperson
- VI. Closing Remarks - Chairperson

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Enclosure 2

MODEL NEWSPAPER AD OF MEETING BETWEEN NRC STAFF
AND APPLICANT WITH INVITED PUBLIC ATTENDANCE AND PARTICIPATION

The United States Nuclear Regulatory Commission (NRC) will meet with the Superior Electric and Gas Company on Saturday, November 1, 1978. The purpose of the meeting is to discuss Superior's proposed nuclear power plant near Grand Falls, New York and the NRC review of Superior's application to construct and operate the plant. The meeting will be open to the public and will provide interested persons an opportunity to listen to the proceedings and ask questions of the parties. The meeting will be held in the River Room at the Downtowner Inn, 100 Main Street, Superior, New York. It will run from 10:00 A.M. to 4:00 P.M.

The general agenda for the meeting is as follows:

(list major agenda items)

NOTE: Newspaper ads should be display-type, at least three columns by 10 inches in size.