

APR 29 1986

Mrs. Juanita Ellis  
President - CASE  
1426 South Polk Street  
Dallas, Texas 75224

Dear Mrs. Ellis:

In a letter to me dated April 15, 1986, Ms. Billie P. Garde asked if I would inform CASE of "the region policy regarding meetings between applicants and the staff on matters which are in litigation regarding the Comanche Peak project." This, therefore, is to inform you that Region IV follows the NRC's open meeting policy as published in 43 FR 28058 on June 28, 1978. A copy of that policy is enclosed for your convenience.

Ms. Garde also referred to "a March 23, 1986 letter to W. G. Council . . . documenting a March 23 meeting." There was no such letter nor was any such meeting held on March 23, 1986.

Sincerely,

Original Signed by:  
Paul S. Check

Robert D. Martin  
Regional Administrator

Enclosure:  
As stated

cc w/encl:  
Billie P. Garde  
Trial Lawyers for Public Justice, P.C.  
Counsellors At Law  
2000 P Street , NW  
Washington, D.C. 20036

bcc wo/encl:  
T. Rehm, EDO  
L. Chandler, OELD  
J. Lieberman, OELD  
P. S. Check, RIV  
R. D. Martin, RIV

AI 86-193

## READING FILE COPY

RIV Official File Copy.

DMB:  
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WBrown:jc  
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D/DRSP  
EHJohnson  
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RA  
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## POLICY STATEMENTS

icates that the program is expected to be fully operational by the end of February 1978 and that six of the highest priority (Category A), generic tasks are currently scheduled for completion in fiscal year 1978. One of the Category A tasks was completed in December 1977.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street NW., Washington, D.C. The report, designated NUREG-0410, may be purchased from the National Technical Information Service, Springfield, Va. 22161, at \$14.50 a copy on or about January 17, 1978.

43 FR 4294  
Published 2/1/78

**CAMERA COVERAGE OF HEARINGS BEFORE  
ATOMIC SAFETY AND LICENSING BOARDS  
AND ATOMIC SAFETY AND LICENSING  
APPEAL BOARDS**

**General Statement of Policy**

The Nuclear Regulatory Commission has considered requests from television stations and newspapers to permit the use of cameras during proceedings before Atomic Safety and Licensing Boards and Atomic Safety and Licensing Appeal Boards. In the past the NRC has permitted cameras to be used only before and after adjudicatory sessions and during recesses. The Commission has decided that, on a trial basis, it will permit the use of television and still cameras by accredited news media under certain conditions. Cameras may be used by news media during hearings and related public proceedings before Atomic Safety and Licensing Boards and Atomic Safety and Licensing Appeal Boards provided they do not require additional lighting beyond that required for the conduct of the proceeding and are stationed at a fixed position within the hearing room throughout the course of the proceeding. It will continue to be the practice of the hearing and appeal boards to use Federal or State court rooms when these facilities are available and in such cases the policy of those courts in regard to the use of cameras will be observed.

The Commission plans to reassess this policy in about six months after its hearing and appeal boards have had sufficient experience with camera coverage to determine whether it can be carried out without disruption to the proceeding or unacceptable distraction to the participants.

43 FR 28056  
Published 5/28/78

**DOMESTIC LICENSE APPLICATIONS**

**Open Meetings and Statement of NRC Staff  
Policy**

The Nuclear Regulatory Commission's (NRC's) regulations in 10 CFR 2.103 permit applicants to confer informally with the NRC technical staff during reviews of domestic license or permit applications. These meetings have served as an essential means for the exchange of technical information and views necessary for the technical review of applications. For several years other parties or potential parties to domestic licensing proceedings, as well as members of the general public, have, upon request, been permitted to attend applicant-NRC technical staff meetings as observers. However, the Commission's regulations do not require that others be permitted to attend such informal meetings between applicant and staff, and the general practice being followed in this regard has never been formally articulated. This statement is intended to provide such articulation. It is also noted that this matter is related to the provision for increased public participation which was approved by the Commission during its consideration of NUREG 0292 (Denton Report).

As a general matter, the Commission and staff try to involve concerned citizens in any Commission activity in which they have expressed an interest. All meetings conducted by the NRC technical staff as part of its review of a particular domestic license or permit application (including an application for an amendment to a license or permit) will be open to attendance by all parties or petitioners for leave to intervene in the case. These meetings are intended by the NRC technical staff to facilitate an exchange of information between the applicant and the staff. It is expected that the NRC technical staff and the applicant will actively participate in the meeting. Others may attend as observers. Likewise, when meetings are scheduled between the staff and other parties or petitioners, applicants would be permitted to attend only as observers.

The general policy of open meetings described above will admit of only a few exceptions, which must be approved by the Director of the relevant division. For example, some persons may not be permitted to attend meetings where classified or proprietary information (including sensitive safeguards information) is to be discussed. The NRC staff will prepare a written summary of the unclassified and non-proprietary portions of such meetings and forward the summary to interested persons unable to attend so that they will be informed of what transpired at the meeting. However, attendance will not be limited solely because preliminary opinions, recommendations, or advice will be offered

on the merits of the applications during the meeting.

When a party or petitioner for leave to intervene requests, reasonable efforts will be made by the NRC staff to inform the party or petitioner of forthcoming meetings conducted by the NRC technical staff so that appropriate arrangements for attendance can be made. It is recognized that in some cases the need for a prompt meeting may make it impossible or impracticable to notify all parties and petitioners. The policy described above also cannot practicably be applied to chance encounters between NRC technical staff personnel and other parties or petitioners but such chance encounters will not be permitted to serve as a source of information for the conduct of licensing reviews.

43 FR 38954  
Published 8/31/78

**STATEMENT ON STANDARDIZATION OF  
NUCLEAR POWER PLANTS**

The initial statement of the Atomic Energy Commission (AEC) on standardization of nuclear power plants was issued in April 1972. In March 1973, the AEC announced the staff's readiness to implement the standardization policy utilizing three distinct concepts; namely, the manufacturing license concept, the duplicate plant concept, and the reference system concept. In August 1974, the AEC announced that the replicate plant concept would be acceptable as a transitional step toward standardization. The AEC was abolished and its regulatory responsibilities assigned to the newly formed Nuclear Regulatory Commission (the Commission) on January 19, 1975. On June 29, 1977, the Commission issued a statement that reaffirmed its support of standardization and requested comments and suggestions on proposed new guidance developed by the staff and on other steps that the Commission might undertake to further encourage standardization. The statement, which was published in the FEDERAL REGISTER on July 5, 1977, also noted staff plans to use such comments and suggestions in its continuing study of standardization.

On the basis of its study, the staff has concluded that certain changes to the Commission's standardization program should be implemented, and that these changes can be implemented within existing regulations. The staff has further concluded that the program, as changed, will continue to allow applicants to utilize a variety of design options in ways that can avoid the development of significant adverse antitrust consequences. The Commission continues to recognize its responsibility to provide a standardization program that can be used effectively without contributing to such concerns.