

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Commissioner Caputo
SUBJECT: SECY-18-0005: Policy Statement on Enhancing Participation in U.S. Nuclear Regulatory Commission Public Meetings

Approved X Disapproved Abstain Not Participating

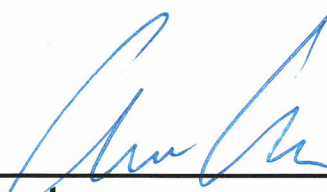
COMMENTS: Below X Attached None

I approve publication in the *Federal Register* of the final revised policy statement on enhancing participation in NRC public meetings, subject to the attached edits.

I concur with Commissioner Baran that the move away from numeric categorization of meetings and the added description of content and structure provides needed clarity.

Entered in STARS

Yes X
No



Signature
2-11-21

Date

AC edits

NUCLEAR REGULATORY COMMISSION

[NRC-2016-0178]

Enhancing Participation in NRC Public Meetings

AGENCY: Nuclear Regulatory Commission.

ACTION: Revision to policy statement.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has revised its policy statement, "Enhancing Participation in NRC Public Meetings," to further clarify and enhance participation in public meetings conducted by the NRC. The revised policy statement redefines the three categories of public meetings and identifies the level of public participation offered at each category of meeting. The revised policy statement also clarifies notification expectations for meetings that include physical presence in the meeting room and meetings that rely solely on remote access technology such as a teleconferencing. The revisions will improve the consistency of the NRC's public meetings and help participants better prepare for NRC meetings.

DATES: This policy statement is effective on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID NRC-2016-0178 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

statement (ADAMS Accession No. ML16274A128). Additionally, the NRC staff provided information regarding the proposed revisions to the policy statement in a September 19, 2016, blog post (<https://public-blog.nrc-gateway.gov/2016/09/19/back-to-basics-seeking-comment-on-a-new-commission-public-meeting-policy/>).

II. Overview of Public Comments

In response to the proposed revisions to the policy statement, the NRC received 30 comments from 7 members of the public. Based on the public comments, the NRC staff made several modifications to improve the clarity of the policy statement. This section provides a summary of the changes made to the policy statement as a result of comments and includes discussion of comments that the NRC did not accept.

The NRC updated the “Level of Participation” section for Observation Meetings to clarify that members of the public can pose questions to the NRC during Observation Meetings and that licensees or other parties are not precluded from responding to questions during Observation Meetings.

The NRC updated the “Notice and Access” section of the policy statement to state that the NRC will ensure that public meeting notices are sent out to interested stakeholders using the mechanisms available, such as the applicable NRC listservs.

The NRC updated the “Participation in NRC Public Meetings” section to include a statement that the NRC should always be open to listening and responding to questions from members of the public, regardless of when the interaction occurs.

The NRC updated the “Notice and Access” section of the policy statement to state that the NRC will ensure that available ADAMS documents related to the topic of the meeting are linked to the meeting notice as background documents to the extent practical.

The NRC updated the descriptions of all three categories of meetings to include a statement that the NRC should strive to ensure sufficient time for the meeting so that members of the public can pose their questions and have them answered during the meeting to the extent practical and that, whether all questions are addressed or not, the NRC should emphasize ways members of the public can ask questions outside of the meeting.

The NRC disagreed with three public comments. The NRC disagreed with a comment that bridge line numbers should be included in all meeting notices. There are times when the NRC staff requests that those interested in calling in to a meeting contact an NRC staff member for the bridge line information so that the NRC staff can understand in advance how many participants will be plan to calling in to a meeting and set up a bridge line with the capacity to handle the expected number of callers. The NRC also disagreed with two comments that the NRC should notify the public 1 month in advance of public meetings, stating that the NRC policy is to post meeting notices a minimum of 10 days before a meeting and, if at all possible, the NRC staff announces meetings earlier. The NRC believes that the current policy of providing a minimum of 10 days notice before a public meeting provides the public with sufficient notice of upcoming public meetings without compromising the NRC staff's ability to conduct public meetings on time-sensitive or emerging issues.

The NRC concluded that the remaining comments were either already included in the proposed revision to the policy statement or that the comments were best addressed in detail in stafflower_ level guidance.

**Attachment -- Commission Policy Statement on Enhancing Participation in NRC
Public Meetings**

A. Purpose.

The U.S. Nuclear Regulatory Commission's (NRC) longstanding practice is to provide the public with substantial information on its activities, to conduct business in an open manner, and to balance openness and transparency with the need to exercise regulatory and safety responsibilities without undue administrative burden. The NRC's policy is to open meetings between the agency staff and one or more outside persons to observation and participation to the extent possible. The NRC has had a formal policy regarding open (public) meetings since 1978. The current Commission policy statement, "Enhancing Public Participation in NRC Meetings," was issued in 2002 (67 FR 36920) and can be accessed at <http://www.nrc.gov/reading-rm/doc-collections/commission/policy/67fr36920.html>.

This policy establishes three public meeting categories based on the level of participation offered to attendees. The policy provides information such as descriptions of each category, information on how public meetings are announced, post-meeting activities, and applicability and exceptions.

B. Participation in NRC Public Meetings.

In order to fulfill the NRC's commitment to openness, the level of participation, purpose, and description for each category of public meeting are described below. When assigning a category to a meeting, the NRC staff will consider the objective of the meeting and the extent of known public interest in the topic. The NRC staff should always be open to listening to members of the public and responding to questions, regardless of when the interaction occurs.

The following description will be included in the notice for an **Information Meeting with a Question and Answer Session**:

The purpose of this meeting is for the NRC staff to meet directly with individuals to provide an opportunity to discuss regulatory and technical issues. Attendees will have an opportunity to ask questions of the NRC staff or make comments about the issues discussed throughout the meeting, however the NRC is not actively soliciting comments towards regulatory decisions at this meeting.

Examples – Meetings of this category may include town hall and roundtable discussions, and open house meetings.

Comment-Gathering Meeting

Meeting Purpose - The purpose of this type of meeting is for the NRC to obtain feedback on regulatory issues and NRC actions. In most cases, the meeting will include a presentation by the NRC to explain the regulatory issue. The feedback received at these meetings is used to support actions such as licensing and rulemaking activities.

Level of Participation - This type of meeting is tailored for attendees to provide opinions, perspectives, and feedback. The NRC staff should strive to ensure sufficient time is allotted for a Comment-Gathering Meeting to ensure that members of the public can pose ~~their~~ questions and have them answered during the meeting.

documents related to the topic of the meeting are linked to the meeting notice as background documents to the extent practical.

Audio teleconferencing and other technologies that allow participation from locations other than a meeting room will be used whenever possible to help ensure widespread involvement in meetings. If information on how to participate remotely in a meeting is not provided in the meeting notice, individuals may request the use of such technology through the meeting contact listed on the meeting notice. Such requests may be granted to the extent ~~budgeted~~ resources are available and technical factors can be accommodated.

D. After-Meeting Activities.

The NRC staff will provide answers to questions as appropriate during the public meeting and will inform attendees at the meeting how it plans to address questions that cannot be answered at the meeting. Informal follow-up (telephone or e-mail) may be appropriate. Individuals also have the option of calling, writing, or e-mailing the NRC staff about particular concerns. NRC staff will provide feedback forms at all public meetings so that comments can be reviewed and offices can track any planned improvements or resulting actions, as appropriate. NRC staff will make meeting summaries publicly available in ADAMS following the meeting.

E. Innovation.

The NRC staff will make efforts, as appropriate, to find new and innovative ways to interact with individuals, including exploring varied meeting formats and other ways to incorporate technologies that allow participation from locations other than a meeting room. Experiences with new methods will be shared across the agency for information and consideration by other NRC staff.