

Responses to July 22, 2003 Stakeholder Meeting

On July 22, 2003, the NRC staff held a meeting on general public involvement issues at the request of stakeholders. At the meeting, a number of issues were discussed and many questions posed by the stakeholders were answered by staff at the meeting. However, following are responses to some issues we promised at a later date.

We appreciate those stakeholders who took the time to participate, either by phone, in person, or by writing. Several new suggestions were brought to our attention, and other issues were already being addressed. We hope these are responsive to your comments. We also hope to schedule similar periodic meetings to explore any new issues that may arise and to assess how well we are handling issues previously identified.

1. Explain the status of the request to the Commission to change the current policy on making incoming documents available to the public.

The Commission has agreed to release non-sensitive incoming Commission correspondence (with the exception of Congressional correspondence) within 24 hours after distribution to the addressee. Release of non-sensitive incoming Congressional correspondence will continue to be released when the outgoing response is made public.

2. Explain how the public can more easily share and download NRC files.

The NRC is taking several actions to more easily view and download documents. We have established a file limit size for large documents (files) not to exceed 200-250 pages. We also understand that TIFF (TAG Image File Format) files are large. In response to this concern, we have converted our scanning operations to make PDF (Portable Document Format) files the standard output format for scanned paper documents. NRC-generated documents have always been converted to PDF files when they are declared as Official Agency Records (OARs). As of June 1, 2003, all scanned paper documents are also converted to PDF Searchable Image Exact files. Some of the significant benefits of PDF files are that they are full-text searchable, they are generally smaller than TIFF files and can be viewed, printed, and downloaded more quickly, and they resolve a recurring problem in ADAMS with scanning and viewing color documents.

As for existing TIFF files, the NRC is considering converting these TIFF files to PDF but this project will be evaluated in the context of other agency projects. Since NRC adopted PDF as its standard, all retrofit projects of older documents now generate documents in PDF rather than TIFF format.

3. Determine if technical problems exist with NRC's phone bridge system that cause participants to drop off the line, or if there are any plans to upgrade the system.

The problem of calls dropping off the NRC phone bridge during recent meetings was investigated and no technical problems were found. The initial audio problem during the July 22 meeting was due to inadequate speaker equipment in the meeting room. The problem was identified and solved shortly after the meeting began. Since July 22nd, the NRC audio conference system processed an average of 1050 conferences a month and we have not experienced any similar problems. We will

remind staff of ways to isolate problems with phone bridges and seek a timely resolution. Guidance for the staff in assisting them with audio-conferencing is also being developed.

4. Update the status of efforts to better train the staff in document handling processes including checking for valid accession numbers of documents in PARS.

There are three principal sources that cite documents as being publicly available: Federal Register Notices, Press Releases, and the Public Meeting Notice System (PMNS). The NRC has improved its procedures in document handling processes as described below.

Federal Register Notices: The Office of Administration (ADM) staff check the ADAMS accession numbers that are referenced in the Federal Register and have provided staff added guidance in this area.

Press Releases: The Office of Public Affairs (OPA) checks to ensure that accession numbers referenced in a press release are publicly available and accessible.

Public Meeting Notice System (PMNS): The internal procedures for submitting meeting notices for posting on the external web have been revised. The revised procedures state that all meeting notices, including agendas and supporting documentation, must be declared in ADAMS as official agency records before being submitted for posting on the external Web. Staff has been informed they are responsible for ensuring that all accession numbers, links, and/or Web addresses being referenced in the document are tested to ensure that they can be accessed by the public. The PMNS staff also ensures the document is publicly available before posting this information on the external web. The NRC will provide information on the Public Meeting web site explaining how the public can obtain assistance if they are unable to access information cited in the meeting notice or its attachments.

Publicly Available Records System (PARS): The Public Document Room is the agency point of contact for questions related to documents in PARS. The PDR staff will investigate and attempt to resolve any problem that may arise with regard to public access to documents referenced in the Federal Register, meeting notices, or other public documents.

In addition, NRC is scheduling sessions with individuals within offices that submit documents to the NRC's Document Processing Center to review procedures for adding documents to ADAMS and making them publicly available.

5. Update the status of efforts to contact the individual who commented about missing attachments and incomplete packages on ADAMS, specifically those associated with Federal Register Notices.

In the last week of August, 2003, Tom Smith, OCIO, contacted the individual by phone and informed her that there are several issues related to packages in ADAMS. She was advised of the following:

i) Packages that have only one item. The packages may have only one item because the office made it available with the intent of adding items later (for documents with different availability dates), or other items in the package are non-public.

ii) Packages with misleading titles. Another problem occurs when the descriptive title of the package leads one to believe that it contains a meeting summary when in fact it contains only a meeting agenda. This type of package title creates confusion. The indexing rules dictate the title of the package. NRC staff have been encouraged to make the package non-public when there is a package with one public and one non-public document. This will cause the public document to appear as a standalone item on the public server.

iii) Older packages that contain just one item. During the ADAMS start-up there were some incomplete packages added to the database. We recognize that fact and we continue to correct these packages as we become aware of them.

Once a package is copied to the public server, rarely is anything added to it. Currently, if a package is declared too soon and it has been on the public server for a while, a new package is created with the final list of attachments. The older package is either deleted, or in most cases, a statement is inserted in the comment field referring the user to the correct accession number.

6. Provide a response to the individual who commented about undefined fields in ADAMS or describe the resolution of this issue

An attempt was made to contact the person who raised this issue, but the PDR was informed that the person no longer worked for the organization she represented.

Examples of information found in the fields and the format for inputting that data can be found to the right of any field in the Advanced search mode in web-based ADAMS. Additional guidance can be found in the online HELP file.

NRC recognizes that there is some inconsistent profiling of records that occurred during the start-up of ADAMS and we are attempting to resolve these issues. To ensure the most comprehensive results in a search that will take into account these inconsistencies, the PDR staff encourages the public to use the wildcard function. (For example, in a search for Enforcement Actions, the use of EA* will retrieve the report numbers entered in several different ways, such as EA-03, EA03, or EA 03).

A member of the public also voiced concerns that the sort feature does not work properly in the Advanced Search mode in web-based ADAMS. The PDR staff investigated and found that a sort on a single value field will work as expected (Document Date). However, a sort on a multivalued field will not produce the anticipated result. The reason for this is that web-based ADAMS is a relational database where the sort is always on the first value encountered in the field. This is the way the software was designed to work. For example, a sort on Case/Reference Number in descending order will sort on the first value encountered for the record. If there is a second case or reference number, it will be ignored by the sort. The NRC will insert a statement in the ADAMS Help File to explain how the sort feature works when sorting data from multivalued fields.

7. Explain status of list serve upgrades and related maintenance.

NRC is currently researching list serve software which will make it easier for the public to sign up to receive information electronically. We expect to be using this new software on the public web site by October 2004.

8. Describe the status of the planned public meeting web site upgrade and added features.

The planned public meeting web site upgrade will be implemented once the new web based public meeting notice system is deployed in FY 2004. The new site will give members of the public the ability to perform searches for meeting information using criteria such as date range, participants, docket number, facility, subject, and meeting location.

9. Provide the status of efforts to webcast public meetings.

Currently, about 20 Commission meetings are webcast per year. At this time, there are no plans to expand the number of Commission meetings or to webcast open staff meetings because of the considerable resource constraints this would entail. The EDO and Commission would need to make a decision to expand webcasting or increase the number of Commission meetings that are webcast.

10. Determine whether or not Federal Register notices can be posted on the NRC web page.

While it is possible to post links to published NRC Federal Register notices on NRC's web site, we believe that the anticipated benefits are marginal because the requested information is already accessible on the web. Each document published in the Federal Register since 1994 is accessible through a search on the GPO Access web site, <http://www.gpoaccess.gov/fr/index.html>. In addition, each document published in the Federal Register since 1998 may be accessed through the annual table of contents site for each year, compiled and made available through the GPO Access web site http://www.access.gpo.gov/su_docs/fedreg/frcont03.html. A link already exists on the NRC web site under "Public Involvement" to both of these sites. NRC also posts current rulemaking actions on its RuleForum web site <http://ruleforum.llnl.gov> which includes links to documents relating to rulemakings. Finally, the OCIO has established a "documents for comment" web page under "public involvement" at <http://www.nrc.gov/public-involve/doc-comment.html> that provides links to all NRC documents open for comment.

11. Explain the procedures in place to ensure documents described in press releases are available to the public.

When the primary subject of a press release is about the availability of a document, the Office of Public Affairs ensures documents described in these press releases are indeed available to the public. Specifically, OPA checks NRC's public web site to be sure the document is there or in ADAMS at the location indicated before issuing the press release. However, if the press release announces an action, such as a license renewal, the press release is issued in conjunction with the action, not the availability of a document. In the latter case, the press release states that the document "will be available" and either provides the web address where it will be located or provides a general address for web-based ADAMS and identifies the PDR for assistance in accessing documents in ADAMS.

12. Describe the status of any decision on future public meetings on security issues.

The Commission has decided to resume periodic public meetings on security in a modified format. Meetings will be held at least biannually or more frequently based on a staff recommendation related to the relative importance of a security or safeguards topic and the degree of public interest. Talking points and an agenda will be prepared for the Commission's approval in advance of the meeting when security policy issues are involved. Stakeholders will be informed about the rules for stakeholder participation at the meetings, including the propriety of discussing security and safeguards topics. These rules will generally include the following: (1) sensitive information will not be discussed or acknowledged in the meeting, (2) the intent of public meetings on security will be to obtain stakeholder comments but not necessarily engage in dialogue, (3) following delivery of prepared remarks, clarification questions from stakeholders will be entertained. The revised format will provide public access to the NRC decision-making process on security matters, in a manner appropriate to the protection of sensitive information. In addition, the Commission itself will conduct one public meeting per year on security related topics using the same format. It is anticipated that the Commission will be conducting a public meeting on security shortly.

13. Provide a response to the issue of providing security clearances to industry, while not providing such clearances to the public.

The NRC provides security clearances to industry and others (i.e. state officials) for issues related to security when it is determined that those persons have a "need to know." For example, industry officials are provided security clearances to provide input on the development of security orders that will directly affect their facilities. While members of the public may wish to know information regarding classified and safeguards information, they do not necessarily meet the "need to know" criteria identified in our regulations.

Need to know constitutes a determination by a person having responsibility for protecting Safeguards Information that a proposed recipient's access to Safeguards Information is necessary in the performance of official, contractual or licensee duties of employment.

However, in a number of instances, NRC has determined that certain members of the public have had a need-to-know and the NRC has allowed access with the stipulation that those persons sign a non-disclosure agreement. Some have chosen to obtain that access, while other have not. The NRC issued Regulatory Information Summary (RIS) 2003-08, "Protection of Safeguards Information From Unauthorized Disclosure" on April 30, 2003, which provides a more detailed discussion of the requirements for SGI including the civil and criminal penalties associated with the unauthorized access or release of SGI. The RIS can be obtained from the NRC's Web site at the following URL: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2003/ri200308.pdf>.

14. Describe the process for maintaining up-to-date service lists. Briefly explain any efforts in place to allow the public to update names on service lists, and explain whether the public is given an option to receive documents via email or hard copy.

The NRC staff maintains lists of individuals and organizations that are routinely provided a copy of NRC documents (sometimes called service lists) for each reactor facility and for selected topics (e.g., processes, initiatives, and technical issues). Individuals wishing to be added or removed from lists maintained for specific reactor facilities (plant mailing lists) should request so, in writing, to the following address: Document Control Desk, Attn: Project Manager for (name of facility), U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. In some cases, interested individuals may also want to receive documents related to specific topics. The NRC is increasingly

using our Web site as the primary method of informing stakeholders about topical issues. If we are not posting material on the NRC web site or an individual is otherwise finding it difficult to keep updated on a specific topic, the staff recommends contacting the appropriate staff member. Contacts on reactor facilities can be found on the web at <http://www.nrc.gov/reactors/operating/project-managers.html#pwr>

Phone numbers for these contacts and other NRC staff may be found in the telephone directory available at the "Contact Us" page, which is accessible via a link at the top of every page on our web site. The staff will work with individuals or organizations to identify the best way to receive news and correspondence on a topic.

The NRC is currently working to increase the use of electronic information exchange for the documents sent to the agency. We are exploring options, including increased use of list servers, for stakeholders to automatically receive some types of documents

15. Describe the status of efforts to communicate the disposition of comments to the public and to provide responses to written comments.

The staff is periodically reminded of the importance of our public communication and responsiveness efforts. This message has been reinforced through the use of e-mail messages to the staff, in internal staff meetings, in guidance and through face-to-face communications. The Chairman and the EDO have also emphasized the importance of responding to the public in training courses and other venues before the staff, and will continue to do so.

16. Provide input on the revised meeting policy.

Although we have not specifically sought input on our revised meeting policy, informal feedback has indicated that the public is generally satisfied. The most recent analysis we received through the public meeting feedback forms indicate that: 90% of those returning the forms feel the public meeting achieved its stated purpose, 76% believe it helped them to understand the topic better, 77% could find needed supporting information prior to the meeting, and 95% felt they were given a sufficient opportunity to ask questions or express their views.