

October 14, 1999

FOR: The Commissioners

FROM: William D. Travers /s/  
Executive Director for Operations

SUBJECT: POLICY STATEMENT ON STAFF MEETINGS OPEN TO THE PUBLIC: REVISION OF SECTION D

## PURPOSE:

To revise Section D of the Policy Statement on Staff Meetings Open to the Public to state that public notice of meetings will be provided via the Internet at the NRC Web site and to make other needed administrative changes.

## SUMMARY:

Section D of the NRC Policy Statement on Staff Meetings Open to the Public states that the NRC will announce staff meetings open to the public via an electronic bulletin board and a telephone recording, both of which are toll-free, and through the Weekly Compilation of Press Releases and postings at the NRC's Public Document Room (PDR). Since NRC began to post its notice of staff meetings open to the public on the NRC Web site, use of the automated means announced in Section D has declined substantially. Therefore, the staff is proposing to amend Section D to formally adopt the NRC Web site as the location from which the NRC will announce its staff meetings open to the public. For people who cannot access the NRC Web site, assistance on scheduled NRC meetings will be available through NRC staff at the PDR. The second proposed change is to modify the wording of the policy to require 10 calendar days notice on the Web site for a meeting, replacing the requirement to send the meeting notice to the notice coordinator 10 days before the meeting. These changes are consistent with the guidance to the staff in Management Directive 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff." The third proposed change is to extend the scheduling window. The fourth proposed change is to delete the reference to the Meeting Announcement Coordinator, in anticipation of the posting of announcements directly through the new Agencywide Documents Access and Management System (ADAMS). The changes are included in the proposed *Federal Register* notice, which is attached ([Attachment 1](#)).

## BACKGROUND:

The NRC first published its policy for open staff meetings in the *Federal Register* on June 28, 1978 (43 FR 28058). The current policy statement on staff meetings open to the public was published on September 20, 1994 in the *Federal Register* (59 FR 48340), given as Attachment 2. The policy covers the definition of a public meeting, exemptions from requiring public meetings, meeting arrangements, and other issues. It also announces central NRC services available to the public for obtaining schedules for the staff meetings that are open to public attendance. Management Directive 3.5 was issued to provide guidance to the NRC staff in implementing the policy.

## DISCUSSION:

Over time, the methods that the public has used to access information about staff meetings open to the public have changed. The public has increased its use of newer technologies, such as the NRC Web site, to access this type of information. Therefore, the staff has updated the methods that it uses to provide meeting notices to the public, by providing this information on our external Web site. In this paper, the staff proposes to amend the NRC Policy Statement on Staff Meetings Open to the Public to reflect this change, and other administrative changes. The proposed changes are summarized in [Table 1](#).

The first proposed change updates the locations for posting meeting announcements. The current policy states that the primary mechanisms for announcing meetings are through an electronic bulletin board and a telephone recording. In 1997, the NRC began to also announce staff meetings open to the public on the NRC Web site. Survey data indicates that calls to the toll-free electronic bulletin board and telephone recording average just over one call per day. Furthermore, the public meeting notice coordinator indicates that many of those calls are made by NRC staff to confirm that their meeting has been announced. In addition, users of the telephone recording have complained that they must wait until other meeting announcements are made to access the message of interest. It has become apparent from statements made by the public that they primarily use the NRC Web site to access announcements of NRC staff meetings open to public observation.

Therefore, it is the staff's view that continuing the electronic bulletin board and the telephone recording is not warranted. Because the policy has not been updated since 1997 to introduce the use of the Web site, the staff proposes to update the policy now to reflect the actual means used by the public in accessing public meeting information. The first change proposed to the policy is to revise Section D to indicate that the public will be notified of staff meetings open to public observation via the Internet from the NRC Web site (<http://www.nrc.gov>). For people who cannot access the NRC Web site, assistance on scheduled NRC meetings will be available through NRC staff at the PDR, by calling toll-free at 1-(800)-397-4209.

Similarly, the Weekly Compilation of Press Releases no longer contains a summary of staff meetings open to the public, but only compiles relatively few press releases that announce meetings of high public interest that are open to the public. Therefore, the second proposed change updates this part of Section D and the requirement that the notices be posted in the NRC's PDR. Meeting notices can be accessed from the NRC Web site on a computer at the PDR, so posted notices are no longer needed there.

The third proposed change to Section D is to make administrative changes to update the policy to reflect current computer storage technology. The current policy limits the announcement of meetings to those scheduled within 60 days. This restriction was placed in the policy due to limited computer storage capacity when the Public Meeting Notice System was designed. The computers currently being used do not have this limitation, so the restriction is no longer needed. The third proposed change eliminates the 60-day limit, so meetings can be announced as soon as arrangements have been made.

The fourth proposed change to Section D makes administrative changes to clarify the policy on announcing the public meetings. Under the current policy, the NRC staff was instructed, as a normal practice, to send the meeting notice to the public meeting notice coordinator at least 10 days in advance of the scheduled date of the meeting. The goal of that practice was to ensure that sufficient time was available to process the notice and still give the public at least one week's notice of the meeting. The policy, however, does not explicitly state when the public could expect to receive notice of the meeting. However, the current NRC implementing guidance for this policy, Management Directive 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff", states that "[m]eetings open to the public should normally be announced to the public and to the Commission at least 10 calendar days in advance of the date of the meeting...". The proposed policy change states that staff meetings will be announced as soon as firm arrangements on the date, time, and facility have been made, but generally no fewer than 10 calendar days preceding the meeting. This change will clarify how much in advance the public can expect to receive notification of a staff meeting open to the public via the NRC Web site.

Exceptions to the 10 calendar-day notice period will be made consistent with the agency strategic plan performance goals. The current draft of the strategic plan includes performance goals to: (1) maintain safety; (2) increase public confidence; (3) reduce unnecessary regulatory burden; and (4) make NRC activities and decisions more effective, efficient and realistic. When the final version of the strategic plan is available, we will consider if there are any changes in the performance goals that will make it necessary to re-issue this policy statement. Exceptions will be considered as discussed in the following paragraph.

With respect to the third and fourth criteria, it is anticipated that they will be used sparingly and only when circumstances will not reasonably permit the requisite notice. Comment on these criteria is explicitly requested to identify circumstances in which use of these criteria may be justified.

To maintain safety, it may be necessary to hold a meeting called on short notice to resolve a licensee safety issue. To increase public confidence, the NRC would hold a meeting as soon as is practical for a critical licensee safety issue needing immediate attention even if the meeting notice period was less than 10 calendar days. To reduce unnecessary regulatory burden, it may be necessary for the staff to interact with applicants for licensing actions on a frequent basis with short notice in order to meet aggressive licensing schedules for high-priority reviews. The meeting notice will indicate that meetings will be held on the application for the stated period of time and that specifics on individual meetings will be provided with as much notice as possible. As shown in the three examples, the staff may have to provide less than the 10 calendar day notice to make activities and decisions more effective, efficient and realistic for aggressive licensing schedules and unforeseen circumstances that require timely response.

The fifth proposed change is to delete the reference to the Meeting Announcement Coordinator. This deletion will remove information about the internal process for noticing meetings which is unnecessary in the meeting policy statement. Although not addressed in these proposed administrative changes to Section D, the staff is now evaluating the use of the ADAMS in the meeting notification process. Plans under development will ensure that all meeting notices prepared by the staff are submitted to ADAMS and then automatically made public via the NRC Web site. It is anticipated that this approach will eliminate the rare instances in the past when a meeting was announced by mail or fax to known attendees, but was not submitted to the public meeting notice coordinator to post for the general public.

A draft paper describing these five policy changes was provided to the Office of the Inspector General (OIG) for comment. The draft paper suggested a shorter meeting notice period, five working days, but otherwise provided the same proposed changes as this paper. Comments on these changes were provided in an April 5, 1999 memorandum from Hubert T. Bell, Inspector General (IG), to A. J. Galante, Chief Information Officer. The IG expressed concern about the "diminishment in notice," and noted that "five working days are too short a period to provide notice to most interested members of the public to respond." He suggested that "a seven-day notice is more likely to accommodate interveners." The staff acknowledges the concerns raised by the OIG, and accordingly, has modified the proposed change to provide a 10 calendar day notice period.

The IG also noted that "the electronic bulletin board, telephone recording, distribution via a Weekly Compilation of Press Releases and postings at the PDR **together** failed to satisfy the notification needs of all NRC "customers." He stated that "it is highly unlikely that notification solely by Internet will be adequate." As discussed above, the staff is recommending using the Internet based on data gathered on the public's use of the electronic bulletin board and telephone recording. The data indicates that the public uses the electronic bulletin board or the telephone recording to receive public meeting information infrequently, but relies on the NRC Web site for this information. An update to the policy to reflect current practice, both by the NRC staff and the public, on the mechanisms of accessing public meeting notification would seem appropriate at this time. The staff plans to notify the public of these changes for a 60-day period by using the electronic bulletin board and telephone recording. This will help the staff receive feedback from the few that still use these services on eliminating these mechanisms.

**Table 1. Proposed Changes to Section D**

<b>PROPOSED CHANGES TO SECTION D OF POLICY STATEMENT ON STAFF MEETINGS OPEN TO THE PUBLIC</b>	
<b>Places for posting meeting announcements</b>	
<b>Current policy:</b>	(from 1994) electronic bulletin board, telephone recording, Weekly Compilation of Press Releases, and postings at the NRC's Public Document Room

**Interim change:** 1997 - began posting the meeting notices to the NRC Web site

**Proposed changes:**

Change 1: posting meeting notices solely on NRC Web site

Change 2: eliminating notice of meetings on electronic bulletin board, telephone recording, Weekly Compilation of Press Releases, and postings at the NRC's Public Document Room

**Scheduling window**

**Current policy:** Policy limits the announcement of meetings to those scheduled within 60 days

**Proposed change:**

Change 3: No 60-day limit on advance scheduling

**Advance notice of the meeting**

**Current policy:** Send the meeting notice to the public meeting notice coordinator at least ten days before the scheduled date of the meeting

**Proposed change:**

Change 4: Post meeting announcement to the NRC Web site generally no fewer than ten calendar days before the meeting date

**Deletion of Reference to Meeting Announcement Coordinator**

**Current policy:** Staff sends meeting notice to Meeting Announcement Coordinator

**Proposed change:**

Change 5: Internal NRC process for updating meeting notices will be addressed in Management Directive 3.5

**RECOMMENDATION:**

That the Commission approve the staff's recommendations as discussed above.

**COORDINATION:**

The Office of the Chief Information Officer has concurred and the Office of the General Counsel has no legal objection to this paper.

William D. Travers  
Executive Director for Operations

**CONTACT:** Louise Lund, OEDO  
415-8508

**Attachments:** 1. Proposed ***Federal Register*** Notice  
2. ***Federal Register*** Notice, 9/20/94