

Ingrid Drake
Investigator, Project On Government Oversight (POGO)
January 2010

Comments on Revised Allegations Guidance

First off, we appreciate the effort to involve us. The NRC's process certainly made us feel heard.

The revised guidance reflects several of the recommendations we made to the NRC staff last year. However, the recommendation that we felt most strongly about did not get implemented. The guidance did not shift NRC referring "as many allegations as possible to the licensee for action and response," to "as few allegations as possible to the licensee for action and response."

In explaining its decision to not replace the policy, the staff did not address our argument that in most cases an allegor comes to the NRC because they want the NRC itself to take action. An allegor either has already tried to engage the licensee on site, and fears retaliation if they continue to push the issue, or they are concerned enough to think the allegations warrant the feds to get involved. This reality is the foundation of our belief that NRC get more inspection staff and train them rigorously in conducting independent investigations. For example, we are encouraged by NRC efforts to improve the security oversight by its resident inspectors.

We hope that the changes made to the Checklist for the NRC Assessment of Licensee Response to RFIs are improvements to the status quo, improving independent investigations and accountability.

POGO is also encouraged by the following:

- ⇒ NRC's revision to share the closure letter with the allegor to ensure that they review the investigation for its completeness.
- ⇒ NRC's changes to encouraging allegors to participate in the process.
- ⇒ Good improvements to the Allegation Review Board Worksheet.
- ⇒ Publicizing allegation evaluation outcomes with others who may have similar concerns without jeopardizing the allegor's identity.
- ⇒ NRC's effort to better explain the ADR process to allegors so that they know if they choose the ADR path NRC was out of the game.