

January 8, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - SECY-01-0137 - ENHANCING PUBLIC PARTICIPATION IN NRC MEETINGS

The Commission has approved the staff's proposal to revise the public meeting policy for NRC staff-sponsored meetings, including the categorization of meetings and the public participation components, subject to the following comments.

The policy for Category 1 meetings should make clear that there should be an opportunity for the public to communicate with the NRC before the meeting is adjourned. This can be accomplished by concluding the initial or licensee portion of the meeting, and then inviting comments and questions for the NRC staff before the meeting is adjourned. Moreover, because certain types of licensee meetings included in Category 1 (e.g., high visibility exit meetings, augmented team inspections, and restart meetings) can attract high public interest that would warrant the opportunities for the public to participate as set out for Category 2 meetings, the policy should include the criteria and procedures for changing the public's role in Category 1 meetings. The policy should make clear that NRC staff, rather than the licensee representatives, are available for interaction with the public. However, the policy should not be written so as to preclude a licensee from responding to questions if it should choose to do so.

For Category 1 meetings of substantial length, such as two hours or more, the policy should encourage one or more opportunities for the public to engage the staff before the end of the meeting, if practicable.

The staff should encourage the public, in public meeting notices and other appropriate documents, to provide comments or questions in writing as a means of facilitating public participation and staff follow-up, as appropriate.

To address staff's follow-up of issues raised by the public at public meetings, the staff should draft a brochure describing the public meeting process and the levels of participation. The brochure should note that staff will make meeting summaries publicly available to help ensure that their concerns were heard by the staff. In the brochure, the staff should commit to considering issues raised at public meetings in its oversight role, or in a particular rulemaking or licensing matter, depending on the context of the issue. The revised policy should note that members of the public are always free to write to the staff about particular concerns and that those concerns will be considered by the staff as it deliberates on the issue.

If practicable, the staff should provide teleconferencing access to meetings whenever the meeting site is not easily accessible to interested citizens. The meeting notice should announce the opportunity for access by telephone, and identify how to participate in this way. Because there may be instances where not all interested parties can be accommodated by teleconferencing, staff should establish an equitable process for allocating rights to participate by telephone (perhaps a first-come, first-served process).

The staff should also reexamine the security policy which prohibits visitors from bringing in audiotaping equipment, without prior approval, to the NRC headquarters buildings. This prohibition may limit the use of an effective communication tool for members of the public that cannot attend meetings.

The staff should submit the revised policy statement to the Commission for approval.

(EDO) (SECY Suspense: 3/31/02)

The staff should periodically reassess the policy. Because the NRC's engagement of the public is important, staff should seek public comment on the policy after one year of implementation.

The staff should provide an update in the forthcoming staff paper on the other action items discussed in this paper, e.g., training, participation primer, meeting notification methods.

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR