

**Public Involvement Meeting
July 22, 2003
Rockville, Maryland
Room O-14B6**

Chip Cameron, OGC, began the meeting at 8:35 a.m. About a dozen members of the public participated, including four from various locations, on a telephone bridge. (See participant list).

Mr. Cameron stated that the objective of the meeting was to identify various ways in which the NRC staff could better relate to the public. He also wanted to discuss the scope and nature of the problems and construct possible solutions for them. Chip Cameron thanked David Lochbaum of the Union of Concerned Scientists for requesting the meeting. He asked if Mr. Lochbaum would like to explain his reasons for requesting the meeting.

Dave Lochbaum said that after a series of meetings held by the NRC and external stakeholders in 1999, the NRC held a follow up meeting which was very effective. The time seemed right to hold another such meeting.

Chip Cameron asked if there were any issues not on the agenda that members present would like added for discussion.

Lisa Gue, Public Citizen, had concerns about NRC's classification of certain documents as safeguards that were previously accessible to the public. This item was added to the agenda.

Eric Epstein asked if transcripts would be available after the meeting. Chip Cameron said that extensive minutes would be taken and would available through the website. A list of attendees/participants will also be available.

Patricia Norry, Deputy Executive Director for Management Services, welcomed attendees and said that after the roundtable discussion in April 2001, a number of actions were taken, including development of the enhanced public meeting policy. Mrs. Norry hoped that the new meeting policy was working better. Since the previous meeting, there had been several new events including the appointment of a new Chairman, the appointment of a new Deputy Executive Director, as well as increased volume of classified and sensitive material. She also promised that if NRC staff did not have answers for questions raised this morning, someone from the NRC staff would get back to them.

Timely Receipt/Accessibility of Documents

Dave Lochbaum said that the NRC's policy of not placing correspondence from members of the public to the Commissioners into ADAMS until five days after the letter was answered was not acceptable. He suggested it would be beneficial for the Commissioners to hear suggestions and ideas from the general public on the same issues raised in the original letter. Mr. Lochbaum said the policy should be set to the same standard as all other letters written to NRC staff.

He also indicated that the staff is not consistently implementing the Commission policy on timely release of publicly available documents. He indicated that at times documents are cited

in press releases and Federal Register notices as being public available but they are not yet available for public access. He also indicated that he is on several service lists and he would prefer to receive documents electronically via e-mail rather than in paper copy.

Jim Riccio said TIFF files available on the NRC's website were too large and it was difficult for him to share the files with others. He indicated that most of the public did not have access to T1 lines that would make downloading such files easier.

Lynn Scattolini explained that, as of the end of March 2003, all new documents were being added in PDF format. In the future, the NRC would look at converting the documents in TIFF format as a special project.

Dave Lochbaum and Jim Riccio both mentioned that the problems with the phone bridge in the room should be addressed because the meeting was about communication. The phone bridge problems with the Davis-Besse Lessons Learned Task Force meeting (people dropping off the line) should be addressed.

Sandy Joosten, Office of the Secretary, said that the policy regarding letters to the Commission was a long-standing one established and voted on by the Commissioners in the Internal Commission Procedures. Commissioners would need to vote to change the policy. She said her office was unaware that this policy was a problem and would be willing to take their suggestions to the Commission to review. She said the five-day holding period was in effect because the Commission wanted to make sure the recipient received the letter before it was made public.

Eric Epstein said that notification of time sensitive materials had an outdated procedure and was putting the public at a disadvantage. He said that the areas in rural Pennsylvania had terrible broadband service and the capability of electronic communication was very low.

Sue Gagner, Office of Public Affairs, said that when press releases are issued, the staff assumes that the document is available on ADAMS. She said that staff in her office works to ensure that press releases and documents in PARS (the ADAMS public library) are released at the same time. She said the staff has an obligation to ensure certain documents are publicly available, but sometimes the press release is issued during the 5-day waiting period. However, there is a provision in ADAMS for "immediate release." She said Public Affairs relies on the staff to know when the document is available, but will try to perform additional checks.

Mr. Lochbaum said that at a public meeting last Thursday in New Jersey, a member of the public said that he received information about a valid accession number of a document in PARS, but the meeting agenda was not available. He said the accession number was for an internal document, and the confusion over that agenda needed to be addressed. Susan Frant said that NRC staff sometimes doesn't check to see if the information is classified as external or internal.

Lynn Scattolini said that since there is an immediate release policy, the problem is not in the process but in the execution. Situations like the one Mr. Lochbaum had given should not be happening, and all internal checks should be in place. She said that the NRC staff need to be better trained in their document handling processes.

Mrs. Norry said that most items discussed at the meeting (except the Commission correspondence issue) have an existing policy and a process, but that the NRC staff needs reminders to correct the situation.

Mr. Cameron said that in order for staff members to change their ways, they have to see the "real world" from the perspective of the general public. He then asked if there were any more issues relevant to the topic to be discussed.

Nancy Chapman said that she had experienced the same problem with the Federal Register Notices. She said that the package icons in ADAMS would say that a specific document is attached and it sometimes is not. She had found a few incomplete packages on ADAMS. Lynn Scattolini said she will contact Mrs. Chapman to discuss the issue further.

Jim Riccio complimented the PDR staff and said they were the most solid part of the NRC. They were good with searches and "fixes" but he has been requesting that Federal Register notices be posted on the NRC webpage for five years and still has not received any response. He did not understand why the NRC could not post these notices if the state of Nevada could post every NRC FR notice on their own web site.

Eric Epstein said that the only way the local people in rural Pennsylvania hear about NRC public meetings is through local papers. Many do not have access to telephones or electricity. Tom Smith offered that most local libraries have internet access. He also offered assistance from the PDR via their toll-free number.

Lisa Gue said she was glad that ADAMS is web-based and that the option is available to the public. But she had several complaints about the system including having to go to advanced searches where many of the fields were not clearly defined. An example she gave was that the docket number was sometimes found in the case reference field. Ms. Gue also said that she did not think that the sort feature of the software worked correctly on a consistent basis.

Tom Smith agreed that there were different ways to search for documents in Web-based ADAMS and if a member of the public has problems using ADAMS they should call the Public Document Room. He also suggested that if CITRIX and ADAMS users have questions or concerns that they could come and discuss them at meetings with the ADAMS user group that meets quarterly. Participants were invited to call him with agenda items.

Public Access to Security Information

Ms. Gue asked about the process by which documents are withdrawn from the public realm, and what constitutes sensitive and safeguards information. She asked why certain materials could not be available in redacted form, and wondered how the public could have meaningful comments and work around legitimate safeguards information issues.

Dick Rosano explained the definitions of sensitive and safeguards materials and discussed the threshold at which data bits can be joined together to form compiled information that can threaten security.

Eric Weinstein said that NSIR was working on these issues routinely and is currently trying to hold a meeting on security issues in the near term. He said they are striving to make information available if they can but still need to resolve a number of issues.

Jim Riccio wanted to know why the industry and NEI can obtain security clearances to attend meetings and the public cannot.

Traditional Service Lists

Jim Riccio suggested the NRC ask the public if they want email rather than hard copies, and that we try to be more creative about distribution for service lists.

Lisa Gue suggested we use the “unsubscribe” option to allow the public to do so with listserves. Susan Frant agreed the NRC needs to be vigilant in “cleaning up” listserves to keep them current. She noted that for major topics a web page is an effective communication tool and allows posting of items without having a list server or service list.

Lynn Scattolini said that the NRC will be issuing an “e-rule” that will allow stakeholders to voluntarily communicate electronically with the NRC. She said there will be another initiative for NRC to address outgoing communications with its stakeholders. She said that policy and procedures need to be developed and that the NRC must consider the needs of individuals that want to continue to receive communications in paper. She also said that some outgoing documents are too big for email format.

Judith Johnsrud said that she frequently received multiple copies of the same documents. She was also concerned that a single sheet of paper arrives in an expensive manila envelope, which is not cost efficient for the NRC.

Fran Goldberg said that OCIO is in the process of upgrading agency list servers. A sign-up for list servers is available on the NRC website at <http://www.nrc.gov/reading-rm/basic-ref/register-newsletters.html>. Improvements are scheduled. In the past, posting Federal Register notices on the web through direct links to the Federal Register site has not been practical because the addresses changed frequently.

Dave Lochbaum said that the new NRC website is much weaker than before because the pages are too long and the user has to scroll to find needed information. He said that on the old site, more of the links he needed were together in one place.

Fran Goldberg said the website had a place for suggestions and her staff takes careful consideration of ideas submitted. Most reactions to the re-designed site have been positive. If a member of the public has concerns with the website, they should email her staff at nrcweb@nrc.gov or use the form at <http://webwork:300/site-help/feedback.html>. Fran said she will follow-up with Dave Lochbaum on his specific problems.

NRC Staff Contact Information

Dave Lochaum said that the old NRC website provided a list of technical contacts for a variety of issues (steam generator tubes, etc.) but the new website does not.

Mindy Landau said the old list was not kept current and that responsibilities change almost daily. She said that those who want to contact the person responsible for a particular subject area should call the Office of Public Affairs, where they will be directed to the correct person. Lisa Gue said that OPA was very helpful, but the staff was sometimes reluctant to give out an individual name or extension. She also said that the OPA has referred members of the public to other non-governmental agencies (such as the NEI) about NRC regulatory information.

Sue Gagner explained that OPA sometimes does not give out specific names because the individual listed might not be in his/her office or could have changed jobs. It is sometimes easier for OPA to contact the individual first for accuracy in this regard. She also said that calls are forwarded to companies such as NEI if a caller was trying to sell something or obtain a commercial product.

Fran Goldberg said that the website could also help with contacts in the agency. See in particular <http://www.nrc.gov/who-we-are/contactus/contact-pages.html>

Eric Epstein said he was concerned about outdated information contact lists. He had seen many lists with the names of deceased or retired officials.

Chip Cameron noted that the NRC would work to update contact lists.

Consolidating Documents for Comment

Fran Goldberg showed how the website had documents available for comment. She explained that they were listed by subject. Mr. Lochbaum said although the website search engine works better than the old one, the redesigned web site provides more "hiding places" for documents.

Lisa Gue said that the new bins were nice, but the site would work better if there was a chronological order to the information both on the Documents for Comment Page and on the Public Meetings page (i.e. a list of public meetings by date) as well as listing them by subject. Fran Goldberg said the next version of the public meeting site will have the ability to display meetings by date or other fields such as docket number.

Judith Johnsrud said it would be helpful to have a form of indexing to search draft rules and other documents. The agency needs to practice more "plain language" in its documents. Fran Goldberg said that an index of some kind might be practical if limited to documents available for comment. The web site as a whole has an index but it is not maintained at the level of detail required to find individual documents throughout the site, and to do so would be very resource-intensive.

Disposition of Comments

Chip Cameron asked how the NRC can better indicate to members of the public how the disposition of their comments, whether in meetings or through the web, etc., were handled.

Mindy Landau said that the NRC tries to convey to the staff the importance of follow-up on comments and questions. She said this needs to be integrated into the everyday nature of NRC work, but training people to do that must be an ongoing process. She also said that the

NRC will work to do a better job of communicating the results of their comments with the public. With the new public meeting policy, the situation has improved greatly and progress is being made.

Jim Riccio said that for the second year in a row, the Reactor Oversight Process comment sheet was available on the day before comments were due.

Judith Johnsrud referred to a recent regional meeting regarding a new facility. She said there was immense anger from the public about the staff's failure to respond to questions. She said the NRC "filibustered" to avoid questions and comments from the audience.

Dave Lochbaum said the biggest problem was with written responses from the staff. He said that the NRC staff often fails to respond to written comments. He asked how the NRC measures its goal of increasing public confidence.

Mindy Landau said that the NRC's public confidence measures were a concern and the current system is not well defined. Feedback forms from public meetings indicate the NRC is doing a good job. She said that if a member of the public has a specific concern they should report it to her. The agency needs to know about the problems first.

Pat Norry said there was obviously a disconnect between the NRC and the public on this issue. She said the NRC was wrestling with measuring public confidence now but felt they were doing a much better job; yet it appears that may not be so. She said that the methods for increasing public confidence need to be better communicated throughout the agency.

Janet Kotra said that she had seen numerous changes since 1999 in the manner in which public meetings have been held, particularly regarding Yucca Mountain. She said the behavior will not change overnight, but the NRC would like to do a better job. She also said that meeting group needs can be difficult when certain groups ask many questions and use up all of the time, leaving the public with unanswered questions of their own.

Mark Delligatti suggested giving the public an opportunity to give feedback via the web instead of the paper forms.

Lisa Gue said that the NRC failed to send a representative to a meeting of local citizens in North Carolina. She said that groups like Public Citizen go a long way to bring the public to the NRC, but has not seen the NRC reciprocate. Eric Epstein said that members of the public spend 3 hours of unpaid time to attend meetings, but the NRC will often not travel to out of town meetings. He said he had heard promises "like the ones given today" but has yet to see results.

Dave Lochbaum was disappointed that NRR was not as well represented at the meeting as some of the other NRC offices, however Chip Cameron noted that there were 4 or 5 representatives from NRR present.

Chip Cameron noted there were several issues on which the NRC would be taking action. He noted that he would ensure regional staff were aware of the meeting and the items discussed.

Revised Public Meeting Policy

Jim Riccio offered that maybe the reason so few members of the public attend meetings was because in the past they have been told to sit in the back of the room and not comment until the end of the meeting. He offered that access to meetings was not participation and the policy was not working. The public still had to wait until the end of meetings to ask questions. NRC should take another look at categorization of meetings.

Judith Johnsrud mentioned that the control of solid materials issue indicated that the public has had a justified contempt for the agencies' statements that they care about the public perspective. Only one meeting was held at HQ for a topic that will be affecting the whole country. Only 2-3 people made their comments known and the rest of those commenting "filibustered." She said most people do not live within a reasonable distance to the NRC headquarters and should not be expected to spend money to get here. She also said that at a minimum there should be public meetings at each state capitol for citizens to have a fair chance to speak about issues.

Several stakeholders stated they would like to see webcasting of meetings other than Commission meetings. Fran Goldberg said that if the agency had a need for more webcasting, the Office of the Chief Information Officer could plan additional support for that need.

Dave Lochbaum said that in a meeting with Commissioners the previous May, he was told that if a comment or a question was not reflected in the agenda, the question should not be answered. He suggested that for plant performance meetings the NRC post the meeting agenda, and then request public input on issues to be discussed. If enough people request an item that is not on the agenda, it should be added. In general, he thought the new policy has worked well enough.

Greg Twachtman said that the NRC needs to have a back up plan in case the bridge lines go down.

Closing

Patricia Norry said that the NRC would be reviewing the meeting notes to follow up on commitments. It disturbed her that members of the public thought the NRC listened to what the public said but ignores it. She offered a follow up meeting if the public felt it would be useful. She said the NRC needs to let the public know what has been done and then receive feedback on what has happened.

NRC staff members present at the meeting are developing a list of action items for a more thorough evaluation. 12:15 End of Meeting.

**PUBLIC INVOLVEMENT MEETING
JULY 22, 2003**

Chip Cameron from OGC was the Facilitator.

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Amy Prible	NRC/OEDO	301-415-4036
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Dave Lochbaum	Union of Concerned Scientists	202-223-6133
Jim Riccio	Greenpeace	202-319-2487
Maria Webb	Shaw Pittman	202-663-8302
Merri Horn	NRC/NMSS	301-415-8126
Eric Weinstein	NRC/NSIR	301-415-7559
Dick Rosano	NRC/NSIR	301-415-7118
Sandy Joosten	SECY	301-415-1962
Lynn Scattolini	OCIO	301-415-8730
Janet P. Kotra	NRC/NMSS	301-415-6674
Christine Schulte	NMSS	301-415-6698
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Lisa Gue	Public Citizen	202-454-5130
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Ramin Assa	NRC/RES	301-415-6885
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Susan Frant	NRC/NMSS	301-415-7251
Conchita See	NRC/NRR	301-415-1306
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