

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

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4 ALL-HANDS MEETING

5 + + + + +

6 TUESDAY

7 SEPTEMBER 29, 2009

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9 ROCKVILLE, MARYLAND

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11 The Meeting convened in The Grand Ballroom A-E at the  
12 Marriott Bethesda North Hotel, 5701 Marinelli Road, at 1:30 p.m., the  
13 Honorable Gregory B. Jaczko, Chairman, presiding.

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15 COMMISSIONERS PRESENT:

16 GREGORY B. JACZKO, Chairman

17 DALE E. KLEIN, Commissioner

18 KRISTINE L. SVINICKI, Commissioner

19  
20  
21 ALSO PRESENT:

22 DARREN ASH, NRC

23 DALE YEILDING, NTEU  
24

## P R O C E E D I N G S

(1:31:18 p.m.)

1  
2  
3 MR. ASH: Good afternoon. Welcome to the 18<sup>th</sup> Annual  
4 All-Hands Meeting of the Staff and the Commission. I call this meeting to  
5 order. I'd like to thank each of you for attending this meeting, especially  
6 Chairman Jaczko, Commissioner Klein, Commissioner Svinicki for taking  
7 time to meet with the Staff, and provide this opportunity to discuss topics  
8 that are of great interest to us all. We very much value this interaction,  
9 and I, and the Staff of the NRC thank you for your continued support for  
10 this important meeting.

11 My name is Darren Ash, the Deputy Executive Director  
12 for Corporate Management, filling in for Bill Borchardt, the Executive  
13 Director for Operations, who's on travel.

14 In addition to the Headquarter Staff attending this meeting  
15 today, the Staff in the Regions, the Technical Training Center, as well as  
16 the local interim locations are viewing this meeting via video broadcast. All  
17 our Resident Inspectors are receiving the audio.

18 The purpose of this meeting is to facilitate  
19 communications between the Commission and the Staff, and for the  
20 Commission Members to share their perspectives on NRC's  
21 accomplishments and challenges. The Chairman and each Commissioner  
22 will begin the meeting with individual remarks. The remainder of this  
23 meeting is reserved for questions and answers.

24 This year, there are two microphones in the center aisles  
25 for your questions. We've handed out cards, if you'd prefer to write your  
26 questions down. You could pass it to one of the volunteer staff, and these  
27 questions, in addition to those phoned, faxed, or e-mailed in from the

1 regions and sites will be read by the volunteers.

2 As a reminder from previous All-Hands, specific  
3 personnel, and adjudicatory proceeding questions should not be asked.  
4 There are other appropriate means to address these questions. Also, very  
5 important, please place your phones, pagers, and Blackberries on silent or  
6 vibrate.

7 Thank you go to the volunteer readers today, Leslie  
8 Donaldson, Lisa Gibney, Pamela Longmire, Lance Rakovan, Solomon  
9 Sahle, and Donna Sinks. Thank you for the volunteer ushers who are  
10 helping today, our sign language interpreter, as well as SECY, HR, ADM,  
11 and OIS for their efforts to organize and provide technical and logistical  
12 support for today's meeting. I'd also like to acknowledge NRC Senior Staff  
13 sitting in the front rows. Finally, I'd like to acknowledge the officials of the  
14 National Treasury Employees Union, who are here with us today. NTEU  
15 will have an opportunity to address us near the conclusion of today's  
16 meeting.

17 It's now my privilege to turn this meeting over to  
18 Chairman Jaczko. Chairman.

19 (Applause.)

20 CHAIRMAN JACZKO: Well, thank you, Darren. And  
21 good afternoon to everybody, and thank you all for coming, as well. This  
22 year the lights are a little bit brighter here in the front so we can't see you  
23 quite as well, but we'll look forward to hearing your comments, and your  
24 questions today. This is a great opportunity for us to continue the many  
25 ways that we have to interact and dialogue with you, vital members of the  
26 Staff here at the NRC. And, of course, the people who are listening in, as  
27 well, in the Regions, and others.

1 I'll keep my remarks brief, so that we can hear from you,  
2 as well as save time for the Commissioners to make some comments, if  
3 they'd like. And, at the end, as our normal practice is, we'll wrap-up with  
4 hearing some comments from Dale Yeilding of the National Treasury  
5 Employees Union.

6 I think today's meeting is a good opportunity for all of us  
7 to reflect on the dramatic changes we have been through during the last  
8 four years, including a significant increase in staff, budgets, and office  
9 space. During the last four years, the Agency budget has seen more than  
10 a 50 percent increase, and the number of NRC employees we have on  
11 board has gone up by more than 25 percent. This has required us to rent  
12 space in four new interim buildings around Montgomery County, and  
13 demanded significant Staff movement within the Agency, caused by the  
14 creation of these two new offices.

15 Even more dramatic, almost half of our work force has  
16 been at the Agency for five years or less. In NRO alone, almost 60  
17 percent of the Staff is new to the Agency. And what I think this means  
18 really in concrete terms is that more than half of the Staff was not here  
19 during September 11<sup>th</sup>, one of the monumental moments in our history that  
20 has really shaped a lot of the work of the Agency over the last several  
21 years. But these demographic changes provide us with an unprecedented  
22 opportunity to continue to maintain our crucial Mission focus on the safe  
23 use of nuclear materials, and the safe and secure regulation of nuclear  
24 facilities.

25 Now, our challenge is to take advantage of the ability of  
26 our new employees to look at issues from a fresh perspective, while  
27 making sure all of our Staff continues to learn from the mistakes of the

1 past. And, as you know, you continue to vote yourselves one of the best  
2 places to work in the Federal government. And that's truly a recognition  
3 that all of you should be thankful for, and all of you deserve a tremendous  
4 amount of congratulations for the work you do day in and day out, to  
5 continue to maintain us as one of the best places to work in the Federal  
6 government. And the reason, really, I think is quite simple. Our  
7 employees are really our number one asset, and it's the work that you do  
8 day in and day out that makes us the number one place to work in the  
9 Federal government.

10 Now, I'd love to go through a list of all the  
11 accomplishments we have made over the last year, and go through in  
12 detail. Unfortunately, there are so many of them, I think we would be here  
13 for the whole at least hour and a half listening to those accomplishments.  
14 But they are many, whether they're in the different program offices, the  
15 support offices, or the Regions. We have a staff that is dedicated to its  
16 mission of protecting public health and safety, and the environment.

17 We have also seen significant changes in our workforce,  
18 in our workforce relations. Very soon, we'll have a new Collective  
19 Bargaining Agreement that will go into effect, and that will be happening  
20 very soon. And I think that was a significant accomplishment for this  
21 Agency to resolve that work, and resolve that important activity.

22 The issues of transitioning staff is so important. And one  
23 of the areas where I think we have really worked to make sure that that  
24 process works smoothly is in the development of things like our  
25 Knowledge Management Initiatives. We had many of these that were  
26 launched within the last year, including the NRC's Knowledge Center,  
27 which is a collection of electronic communities of practice designed to

1 enable staff to collaborate, capture, and share knowledge in order to build  
2 our organizational history.

3 In addition, an Expertise Exchange program was  
4 established to capture the Lessons Learned, and Best Practices from the  
5 Agency's most experienced staff. We've also made significant efforts to  
6 improve the hiring process. It's important that we continue to insure that  
7 we have a high-caliber group of employees to allow us to continue to  
8 insure that we're able to meet our important mission.

9 Now, we've also made substantial progress in the last  
10 year dealing with improvements and upgrades to our financial systems.  
11 The Office of the Chief Financial Officer implemented an e-Travel system  
12 across the Agency, upgraded the budget formulation system, initiated the  
13 upgrade of the time and labor system to a web-based paperless system,  
14 and is proceeding with a systems modernization effort for the Agency's  
15 core accounting system.

16 We also had an Advisory Group on Budget Formulation  
17 and Financial Plan Reporting that was led by Commissioner Svinicki, and  
18 that was established to improve the budget formulation and financial plan  
19 reporting. That Advisory Committee submitted its recommendations to  
20 me, and I will continue to hear from that Advisory Committee as we  
21 continue to deal with the challenges, and the responsibilities of a much  
22 larger Agency budget. So, I certainly want to thank Commissioner Svinicki  
23 for her efforts in that regard.

24 Now, the efforts are underway, as many of you see on a  
25 daily basis, to improve our information infrastructure, as well. I think it's  
26 important, as we continue to be a high-performing Agency, that we  
27 continue to have the tools that we need to make sure that we can do that

1 work in the most efficient and effective way. And we all must thank Dr.  
2 Klein for those of you who have Blackberries, because he was so  
3 instrumental in providing those to the Agency. Sometimes, I wish I could  
4 get rid of mine, but that's just a part of the job. So, there are lots of areas  
5 which I think on the infrastructure, and on the personnel side that we have  
6 made significant progress, and we've made significant improvements in  
7 our Agency.

8 And I think today is yet another opportunity for us to hear  
9 from all of you about areas where we can do better, and we can make this  
10 Agency a more efficient, and more effective Agency. So, I'm very pleased  
11 to be able to provide these brief remarks. And, again, I want to thank all of  
12 you for the work that you, each and every day to make sure that we  
13 continue to meet our vital mission of protecting public health and safety,  
14 and the environment.

15 I'll now turn to Dr. Klein for some brief remarks.

16 COMMISSIONER KLEIN: Thank you. I'd also like to  
17 acknowledge what the Chairman said in terms of the brightness up here. I  
18 didn't realize we might have to wear sun screen. My eyes have now  
19 adjusted, and I think I can now see three rows back, so it's getting better  
20 the longer we're up here. And I was going to comment, as the Chairman  
21 indicated, Darren, it is nice that we have Blackberries to turn off, so we are  
22 making progress in that regard.

23 I think we, obviously, have a lot of challenges as an  
24 Agency, but our glass really is half-full, it's not half-empty. And I'd like to  
25 talk about maybe a few of the challenges that may be ahead. We certainly  
26 have technical challenges, but we'll have a few other challenges that we'll  
27 have to deal with.

1 As indicated, our budgets have been very positive over  
2 the last several years, where we have actually received all we have asked  
3 for, and sometimes even a little bit more. So, I think on our budget side,  
4 we've really done excellent the last several years. It's likely in years to  
5 come that our budgets may start to flatten a little bit, so I think what we'll  
6 have to continue to look at is how can we do things more efficiently with no  
7 compromise on safety, as we might head towards a flattening budget  
8 cycle.

9 Another activity that the Chairman indicated is the change  
10 in our demographics of our workforce. It's clear that our experienced  
11 people for some reason still want to retire; even though we are the best  
12 place to work, people still want to retire. We haven't quite figured that out,  
13 but I think that at some point in time, people do want to retire. So, as we  
14 look as the Agency approaches its 35<sup>th</sup> anniversary, and we look at the  
15 number of employees that have been with us since the Agency was  
16 created, at the time that we celebrate our 35<sup>th</sup> anniversary, we will only  
17 have about 80 individuals that were with us from the beginning. That's a  
18 tremendous change for any organization to look at the change, so it's  
19 really important for us that we look at how do we do the Knowledge  
20 Management transfer, and how do we motivate and articulate our  
21 expectations of our employees?

22 And, as indicated, we definitely need to continue working  
23 on our IT. IT is an area that continuously changes, so it's one of those -- I  
24 think will always be a work in progress, in terms of improving our IT  
25 activities. The other area that we certainly need to look for is White Flint  
26 Three. I'd like to compliment the Office of Administration for all the hard  
27 work they're doing in keeping to move White Flint Three moving forward.



1                   If we look at one of the areas that we will certainly need to  
2 look for, is to continue to build our talent pool to satisfy the needs of an  
3 expanding and growing Agency. And one of the things that I think we  
4 need to be careful about that we've seen utilities fall in a trap on, and that  
5 is, once you reach a level of excellence in operation, we've seen that with  
6 power plants, sometimes they become complacent. And I think the same  
7 holds true for us, as a regulatory body, that we need to make sure that we  
8 do not become complacent. And that we always maintain and stay ahead  
9 of what our goals are.

10                   If you look at our slogan that we use, "Protection of the  
11 Public Health and Safety", you know, this should not just be a slogan. It  
12 should not just be a branding initiative. This is really the sole reason for  
13 our existence. So, I think that we should dedicate ourselves every day to  
14 keep that focus on protecting health and safety, because that really is what  
15 makes us a great Agency, and it's what really -- is the primary service that  
16 we can do for the public.

17                   And, as indicated earlier, and I've said this many times,  
18 for us, we don't make widgets, and so people is our most important  
19 product. And that's the role that you all play. So, thank you for all the  
20 service you do for the NRC.

21                   CHAIRMAN JACZKO: Thank you. Commissioner  
22 Svinicki.

23                   COMMISSIONER SVINICKI: Thank you. I'll comment on  
24 the brightness, as well. I thought I was so clever. I wanted to get a picture  
25 for my Face Book page. Yes, Mike Weber it was for my Face Book page  
26 of the microphone and the view looking out, but it's so bright that my  
27 camera won't register anything beyond this table, so I stepped down, so

1 you might be able to get the lovely faces in the first row. If they want to log  
2 on tonight and see that, I was able to get a picture by going in front of the  
3 table.

4 It's been a year and a half for me at NRC, so a year ago I  
5 felt so new in this job when we had this gathering, and I talked to all of you.  
6 And I'm reminded of, I think I've quoted this to other people, but is it a  
7 credit card company that has that saying life comes at you fast? That's  
8 kind of how my first year, certainly, was. And it's interesting, though, how  
9 you kind of -- you begin to get a grasp of what's going on, and you acquire  
10 the right pace. And I really need to thank all of you.

11 One of the most enjoyable, maybe you'll think I have a  
12 strange definition of enjoyable, one of the most enjoyable things I get to do  
13 on a weekly basis is to invite some of you in small groups up to my office,  
14 where we have briefings, and talk about deeper background on the issues  
15 before the Commission. And we talk about the policy papers, and  
16 recommendations that you've developed. And I really enjoy that back and  
17 forth. It takes me back to the earliest days of my career, where getting  
18 together with a group of peers, and really talking through issues is some of  
19 the best of what we do in the Federal government, so it's what attracted  
20 me into civil service. And I still enjoy that today. So, thank you to all of  
21 you who have been part of that.

22 Some of you, I think, probably found that you didn't find it  
23 maybe quite so -- it wasn't the most fun part of your day. But, again, I love  
24 challenging assumptions. I think it's the best of what we all bring to the  
25 kind of technical work that we do at NRC.

26 I have talked to a number of the office All-Hands  
27 Meetings. I've really enjoyed those opportunities, too. It's a smaller forum

1 than we have here today. And I, specifically, want to talk to our staff in the  
2 Regions. And, although I visited facilities in each of the Regions, I think, at  
3 this point, I have not had an opportunity to go and meet in a smaller kind of  
4 forum with the Staff in the Regions. And I want to explain why that has  
5 been. I was very much hoping that I could line my schedule up with the  
6 counterpart meetings, and be able to interact with more of the Region staff  
7 when I visited. I've now fully given -- I've given up on the notion that  
8 between the Commission's calendar, my calendar, and the counterpart  
9 scheduling that I'm going to be able to make that work. So, over the  
10 course of this fiscal year I really have as a very high goal of mine to visit all  
11 the Regions, and meet as many of you as I can. Those of you that I've  
12 met at plants and other facilities, I've really enjoyed that, so thank you for  
13 the work you do.

14 I began my Federal career in a field element of the  
15 Department of Energy, so I really value that kind of boots-on-the-ground  
16 work, and it's something that I value very much, and have enjoyed talking  
17 to those of you who do that for NRC.

18 So, I think all I really wanted to share with you, again, was  
19 that I've really enjoyed, so many of you have welcomed me as part of the  
20 NRC community. Thank you for letting me be a part of the important work  
21 that you were doing long before I got here, and that you will continue on  
22 into the future. It's a real privilege. And I know that all of my colleagues  
23 feel the same, to be able to join with you, and achieve together the kinds  
24 of things that we have achieved, and during my time here that we will  
25 achieve. And that will be things both that I expect will be coming, and the  
26 unexpected, which is also the really exciting part of these days in the  
27 nuclear industry, where there's a lot of things on the horizon, and over the

1 horizon. So, I look forward to being a part of that as we all face that  
2 together.

3 And I will just say on my Face Book, for those of you who  
4 have bothered - and, again, you have to do this, I know, when you go  
5 home, to visit my Face Book community. I do apologize. You have these  
6 great ambitions of how frequently you're going to post things, and it's still a  
7 work in progress. I ask for your patience. And I am trying, again, just to  
8 use that as an outlet to talk about the things that I'm passionate about.  
9 And the work we do, I'm very passionate about, but more specifically, to  
10 talk about my work as a Commissioner. So, thank you for those of you  
11 who have expressed any interest in that, whatsoever. Thank you.

12 CHAIRMAN JACZKO: Thank you. We will now turn it  
13 over to all of you. We'll begin with questions from I think -- we may need  
14 some assistance here, as we can't really see too easily the microphones. I  
15 think we'll start over here.

16 READER: Where does the Agency stand on Building  
17 Three? Has a location been determined, and what is the projected time  
18 line?

19 CHAIRMAN JACZKO: The question was on White Flint  
20 Three. We're in the middle right now of White Flint Three, and some of the  
21 sensitive discussions and negotiations involved in the contracting process,  
22 so we can't really talk in too much detail about the specific status. But it  
23 certainly is a priority for me, and I know for the Commission, to get the  
24 building contracted, and eventually then built and constructed. And our  
25 goal is still very much to have a facility that will be co-located with the NRC  
26 Headquarters.

27 I have indicated that I would like to be able to open a new

1 building by 2012, so that is still the goal for me, and I think that's  
2 something that is possible to accomplish. I don't know if there's any  
3 comments from any other Commissioners.

4           READER: Good afternoon. This is a question, a two-part  
5 question in the area of new reactors. The first part, how many applications  
6 for new reactors have been docketed? Part two, what are the projected  
7 dates to resolve the applications?

8           CHAIRMAN JACZKO: Well, I can start, and then if any of  
9 the other Commissioners want to add anything. Right now, we have 17  
10 applications that we have received, and that we're currently actively  
11 working on. We have received an 18<sup>th</sup> application, and that application for  
12 COL has turned into interest in an Early Site Permit.

13           We're actively working on 13 of those applications right  
14 now. And the time lines will vary, depending on the particular projects.  
15 The Office of New Reactors, I see Mike Johnson in the front row, keeps a  
16 fairly detailed status of each of the projects. And, really, for the majority of  
17 the projects right now, we're targeting, really, the work on the design  
18 certifications, and having that work completed. And the time frame would  
19 be sometime between 2010 and 2011, really probably closer to 2011 for  
20 the complete work on the design certs. And then the COL work would  
21 follow after that. But it's certainly a challenging activity, and it's an area  
22 where I've certainly been impressed with the Staff's flexibility, and their  
23 ability to adapt to a very dynamic environment that we're seeing externally  
24 as utilities make changes in their plans, and their design ideas, and,  
25 ultimately, their construction ideas. But it's certainly an area where I think  
26 we're making a lot of progress as an Agency. And, ultimately, it's an area  
27 where we're doing our job, and we're focusing on safety as the number

1 one priority. So, I'm very pleased with the work we've done. I don't know  
2 if the other Commissioners would like to add anything.

3 COMMISSIONER KLEIN: I think one of the interesting  
4 things that will have a lot of interest in the public is when does dirt really  
5 start getting turned. As a regulator, I tend to favor starting maybe two to  
6 three, and doing them really well, rather than to have a whole bunch under  
7 construction. So, as a regulator, I think what's really important for us is  
8 that we do it right, rather than do it quick.

9 As an industry, I think we have to be very careful that we  
10 don't repeat in the United States what happened in Finland. As you  
11 probably know, Olkiluoto is way behind schedule, way over cost. If that  
12 happens in the United States, and, again, that's not a question for us as a  
13 regulator, but if that happens in the United States, it's likely the financing  
14 that will be available for new nuclear will be restricted.

15 Currently, there are four companies negotiating loan  
16 guarantees from the Department of Energy. If those of you who watch  
17 some of the Vogtle activity, it's clear that there's site work being done.  
18 They have a limited work authorization, so I think you will see not only our  
19 job as a regulator to evaluate the license, but there will be site work that  
20 will be going on simultaneously, as we look at our regulatory  
21 responsibilities.

22 CHAIRMAN JACZKO: Commissioner Svinicki? Okay.  
23 Next question.

24 READER: Good afternoon, sir. Thorne Graham from the  
25 Computer Security Office. I really have a simple question for you, and that  
26 is, can you tell us when the Commission office will be back up to full  
27 strength with five of you there? Thanks.

1 CHAIRMAN JACZKO: Well, the -- I think right now,  
2 certainly with the colleagues that I have here, I think the Commission is at  
3 full strength.

4 (Laughter.)

5 CHAIRMAN JACZKO: We have a great group of  
6 individuals. We are -- when we have more Commissioners, perhaps we  
7 won't be so spread out, but other than that, I think we certainly have a very  
8 good team here. And I think it's really a testament to their work, that with  
9 the smaller number of Commissioners that we have, that we continue to  
10 work effectively, I think, as a body.

11 This is not the first time since I've been on the  
12 Commission that we've had a smaller number of Commissioners. It's a  
13 natural process I think we go through every time vacancies occur. It takes  
14 a little bit of time to work through those. And I think, certainly, the  
15 Administration, and the Congress, or the Senate are working to provide us  
16 with some colleagues. But, certainly, in the meantime, I'm not at all  
17 worried. We're able to get our work done, and to do it, I think, very  
18 effectively.

19 COMMISSIONER KLEIN: If we knew the answer to your  
20 question, we're probably very good in the stock market, and with probably  
21 making other decisions, as well.

22 You know, there's a statement that I'd heard years ago  
23 before I came to Washington, and that is, there's two things you never  
24 want to watch being made, and that's sausage and laws. I think probably  
25 a third is a process of a Presidential Appointee. It takes a long time, it's  
26 complicated, a lot of background searches, a lot of negotiations that occur.  
27 And I think the important thing for us, as a Commission, is for us to focus

1 on our work, and we will be fully staffed when Congress let's us be fully  
2 staffed. This is one in which we have little control over.

3 COMMISSIONER SVINICKI: I would just add to what the  
4 Chairman said, that to a person up here, the real commitment, although,  
5 we may have individual priorities day-to-day, there's a real shared  
6 commitment to advancing the Commission's business. And whether our  
7 numbers are five, or a more diminished level, there's a shared  
8 commitment to that. And I think it's really a focus day-to-day for all of us, is  
9 just to keep that moving forward.

10 READER: This question comes to us from Region I.  
11 What is the Commission's current view on how high-level and low-level  
12 waste will be safely managed on site going forward, particularly at new  
13 reactors, and at DOE facilities undergoing cleanup given the political  
14 challenges of siting a central repository, and the capacity limits and  
15 restrictions on existing low-level disposal sites? Can you also comment on  
16 the prospects for progress in this area into the next decade?

17 CHAIRMAN JACZKO: Well, I'll start sharing my views,  
18 and I think I'm sure the other Commissioners will want to add, as well, their  
19 thoughts.

20 I think waste disposal in this country, particularly when it's  
21 waste involving nuclear materials, is a very complicated issue from a  
22 technical standpoint, from a policy standpoint, and I think, ultimately, from  
23 a political standpoint. I certainly can't comment specifically on the activity  
24 with regard to the high-level waste application that we have in hearing in  
25 front of us right now, and the Commission is also engaged in a discussion  
26 about waste confidence, which, to some extent, I think gets to the issue of  
27 how do we address some of the unknowns about what would happen to



1 spent fuel that could be created at a new reactor. That's also a very difficult  
2 question, and one I think that the Commission will continue to discuss and  
3 work through.

4 The issue of low-level waste, I think, is also equally  
5 interesting. Although, there we have a much better, I think, handle on the  
6 possible options for disposal. It's been some time since we've had a new  
7 low-level waste facility in this country. There is very close to being a  
8 facility in the State of Texas, that would add to the inventory, or the  
9 capacity for disposal of low-level waste. And, certainly, when we look at  
10 the availability of Class A waste, there's really a good number, or there's  
11 really probably sufficient capacity to deal with most of the waste that would  
12 be created at existing reactors, as well as reactors going into the future.  
13 So, I think that's an issue that certainly if we look at the higher classes of  
14 waste, like the B and C waste, there are still some uncertainties about  
15 availability of disposal for those classes of materials. And the Staff, as well  
16 as, I think, licensees, as well as the disposal community have been  
17 working on interim solutions to address that shortage until we do have the  
18 availability of more facilities. But it's certainly, I think, a much clearer  
19 picture in the low-level waste arena. Dr. Klein?

20 COMMISSIONER KLEIN: I think the important thing for  
21 us always to communicate, and that is the storage of both spent fuel, and  
22 the high-level waste, and low-level waste is stored safely. And I think we  
23 need to continue to emphasize that to communities where reactors are  
24 located.

25 This material is stored safely, currently. It would be nice  
26 to have a permanent solution for the spent fuel, and to know whether or  
27 not we're ultimately going to recycle, or not. I think the important thing for

1 a regulator, for us as the NRC, is that our current storage of both high-  
2 level, and low-level is safely done.

3 As the Chairman indicated, low-level waste is easier.  
4 Certainly, the Class A waste -- as a policy issue, one thing that the  
5 Commission will probably need to address at some point, is the continued  
6 storage of low-level waste on site. You know, just as -- again, it's not a  
7 safety issue, but just as a policy, I don't particularly like to see reactors  
8 accumulating some of these large components on site for continued  
9 storage. Again, it's not a safety issue, but it's a housekeeping issue. So,  
10 I'd like to see the utilities focus on what they should be focused on, and  
11 that's safety and security, and not have to worry about the continuing  
12 storage of both the spent fuel, and the low-level waste at their sites.

13 But, again, what we're doing now, it's safe. And we will  
14 certainly be watching what the Department of Energy, and others,  
15 Congress do for the permanent solution of the high-level waste.

16 CHAIRMAN JACZKO: Commissioner Svinicki?

17 COMMISSIONER SVINICKI: I would just add that I think  
18 the really singular and important contribution that the NRC, and its  
19 technical experts can make is that, certainly, the history of nuclear  
20 development in the U.S., and, as a matter of fact, in other countries, is that  
21 there is a lot of public debate and controversy over the back-end, and over  
22 the waste questions. But I think that NRC, and, again, our experts here  
23 are uniquely positioned to really be injecting the facts when called upon for  
24 the policy makers, and decision makers who are more engaged in the  
25 political debate over these matters, is just to lend our expertise when  
26 called upon to make sure that the public policy debates are based on the  
27 right facts. And I think that, again, given our role, that we were not

1 advocates for any particular solution, means that we can actually be very  
2 credible in terms of injecting the facts in this debate, and making sure that  
3 when called upon, we lend our expertise to help others sort through these  
4 policies.

5 CHAIRMAN JACZKO: Thank you. Next question.

6 READER: What plans are in place to upgrade support  
7 technology, use of scanners and copiers, convert legacy documents from  
8 microfiche to digital format, and use of Google applications to search  
9 ADAMS?

10 CHAIRMAN JACZKO: That may be a question that I'll  
11 turn to -- actually, we're fortunate that Darren is here, on some of the  
12 specifics of the copiers and the scanners. Certainly, I think an important  
13 priority for the Agency, though, is the upgrade and modernization of our  
14 document management system, or ADAMS as we affectionately know it.  
15 And part of the plans for the Staff going forward are to really incorporate  
16 that into a more holistic, and I think seamless document management  
17 storage and retrieval system, a system that doesn't, necessarily, separate  
18 out the particular source of the information, whether it's coming from  
19 ADAMS, whether it's coming from a web page, that there's just a coherent  
20 format for people to access information. I think that's very much one of the  
21 hallmarks of the plans for the upgrades, and the modernization of ADAMS.  
22 But it's a several-year project, and something that will take time.

23 Part of that, of course, is also the upgrades to the web  
24 page, and the improvements to the web page. Those issues are no  
25 longer, necessarily, separate and distinct, any more. The web is really a  
26 portal for information more than anything else, and the transition from  
27 whatever the back-end storage is should be relatively seamless, I think, as

1 we go forward.

2 Now, Darren, if you want to add anything on some of the  
3 specifics about copiers and scanners?

4 MR. ASH: First, I want to just quick update on the  
5 website, to be able to search. That is part of our overarching plan to  
6 upgrade ADAMS. Chairman Jaczko referred to it, what we refer to as  
7 Enterprise Content Management. The intent is a seamless approach,  
8 unified approach to be able to search documents, both for the Staff to be  
9 able to look at it, but also for our public, and our stakeholders to be able to  
10 search our public website, and to be able to search the content that we've  
11 got.

12 We're beginning a process to prototype the pilot, those  
13 types of activities. We've also awarded two contracts already, and one to  
14 come, in terms of redoing the NRC's public website. So, that's part of an  
15 overarching plan to really modernize our capability to do that.

16 With respect to copiers and scanners, I know we've got  
17 some activities going on in terms of scanning legacy information,  
18 microfiche, and so forth, but it is limited. Part of it comes back to money,  
19 resources. But one of the things I would commit to doing, I know this topic  
20 has been brought up, is to be able to get a more complete answer out to  
21 the Staff. I think we will do that after this All-Hands meeting.

22 CHAIRMAN JACZKO: He'll answer that afterwards. Any  
23 comments?

24 COMMISSIONER KLEIN: Well, I think the area that  
25 Darren is working on in terms of our IT capability, is one that we really  
26 need to stay active and involved in. The challenge that I know that Darren  
27 always has is balancing security with the ability for us to do our job. And I,

1 sometimes, I think we have to focus a little bit more -- clearly, we don't  
2 want viruses coming into our systems. But, at the same time, if we're too  
3 restrictive, we can't really perform our jobs as efficiently as we can.

4 A lot of new search engines are out there. I think when  
5 ADAMS was developed, it might have been the cutting edge, but,  
6 certainly, the Google search engines, and others that are out there now,  
7 and others by Microsoft, are really changing the way we can access  
8 information. And I do know that I cannot look at Commissioner Svinicki's  
9 Face Book from my NRC computer, nor can I look at the Secretary of  
10 Energy's Face Book page. So, I think we'll continuously have to balance  
11 security with the ability to get the job done. And that's a challenge that  
12 we'll be facing, I think, for the duration.

13 COMMISSIONER SVINICKI: And this may be a little bit  
14 off topic, but something I've been sensitive to is, since we've had to move  
15 staff to, say, Church Street, and EBB, and until White Flint Three is  
16 available, we're going to be somewhat dispersed even here in this little  
17 region. I have tried to be sensitive to using technology to realize that the  
18 mail distribution to say NMSS, or Research is not as quick, because they  
19 aren't in the same complex as us anymore, so where we can scan things  
20 in, and get them over, I'm trying to use technology to make sure that we  
21 still, at least, feel like a virtual -- virtually, we're in the same building, even if  
22 we're not.

23 CHAIRMAN JACZKO: Thank you. Next question.

24 READER: Staff continues to invest many hours  
25 preparing Chairman Notification Papers for contract actions. Are there any  
26 plans to reduce the burden on the Staff in initiating contract actions, such  
27 as raising the threshold for reporting?

1 CHAIRMAN JACZKO: Well, I think the short answer is  
2 there will certainly be proposals to do that. It's certainly an area where my  
3 thinking has evolved significantly in the last four months.

4 (Laughter.)

5 CHAIRMAN JACZKO: And I think as I continue to review  
6 Chairman's Papers, it's not clear to me what the function of the Chairman  
7 review of those papers is. I think it's an area where I think we can make  
8 some substantial improvements, I believe. It's something, I think, the  
9 Commission will need to weigh-in on, and we may get some insights here  
10 today about ways to improve that process, or ways that the Commission  
11 will be comfortable changing that process.

12 I think in the end, the issue of thresholds is not,  
13 necessarily, the right question, because I think, in general, it's probably a  
14 revamping of the entire system of how we do our contract approval.

15 The EDO does have a tasking to report back to the  
16 Commission in November on some proposals, and some potential  
17 changes with the process, so that's something we'll be working on, and  
18 looking forward to in November. And it's an area where I think that there  
19 are some process improvements we can definitely make.

20 I think the bottom line view, from my perspective, is that  
21 our contracting staff should be focused on making sure that when we issue  
22 contracts, we get the most benefit for the work that we're going to get, and  
23 that we have the resources, the ability to follow-up on the contracts to  
24 insure that the money is being spent the way that we want it to be spent.  
25 And I think right now, because of the inefficiencies in our process, we don't  
26 have as much time to do those things as we would like. So, it's certainly  
27 an area that I think we can make some changes, and some improvement.

1 It's a personal priority of mine to work on that. I don't know if the other  
2 Commissioners would like to comment?

3 COMMISSIONER KLEIN: Well, I know that  
4 Commissioner Svinicki was involved in looking at how we can streamline  
5 our contracting processes. And I think we really have to work a lot harder  
6 in our contracting area, including looking at the thresholds. We have a  
7 very complicated process for which we do things, and it takes a long time.

8 So, I think this is certainly an area that I'd encourage the Lean Six Sigma  
9 to be looking at. What steps do we take to do our contracting, and why do  
10 we take those? And I know that our CFO has been challenged with that  
11 aspect, as well as the EDO. And I think, together, they're working on ways  
12 to make it better, but it is -- I still think it's a work in progress. And I know  
13 from the contracts that I had to get involved in here when I was Chairman,  
14 compared to what I had looked at at DOD was a lot more complicated  
15 here. And I'm not sure we're getting, necessarily, a better process by  
16 making it as complicated as we are. So, I think we're certainly aware of it,  
17 we're making progress, and Commissioner Svinicki on the Task Force has  
18 spent quite a bit of time looking at how we can make that better.

19 COMMISSIONER SVINICKI: I would just add to what  
20 Chairman Jaczko said, that maybe the threshold, the dollar amount isn't  
21 the right question. If I step back and think about the years that I saw this  
22 from the Congressional Oversight side, this Agency has had budget  
23 growth, as the Chairman mentioned. It also is now contracting in  
24 unprecedented amounts, and at unprecedented levels. And, often, I think  
25 that our oversight committees, what they will look at is, say, there's a  
26 vulnerability in those years of significant growth, that perhaps you didn't  
27 have the right kind of efficient processes in place, and, therefore, as our

1 budget grows, and we get increasing scrutiny -- I think that we will get  
2 increased scrutiny in the coming years to our contracting, and financial  
3 processes. So, we want to be certain that we're taking the time to do it  
4 right. I do agree that improvement can be made, but we also have to be  
5 very, very confident, and scrutinize carefully what we're doing, because  
6 we're dealing with larger dollar amounts now, and I think we're going to get  
7 enhanced oversight, as a result.

8 CHAIRMAN JACZKO: Thank you. Next question.

9 READER: The Office of the General Counsel reports  
10 directly to the Commission. The Staff may not always agree with their  
11 position, and interpretation. How does the Staff bring issues of  
12 disagreement to the Commission?

13 CHAIRMAN JACZKO: Well, I think this is an issue  
14 probably throughout the Agency, that with an Agency of close to 4,000  
15 people, there's probably not one issue where we all agree. There are  
16 always issues where we have disagreements. And I think, as an Agency,  
17 one of the areas in which we have really made significant strides, and  
18 continue to demonstrate, I think, real leadership, not only within the U.S.  
19 Federal government, but I think internationally among regulatory bodies, is  
20 in the processes we have for people to raise differing views.

21 Certainly, we have the more formal Differing Professional  
22 Opinions Program, which provides an opportunity for people to raise their  
23 concerns on a technical level, or on a legal level. We have the Non-  
24 Concurrence process, which is another way for people to register their  
25 disagreements with a particular action. We have an Open Door policy,  
26 that is a policy throughout the Agency, where people can raise issues with  
27 their supervisors, with other people in the chain. So, I think we have a lot



1 of opportunities to do that. And I would say from a personal experience,  
2 people have not been shy about raising views with me, or issues with me  
3 about areas where they disagree, not only with the General Counsel, but  
4 sometimes with the EDO, or the CFO, or even with me. So, I think that  
5 spirit is vibrant, and I think it's just incumbent upon us to continue to  
6 reinforce that idea of an open collaborative work environment, that that is  
7 really the kind of Agency we want to have, and the way that we'll be able  
8 to make sure that safety is established and maintained effectively.

9 COMMISSIONER KLEIN: I would, certainly, agree with  
10 that. I think when you have concerns, raise them, e-mails, telephones,  
11 letters, whatever works. I think we are a very open Agency. At the same  
12 time, we have to move things forward, and that's one of the things I like  
13 about the Non-Concurrence process, is that a lot of times when I would  
14 see decisions coming forward, along with the decision that was made,  
15 attached to that will be the information where people differed. So, you can  
16 evaluate that piece of information, along with the recommendation. And I  
17 think we are a very open Agency, and we should continue to be open.  
18 And, as people have differing opinions, and non-concurrence, you should  
19 bring that up, not only to your immediate supervisors, but all the way up to  
20 the Commission, if you feel it's appropriate.

21 CHAIRMAN JACZKO: Commissioner?

22 COMMISSIONER SVINICKI: Well, I don't have too much  
23 to add to what's already been said. I know that participating in these  
24 processes begins with the individual. There's having the processes, but  
25 there's also, each employee making the decision of whether or not they  
26 assess that the environment will be supportive to them. So, again, use  
27 these processes. They are there. I acknowledge that in some instances,

1 it probably is not an easy thing to decide to invoke these processes, so I  
2 just want to indicate that I know for every DPO or Non-Concurrence I've  
3 seen, that it took some courage to do that. So, I've been there. I know  
4 how it feels, and I appreciate them.

5 CHAIRMAN JACZKO: Next question.

6 READER: What plans are in place to beautify the front  
7 lawn and entry to the Headquarter buildings?

8 CHAIRMAN JACZKO: Well, we do have a variety of  
9 initiatives in place to make enhancement improvements to the overall  
10 infrastructure of the Agency. There are efforts underway to re-tile,  
11 ultimately, all of the -- to replace the tiling we have on the front lawn of  
12 White Flint, and Two White Flint, and replace that with a different structure  
13 that'll be a little bit easier to maintain, and I think provide long-term, a  
14 better system.

15 We have other initiatives to address the entrance area to  
16 White Flint One, as well as efforts in White Flint Two, to have improved the  
17 foyer there. And, long-term, we'd really like to get really some  
18 enhancement and modernization to overall both White Flint One, and  
19 White Flint Two. Some of that will need to be paced with the work that  
20 we're doing on a new building, as well. But I think for those of you who  
21 were in some of the satellite offices here in Rockville, the Executive  
22 Boulevard Building, or Church Street, or even in Twinbrook, I think we've  
23 seen the potential for what a really modern, and a really beautiful  
24 workspace can be like. So, we want to bring those things, eventually, to  
25 the older buildings, and the older part of the campus, to really beautify, I  
26 think, and really provide a nicer workspace for everybody, to make it  
27 easier for you to do things that you do, that are so important.

1 COMMISSIONER KLEIN: I think the good news is that  
2 we are getting more space. If you look, when I first came, we had very few  
3 conference rooms. We had people that were really cramped and  
4 crowded, so by freeing up some space, it's giving us some swing space  
5 that we can then modernize. It's hard to modernize and beautify when you  
6 have people in every office, so I think as we move towards White Flint  
7 Three, it'll give us an opportunity to modernize White Flint One and Two.  
8 Those buildings are showing their age. And, as the Chairman indicated,  
9 when you go to these off-site locations, I think the Administrative Group  
10 has done really a good job of modernizing and making those very pleasant  
11 environments. And we would like to see that same style at White Flint  
12 One, and Two. But we probably can't make major changes until we have  
13 the swing space, hopefully, White Flint Three, that will let us modernize, as  
14 we move into White Flint Three.

15 CHAIRMAN JACZKO: Next question.

16 READER: Commissioner Klein did not include the  
17 environment in mentioning the NRC logo. How important is consideration  
18 of the environment in NRC operations? Should more resources be  
19 allocated to environmental issues, and licensing, and research?

20 CHAIRMAN JACZKO: Well, I think I'll just share my  
21 thoughts, and then, obviously, if Dr. Klein wants to comment on his  
22 remarks. A big piece of what we do is the environmental protection. It's in  
23 our mission. It's in all the work that we do to develop Environmental  
24 Impact Statements, so it's a big part of what we do. And I think one small  
25 example recently, in some of the work that we've been doing to deal with  
26 what I would like to call inaccessible piping, many of it is buried piping,  
27 maybe it's underground, some of it's within walls of buildings, and it's not

1 really accessible from an inspection standpoint. And a lot of the concern  
2 that we've seen registered with what's happening with leaks in those  
3 systems has more to do with concerns about environmental  
4 contamination, than it does, really, about public health -- immediate public  
5 health and safety concerns. So, it's something that -- it's just one example,  
6 I think, of an area in which the Agency is clearly focused on those areas,  
7 and recognizes the importance of that as part of our mandate. Certainly,  
8 Dr. Klein, if you want to add anything.

9 COMMISSIONER KLEIN: Well, I think our tag line says it  
10 all. Our job is protecting people and the environment, so I think that's our  
11 role, our responsibility. And I think we do it pretty well. I think we always  
12 need to watch areas in which we have surprises, like underground buried  
13 piping, and aging issues, but I think our tag line that we have for the NRC  
14 demonstrates our focus on protecting people, and the environment.

15 COMMISSIONER SVINICKI: I'll admit, I'm not certain I  
16 understand the question, because I see it so differently. I think if I were to  
17 walk up to almost any NRC employee and say what part of your day do  
18 you spend on protecting the environment versus people, I don't think they  
19 would even be able to answer that question. I think it's in every molecule  
20 of what we do, so it may be that I didn't understand the question.

21 CHAIRMAN JACZKO: Next question.

22 READER: What direction can you give the Staff on  
23 finding a balance between responding to stakeholders' vocal concerns,  
24 and performing timely reviews, especially when the concerns go beyond  
25 regulatory requirements?

26 CHAIRMAN JACZKO: Well, I think it certainly depends  
27 on the arena in which we're dealing. But I think, in general, we have an

1 obligation. I remember all the time that -- I come to work at a Federal  
2 agency, and what that means is that every day I come to work to work for  
3 the American people. So, all of the stakeholders that are out there,  
4 ultimately, have an important voice in the work that we do, whether it's a  
5 member of the public, whether it's a licensee, whether it's a member of  
6 Congress, whether it's internal stakeholders. People all have a voice, and  
7 it's important that we listen, and that we respond.

8 There will certainly be questions, or comments, or  
9 concerns we get from stakeholders that we don't agree with. And it's okay  
10 to respond to those, and provide people with the information. But, in the  
11 end, we want to hear from the people. Certainly, I do, and I think as an  
12 Agency, we want to. And I think, in general, we do a very good job of that,  
13 of listening to people's concerns, and doing the best we can to address  
14 them.

15 We will never -- as I said earlier, if you take any issue, not  
16 everyone in this room would agree, necessarily, on the solution. So,  
17 certainly, when we broaden that beyond the four walls here of the NRC,  
18 we will get many more complicated issues, and many more issues in  
19 which we can't satisfy every participant. But I think it is incumbent upon us  
20 to listen, and to answer the questions, and provide good factual feedback  
21 on any particular issue.

22 COMMISSIONER KLEIN: Well, I think the important  
23 aspect for an Agency is that we communicate the results of our findings.  
24 So, as we perform our job, one of the areas we have a role to do, as a  
25 regulator, is to explain to people what our results are, and what we found,  
26 and why we found them.

27 I think we can always do a better job of communicating.

1 I'm an engineer, and I oftentimes make the comment that if you ask an  
2 engineer what time it is, he'll tell you how to build a watch. So, I think we  
3 need to learn how to answer questions in a succinct way, and do a better  
4 job of understanding what stakeholders -- what kind of information the  
5 stakeholders want. They may not need the 10-page answer. They may  
6 just want a short answer. But I do think we have to balance that job. We  
7 definitely have to do our work, but we also have a responsibility to  
8 communicate the results of our work. And that's part of what we do, as a  
9 regulator.

10 COMMISSIONER SVINICKI: I would just add that I  
11 suspect maybe some kernel of the question has to do with when you find  
12 yourself being the public face of the NRC, and representing this Agency,  
13 maybe in community meetings, or public meetings. I know the temptation,  
14 I know the -- I've come to know the kind of people who work at the NRC,  
15 and I suspect it's that instance of where a member of the public wants  
16 something that technically, it wouldn't be our responsibility to provide. But,  
17 again, I know so many of you are so well-motivated, you probably are so  
18 motivated to be helpful, that you may find yourself in the time constraints of  
19 trying to do too much for too many people.

20 And I would just say that, you know, that's a judgment  
21 each individual makes, is should I help this person, and go this extra step?  
22 But, you know, it really -- I think that kind of representation that occurs  
23 across the country by NRC employees interacting with the public  
24 everywhere, is one of the reasons why this Agency has the kind of  
25 reputation that it does. So, it may be a little bit beyond your job  
26 description. I know why you do it, because we're all well-motivated, and  
27 we don't like to have to explain to the public, well, the limits of my Agency

1 end here, and some other Federal staff needs to help you. So, I think that  
2 may be a little bit of the question. And, again, I think that -- I know so  
3 many of our staff go above and beyond, and I think that's why we're so  
4 highly thought of.

5 CHAIRMAN JACZKO: Next question.

6 READER: The Agency seems to discourage innovative,  
7 small reactor design applications. Will the Agency review a small reactor  
8 application, if we receive one?

9 CHAIRMAN JACZKO: Well, I think -- certainly, I wouldn't  
10 say that we discourage it. And I think the Staff has active plans to move  
11 forward to do those reviews. Certainly, at a minimum, with one reactor --  
12 one-module reactor design, the Staff, I think, is planning for 2012 period  
13 for commencing reviews. So, I think, as I look at the issue, the bigger  
14 challenge is recognizing when these designs are really ready for NRC  
15 review.

16 Right now, I think there's a large number of conceptual  
17 designs for smaller reactors, that may not, necessarily, have the full depth  
18 of supporting technical information in detail to truly support an NRC review.  
19 So, I think the next several years provides the kind of time frame, I think,  
20 for those people who are interested in that type of reactor design, to come  
21 forward and develop, really, the detailed technical information that they'll  
22 need in order to be able to move through the review process successfully.

23 We, certainly -- right now, the Commission has in front of  
24 us the 2011 budget, or we actually have it in front of OMB now, and that's  
25 something that, certainly, we considered as part of that 2011 review, is to  
26 consider additional resources in that area, as well. Now, of course, we'll  
27 have to wait and see what OMB's priorities are in the end, and the degree

1 to which they're willing to support efforts in that area. But I certainly think it  
2 is something that the Commission is looking at, and is interested in.

3 COMMISSIONER KLEIN: I would, certainly, agree with  
4 those comments. As indicated earlier, Mike Johnson has his plate a little  
5 bit full in Office of New Reactors with 18 applications for 28 reactors. The  
6 challenge, I think, that we have on small reactors, I think we all agree that  
7 there's certainly a role for those to play. One of the things that we typically  
8 need is a bill payer. We are required by law to recover 90 percent of our  
9 budget, so what we really need, I think, to move the small reactors  
10 forward, in addition to what the Chairman said, of a design that's ready to  
11 be reviewed, we also need a customer that has expressed an interest in  
12 building one of those, and a bill payer.

13 COMMISSIONER SVINICKI: I would just add that I think  
14 that I react with some frustration to the word "discouraged", as well. I know  
15 I've said inside my office that there's a number of articles in the trade press  
16 that characterize NRC as the skunk at the garden party when it comes to  
17 new and small modular reactors, but there is a role for this Agency to play  
18 at the right time, but there is a role for others to play, as well. So, I think  
19 we've gotten some real unfair characterizations of this Agency's posture  
20 on these reactors.

21 CHAIRMAN JACZKO: Next question.

22 READER: Yes, sir. Can you briefly speak to the impact  
23 that you believe NRC has in partnership with folks like FERC, and NERC,  
24 and DOE with regard to SmartGrid as it pertains to safety?

25 CHAIRMAN JACZKO: Well, that's certainly an interesting  
26 question, and not one I, necessarily, thought about the implications of  
27 SmartGrid. I think the challenges there would be the challenges that we



1 would face in any kind of digital environment. And those really get into  
2 issues of cyber security, and reliability. And cyber security and reliability  
3 are two areas where the NRC shares responsibility with FERC, with  
4 NERC, as well as with the Department of Homeland Security. In many  
5 ways, the issues of reliability and cyber security are interrelated. As we  
6 develop more and more digital applications, and digital control systems,  
7 and digital interaction with things like the power grid, and, certainly, power  
8 plants, we introduce more and more vulnerabilities from a cyber  
9 standpoint. So, it's certainly an area where, as we go forward, I think the  
10 NRC will want to continue to interact with those agencies, and with others,  
11 as well, as we continue to insure that any kind of deployment like that will  
12 not have an adverse impact on nuclear reactor safety. That's, ultimately,  
13 where our role comes in, either directly, or indirectly.

14 COMMISSIONER KLEIN: We, typically, have two  
15 meetings a year with FERC. We do a home-at-home. Typically, we go  
16 down there for a meeting, and then they come out to the NRC for a  
17 meeting. And I think it's very important for us to maintain an open and  
18 active dialogue with FERC.

19 As you might have heard, and read in the trade press,  
20 that some of the utilities are concerned about dual regulation, where other  
21 agencies will come on their site, and want to also impose some regulatory  
22 activities. And I think that's where we're doing a good job of working with  
23 our Federal agency partners, so that we give a consistent regulatory  
24 structure, and not an undue burden, so that we do maintain our safety, and  
25 our concerns, but minimal dual regulation by dueling agencies.

26 COMMISSIONER SVINICKI: I think I would seek  
27 solutions that look for the same kind of regulatory efficiency that Dr. Klein

1 is talking about. And I think there can, of course, be no compromise on  
2 the security, from a cyber security standpoint, of the nuclear installations,  
3 so we just need to be cooperating with our Federal partners, and then  
4 making certain that our licensees understand the set of requirements  
5 imposed upon them. And I do think that there are ways to do that more  
6 efficiently. And it has been my experience that the FERC staff, and the  
7 NRC staff kind of acknowledge each other's areas of expertise, and their  
8 areas of regulatory reach.

9 I hope that as the cyber issues become more complex, as  
10 the Chairman has talked about in digital environments, I have every  
11 reason to believe that that kind of cooperation between the agencies will  
12 continue. The NERC thing is a little bit of a wrinkle, because they have  
13 now a new statutory role. Well, it wasn't new, it was in 2005, so any time  
14 you add a new player, it becomes a little more complicated. But I think the  
15 three entities are working that out.

16 CHAIRMAN JACZKO: Next question.

17 READER: Another question that starts with the  
18 SmartGrid. There is a big push for SmartGrid increasing efficiency with  
19 the existing grid, and supplementing with green energy, and reducing big  
20 future generating stations. If this is true, do you have future plans to  
21 combine NRR, and NRO to address technical challenges with new  
22 reactors?

23 CHAIRMAN JACZKO: Well, I would say that there's no  
24 plans right now to -- I think the question was to combine NRR and NRO  
25 into one organizational unit, again? If that was the question, there's no  
26 plans right now to do that. I think the separation, and the split that was  
27 made in NRR originally, I think has worked very well. And it's allowed us

1 the ability to maintain our focus on the operating reactor fleet through the  
2 work that NRR does, and allow NRO to focus, then, on the work of the  
3 new reactor development. So, there are no plans, at this time, to  
4 recombine those offices. Next question.

5 READER: Is there a plan to increase available parking  
6 places, particularly in view of building White Flint Three?

7 CHAIRMAN JACZKO: Yes. The -- I think I have the  
8 numbers. It's something like -- we've got about a thousand some parking  
9 spaces here in the White Flint complex, some 300 or so, I think, in the  
10 other satellite offices. Right now, the -- and I think we have about 180  
11 some people on the waiting list for White Flint -- the White Flint complex.  
12 So, if we're successful with the new development, the plan right now is that  
13 that space would accommodate the waiting list, as well as the parking  
14 spots in the satellite offices that would be brought back into the White Flint  
15 complex. So, that is something that we think we'll be able to accomplish  
16 with the new construction.

17 COMMISSIONER KLEIN: One of the challenges on  
18 parking that has always frustrated me is, when I look out and I see the  
19 Metro Parking Garage, I think I might have seen a car on the top level  
20 once. So, there is a lot of unfilled parking places on the Metro Parking  
21 Garage. And we made a very strong effort to try to enter into an  
22 agreement with the Metro facility, so that we would actually be able to buy  
23 some of those spaces, so our employees would have a place to park, and  
24 it was not successful. It was very frustrating, because you look out, and  
25 you see all those unused spaces, but, yet, we were not able to acquire  
26 that. We'll probably make another run at that at the right time, but I think  
27 the senior staff worked really hard to try and increase the number of

1 spaces. It was just an unsuccessful ending.

2 CHAIRMAN JACZKO: Next question.

3 READER: Homeland Security Presidential Directive 7  
4 assigned joint security for nuclear sector to both the Department of  
5 Homeland Security, and the NRC. Given the difficulty and confusion  
6 concerning this directive, has the Commission considered asking the new  
7 administration to clarify the role of the Department of Homeland Security,  
8 and the NRC?

9 CHAIRMAN JACZKO: Well, I think, at this point, the  
10 Commission hasn't formally made any decisions about how we would  
11 address that issue. I think there is -- there, certainly, is concern, I think the  
12 staff has expressed the concern, Roy Zimmerman in the Office of Nuclear  
13 Security and Incident Response, has certainly been, I think, watching that  
14 closely, and kept an eye on the fact that, ultimately, the NRC's role in  
15 dealing with nuclear reactor incidents, as well as source incidents, I think  
16 can be strengthened. And some of that coordination, and communication,  
17 can be enhanced. But, as of now, the Commission doesn't have any  
18 formal action to do that. It's, certainly, something we can consider.

19 COMMISSIONER KLEIN: I think this is a case where  
20 there's good news and bad news about being an independent Agency. I  
21 think, probably, the good news of being an independent Agency outweigh  
22 the bad news, but there are a lot of inter-agency meetings that the NRC  
23 does not get invited to, because we're not a part of the Executive Branch.  
24 So, when groups get together and meet, sometimes we are just not there,  
25 because we're not on the list of executive agencies to participate. And I  
26 think Roy has done a good job of trying to weasel his way into as many  
27 meetings as he can, but sometimes we have to be invited, as opposed to

1 automatically appearing, because we are an independent Agency.

2 CHAIRMAN JACZKO: Next question.

3 READER: It seems that Agency professionals, and  
4 technical staff must perform more, and more administrative functions. Is  
5 the Agency considering a ratio of administrative to secretarial staff to  
6 support professional, and technical staff along the lines of the  
7 management to staff ratio?

8 CHAIRMAN JACZKO: Well, I think I would turn to  
9 Darren. I'm not familiar with any specific efforts, and Darren may not be  
10 familiar with them, either, any specific efforts that we have there. It's,  
11 certainly, something we can look at. You know, obviously, the  
12 administrative support staff we have is crucial to us doing the job we do  
13 every single day. I know I wouldn't get to half the meetings I am supposed  
14 to get to, if I didn't have the administrative staff in my office keeping me on  
15 schedule, and getting to the places I need to get to. So, it's certainly  
16 something we can take a look at, and that may be something that we'll  
17 hear from the Union about later, as well. And it's something we can get  
18 back to you with a specific response on, and provide that in a written  
19 format. Next question.

20 READER: Because a large number of staff will be retiring  
21 within the next three years, how will this affect hiring and retention,  
22 particularly, in view of the anticipated flat budget during this period?

23 CHAIRMAN JACZKO: Well, I think the short answer is  
24 that, really, as an Agency that has experienced a lot of growth, we did a  
25 tremendous amount of hiring to fill new positions. Likely, in the next  
26 several years, as we enter a period of flat growth, or, really, of stability, our  
27 hiring decisions will really be more tuned towards replacing those

1 individuals who do leave the Agency, as well as continuing to maintain  
2 things like the NSPDP program, and other programs that we have to bring  
3 new people into the Agency. So, in the next several years, I would  
4 anticipate that those two issues will be more closely tied together than they  
5 have been in the last several years.

6 The last year has seen us with a relatively lower number,  
7 or lower level of attrition than we're normally used to. We are closer in the  
8 3 percent range, rather than about a normal, or an average, historical  
9 average of about 5 percent attrition. So, as we see, as things develop in  
10 the future, we'll adjust our hiring really probably more according to the kind  
11 of attrition levels that we see. Next question.

12 READER: The Staff is very excited about New Flex.  
13 When will it be implemented Agency-wide?

14 CHAIRMAN JACZKO: I'm sorry, about New Flex?

15 READER: New Flex.

16 CHAIRMAN JACZKO: New Flex, as I understand it, is  
17 part of the new collective bargaining agreement, so that will be -- it still  
18 needs to be signed, and Bill Borchardt, I think, has that ready to go in the  
19 very short term. And then there will be a roll-out period with the new  
20 collective bargaining agreement, but I think it's something there will be a  
21 period of training for supervisors, and for others, on some of the new  
22 provisions. But I think, in general, they really are going to provide, really, a  
23 tremendous opportunity for us to have a much more, I think, user-friendly  
24 workplace, even more than we have now. And there's a variety of new  
25 workplace flexibilities in the collective bargaining agreement, and I think  
26 real enhancements. And I think it's really a testament to the effort, and the  
27 collaborative work that went on with the Agency, as well as with the Union,

1 to develop what I think is really a very good collective bargaining  
2 agreement, that I think will serve us for a long time into the future. Next  
3 question.

4                   READER: What is the NRC doing to reduce its carbon  
5 footprint?

6                   CHAIRMAN JACZKO: Well, I think, we have done  
7 several things as an Agency, and, perhaps Dr. Klein can talk about some  
8 of the things that he initiated when he was Chairman. But we have --  
9 whether you look at it as carbon footprint reduction, or simply as energy-  
10 saving initiatives, there's a lot that we've done as an Agency to improve  
11 energy efficiency, with the efforts on replacing the lighting in White Flint  
12 One, and White Flint Two, I believe, as well. We have had a recent  
13 upgrade to some of the building infrastructure, and some of the systems,  
14 the heating and cooling systems that will make us more efficient, and more  
15 effective. And there are some things that I know the Staff would like to do  
16 to upgrade some of the things on the tops of buildings, where we keep a  
17 lot of the real infrastructure that provides our heating and cooling systems.  
18 So, there are things we can do in that regard. But, certainly, a lot of things  
19 have happened, if Dr. Klein wants to comment.

20                   COMMISSIONER KLEIN: Probably, assuming that the  
21 licenses are of high quality, and meet our requirements, licensing new  
22 nuclear plants will probably be a contribution we can make to reducing a  
23 carbon footprint.

24   (Applause.)

25                   COMMISSIONER KLEIN: I think the areas that we have  
26 done -- activities that really contribute to reducing the carbon footprint for  
27 us, and our employees, are things like telecommuting, and increasing the

1 subsidy for mass transit. Those are -- in addition to what the Chairman  
2 mentioned. There's a lot of things we've done with our building that have  
3 made it more environmentally friendly, where we can be more energy  
4 efficient, reduce our energy consumption. So, I think we'll continue to do  
5 those. And, certainly, as we look forward to White Flint Three, we'll  
6 certainly look at the carbon impact of that building, and make it as energy-  
7 efficient as we can.

8 COMMISSIONER SVINICKI: Well, Mr. Chairman, I'm  
9 just reflecting that you've been too modest, because you've not mentioned  
10 your contribution on parking, because you commute by bike, and Metro.  
11 You free up one parking space for another employee, and you also reduce  
12 the carbon footprint for doing that.

13 CHAIRMAN JACZKO: I think -- I'm not sure, with the  
14 heavy breathing I do when I bicycle, may actually contribute more to the --  
15 to my CO2 footprint than -

16 (Laughter.)

17 COMMISSIONER SVINICKI: And I'm sure it's less than  
18 my Ford Explorer that I'm sitting in by myself.

19 CHAIRMAN JACZKO: Next question.

20 READER: As we enter into Fiscal Year 2010, what key  
21 messages would you like to give the NRC Staff concerning the Agency's  
22 focus in the coming year?

23 CHAIRMAN JACZKO: Well, I think the most important  
24 message, and I think it's really the one that I think we hear, and repeat all  
25 the time, is that we have to make sure that we maintain our focus on the  
26 safety and security of our existing facilities, and the existing licensees.  
27 There's always new activity. There's always a lot of efforts, and activities,



1 and things that can distract us, and keep us from focusing on that mission,  
2 but, fundamentally, the reason we are, I think, the number one place to  
3 work in the Federal government is because of the excellent people we  
4 have, the excellent people we have dedicated every day to making sure  
5 that nuclear materials, and nuclear facilities in this country are regulated  
6 safely and securely. So, it is probably the most important message in any  
7 fiscal year, that I think we can convey, and, certainly, that I can convey.  
8 I'm sure others would have other things they could add.

9 COMMISSIONER KLEIN: I think one of the most  
10 important things that we need to continually work on, as an Agency, that  
11 will keep us as the best place to work is honest, and real personnel  
12 evaluations. Evaluations are never fun. They're not fun for the people that  
13 have to do them, or the people that have to go through them. But we  
14 really need to do that in an honest and open manner, so that we really let  
15 people understand very clearly what we expect of people, and then tell  
16 them how they're doing, and give good feedback.

17 I think, as an Agency, that's one of the most difficult  
18 things for any Agency to do, but I think it's one that we always have to  
19 focus on, is make sure that we tell people what we expect, give them  
20 feedback, because, at the end of the day, I think what people want to do  
21 is, they always want to feel that they're making a positive difference, and it  
22 is recognized. And I think one of the best ways to do that, but not the most  
23 fun, is through an honest, real evaluation of personnel.

24 COMMISSIONER SVINICKI: I certainly agree with the  
25 general principles that the Chairman outlined. And, since I have an  
26 opportunity to comment on something specific, I would say that what  
27 comes to mind, for me, is really leaning into the budget improvement

1 process. I know that the Chairman was kind enough to mention my  
2 contribution, and my attention to this area. And I have mentioned it in  
3 some of the office All-Hands Meetings, of how I think that it is well beyond  
4 a green-eyeshade issue. It's really a credibility issue for the NRC. I think  
5 that we will have enhanced scrutiny over the next few years of our budget  
6 execution, and so I think it's an area where almost every employee has a  
7 chance to contribute to that process at some level. And, again, it's kind of  
8 doing what you say you're going to do, and our budgets have been  
9 supported, so our ability to execute the budgets that we ask for, and then  
10 receive from the Congress, I think, is an important -- it's kind of like Dr.  
11 Klein was talking about, performance evaluation. It's our large -- our  
12 performance evaluation as an Agency at large to some of our oversight  
13 committees, and a number of our stakeholders. Can we -- do we  
14 understand what it will take to achieve the licensing workload that we  
15 predicted, and can we do that, and have the budget, and the plans, and  
16 schedules to move us forward? So, I think it's going to get real hectic, and  
17 it's going to take the best that all of us can bring to achieve the kind of  
18 credibility we've put ourselves out there. We said we knew that this wave  
19 of activity was coming, and before I got here, a lot of smart people started  
20 to hire the staff, and build the budgets to achieve it, but the proof will be in  
21 the doing, I think, in FY 10 and 11.

22                   READER: Hi. I wanted to ask, within the Agency, there's  
23 a very wide variation in the expectations and support for the NSPDP  
24 program, so I wanted to take this opportunity to ask you what your visions  
25 and goals for the NSPDP hires are. Thank you.

26                   CHAIRMAN JACZKO: Well, I think that -- certainly, that,  
27 from my sense, there is a strong commitment to the NSPDP program. I

1 think it's been a very successful program. It's really brought us some new  
2 talent, and very excellent people into this Agency, that really complement  
3 the more experienced staff we have, and the excellent mid-year hires that  
4 we've been able to achieve. So, I'm not aware of any real concerns with  
5 the program. And my sense is that it's a program that works very well.

6 Now, obviously, as we go forward, the kinds of -- the  
7 numbers, and the people that we'll bring in, and the different skill mix may  
8 change, given some of the changes in the Agency overall budget, and  
9 these kinds of issues. But it's, certainly, a program that I would say has  
10 strong support, and I would, certainly, want to see continue at a high level.

11 COMMISSIONER SVINICKI: I'd like to make a comment  
12 on that, just because a strange thing that happened to me last week. I've  
13 heard about the NSPDP program since I got here, and it certainly sounds  
14 like an absolute good, so I'm very supportive of it. And it's amazing,  
15 sometimes, how people from a different perspective will see it differently.  
16 While I was at my alma mater, which many of you know, I was at the  
17 University of Michigan last week, so I don't want this to turn into -- I'm  
18 going to tell a story that, it was a very odd question I got when I was there,  
19 so I don't want this to turn into a Wisconsin-Texas-Michigan thing.

20 (Laughter.)

21 COMMISSIONER SVINICKI: But, I will just say that -

22 CHAIRMAN JACZKO: We know Wisconsin will win that.

23 (Laughter.)

24 COMMISSIONER SVINICKI: I was confronted by  
25 someone who seemed a bit agitated, and it was a faculty member in the  
26 Nuclear Engineering Department. And they said, "Well, we heard that you  
27 will hire in new engineers to the NRC, and then within X number of years,

1 they've been promoted so that they can earn", I can't remember, it might  
2 have been \$80,000, or something. And I think that what motivated this, as  
3 we talked about it, was that it's hard to keep people at the kind of graduate  
4 school stipends, because we're providing them this kind of lucrative  
5 opportunity. I think, always being challenged. That you're making so  
6 much opportunity for young engineers, NRC, or new engineers, that we're  
7 not going to have enough people staying in to do graduate research, and  
8 it's going to hurt the field. So, that was one of those questions that just  
9 really throws you for a loop. But, I wasn't willing to offer any apologies for  
10 the fact that NRC has -- I just responded to the individual that we have a  
11 very fulsome process. We bring in new engineers, and we allow them to  
12 go through a developmental program, where they're not going to be too  
13 horned into something, that they'll have an opportunity to sample many  
14 different types of work here, and then decide what is best for them. And  
15 maybe some of them will decide that NRC is not the place for them. But, I  
16 said, I really don't see any flaws in it. But it's interesting how other people  
17 will view something you think is a real stellar thing that the Agency has  
18 going for it, and other people will see some sort of a detriment about it.  
19 And I have no idea why I felt the need to share that whole story.

20 (Laughter.)

21 CHAIRMAN JACZKO: Well, I think it's a good testament  
22 to the excellent program that we have.

23 COMMISSIONER KLEIN: And I think, certainly, all of us  
24 at the table, and all the senior management that I've ever talked to, think  
25 that it's a great program, and should certainly continue.

26 CHAIRMAN JACZKO: Next question.

27 READER: Good afternoon. The Commission has been

1 very consistent, and very clear in communicating its priority on technology.

2 Can you elaborate on your plans for technology over the coming fiscal  
3 years?

4 CHAIRMAN JACZKO: Well, I think the biggest way that I  
5 would characterize this, and I think this is the way that Darren has talked  
6 about it, is the work-from-anywhere concept. I think that's the vision, and I  
7 think, really, the challenges are going to be in implementing that. Dr. Klein  
8 talked a little bit about the security issues, and that crops up a lot with  
9 laptops. And we've heard that concern, I know, I've heard that from many  
10 different fronts, about the need to provide the flexibility to be able to use  
11 this technology infrastructure, but maintain the security that we know is so  
12 important.

13 So, I think there will be challenges in implementing that  
14 vision, but I think Darren and his team are well positioned, and well  
15 equipped to really move us forward in having that kind of environment. I  
16 think it's what we expect. Certainly, we've heard talk about Face Book  
17 pages, and other kinds of things. Obviously, as a Federal agency right  
18 now, we have some limitations in our ability to access content on the  
19 internet. And that's something that in other areas is very common, and  
20 can be very useful. So, we'll keep looking at all those ideas, but I think, in  
21 the end, if I would characterize, generally, our IT strategy in the future, it  
22 will be that, to try and really implement the work-from-anywhere concept,  
23 but, at the same time, make sure that we're providing the right kind of  
24 security, because security of our IT infrastructure will be extremely  
25 important, as it is already, as we go forward.

26 READER: What progress is being made towards  
27 international certification and licensing of nuclear power plants?

1 CHAIRMAN JACZKO: Well, I think -- I recently had the  
2 privilege of coming back from a meeting in Paris with the Multinational  
3 Design Evaluation Program, which is an international body that was set up  
4 under, really, the leadership of former Chairman Nils Diaz, to try and look  
5 at ways to bring together the work that's being done among very different  
6 regulatory bodies, in a lot of different countries, in particular, as they review  
7 similar designs, and similar power plants.

8 I think the goal of that program, right now, is really tailored  
9 more towards sharing information among regulators, as well as sharing  
10 inspection practices, and inspection activities among various regulators. A  
11 third goal, really, I would say, is the ability to try and get the voluntary  
12 codes and standards organizations to try and harmonize, and standardize  
13 their codes and standards. I think that's a challenging prospect, but, in the  
14 end, I think -- and, certainly, the sense of that particular international body,  
15 is that, in the end, regulation will always have to be a domestic activity.  
16 And that includes, really, the work, ultimately, of the certification, and the  
17 design work, and the design reviews in any particular country.

18 I don't think, internationally, if you polled all the countries,  
19 that every country would agree that that's the best way to do it. But I think  
20 there's, certainly, from a safety standpoint, a real strong argument to be  
21 made that countries need to have the infrastructure, and the capability to  
22 review designs, in order to insure that those designs are safe, and that  
23 they understand then how to actually oversee, and regulate those designs,  
24 if they were actually built. Any comments?

25 COMMISSIONER KLEIN: I think Gary Holahan does a  
26 great job on representing the NRC's interest on the MDEP program. And I  
27 think the key there is, as indicated, the intent is really to harmonize the

1 requirements among various countries, and to share information and best  
2 practices. And we are in a global economy today, and if you look in the  
3 '70s and '80s, almost all the components for nuclear plants were made in  
4 the U.S. That's not going to be the case this time around. It's an  
5 international market, international manufacturing, and it's really important  
6 for us to share information, and, certainly, among regulators.

7 I think rather than having an international certification, it's  
8 more of a harmonization of requirements. Because, at the end of the day,  
9 for us in the United States, we have 535 advisors, that's the House and the  
10 Senate, that would not delegate any kind of a certification of nuclear plants  
11 to another body. So, we will, ultimately, be responsible for that in the U.S.

12 And I think most other countries acknowledge that, that at the end of the  
13 day, each country has to have its own regulatory body, because they're  
14 the ones that are accountable. But we can, certainly, share information,  
15 and harmonize. And I think Gary does a great job by representing the  
16 NRC's interest on that MDEP activity.

17 CHAIRMAN JACZKO: I think we'll do one more question,  
18 so we'll have time for Dale Yeilding.

19 READER: Will we be able to continue hiring retired staff,  
20 and will we be able to offer part-time positions to them?

21 CHAIRMAN JACZKO: I think the answer -- if the  
22 question is really in reference to our Rehired Annuitants program. I think  
23 that's a program that will stay with us for some time. We have  
24 tremendously skilled staff, who are leaving the Agency. And, in some  
25 cases, we're fortunate that they can come back in limited capacities, and  
26 help us with specific projects, or other activities.

27 One area where, certainly, we're doing a lot of that is in

1 the international area, as a lot of new countries work to develop programs  
2 with a new nuclear infrastructure. I think it's very important for us to be  
3 able to send our knowledgeable, sort of our alumnus, our alumni to a lot of  
4 those countries to tell them how we established the successful program  
5 we have here in the United States. So, that Rehired Annuitant program, I  
6 think, is one that really will continue. And just the important point, I think,  
7 for that particular program is that it's extremely important that we manage  
8 it effectively, because I think people will be focusing on it, and really  
9 looking to make sure that the program is done effectively. And several  
10 years ago, I guess it's several years now, maybe a year ago, the  
11 Commission did weigh-in, and, really, I think provide some greater clarity  
12 and guidance on how that program should be implemented, and how it  
13 should be used. And one of the things we did, is we put a cap on the time  
14 frame that people would be allowed to use that particular program, and  
15 come back as annuitants. But I think it provides, really, a great opportunity  
16 for people who have left the Agency, to continue to contribute in a  
17 meaningful way to this Agency. And, really, ultimately, to this country.  
18 Make this the last question.

19           READER: Last question, the easy one for last. Two  
20 years ago, when we received DOE's license application for Yucca  
21 Mountain, it was clear what was expected of the Staff. Today, it's less  
22 clear. Does the Commission have an expectation of what the Staff ought  
23 to do, what is success, in other words, for us in 2010, in terms of what the  
24 Commission expects us to produce, vis a vis the license application?  
25 Thank you.

26           CHAIRMAN JACZKO: Well, I think, I'll provide some  
27 comments. I'm sure the others may want to add. I think the simple



1 answer is, the Staff needs to continue to do their jobs. And when it comes  
2 to the license application, and all of the ancillary work, whether it's the legal  
3 work, or whether it's the technical work, is to do your jobs the way you  
4 know how to do them, and I think the way we always do it, as a regulatory  
5 agency.

6 And we talked in the new reactor arena about the need  
7 for flexibility. And I think in high-level waste right now, it's an area where  
8 we need to be flexible, and adaptable, and recognize that there is a larger  
9 national policy discussion that's taking place on this issue. And what we  
10 need to do every day, as the people who have responsibilities in that area,  
11 is they need to come to work every day, and continue to do their job at the  
12 excellent level that we're accustomed to. And, I recognize that this is a  
13 very difficult time with that particular program, because there is a high  
14 degree of uncertainty. But, I'm also reassured every day by, really, the  
15 caliber of not only the technical staff we have in that area, but the  
16 management, the senior management, the mid-level management that  
17 keeps us focused on, really, our important mission each and every day.  
18 So, if there's any comments I could give, I think those would be it.

19 COMMISSIONER KLEIN: I think the challenge that we  
20 have with regard to that program is one of funding. We simply don't know  
21 the direction, nor the funding available, certainly, for 2010, and, certainly,  
22 not for 2011. So, I think right now, it's just a challenge. I know Mike  
23 Webber is working -- challenging very hard, and trying to balance, bracket  
24 from a high-end to a low-end budget, so that we'll know what tasks we will  
25 carry out, but it is a very dynamic program right now. That's probably the  
26 best way to put it.

27 COMMISSIONER SVINICKI: I think I would only add that

1 if my scheduling information is correct, I think the House and Senate  
2 Conference on Energy and Water is meeting today at 6:15, so I know that  
3 one of the few differences they have in the House and Senate bills is the  
4 funding level for high-level waste funding for both DOE, and NRC. So,  
5 hopefully, that is the biggest uncertainty that hangs over Staff. As soon as  
6 we know that number, I know that management will be informing the  
7 Commission of what their proposed utilization of that, what's the best way  
8 to move forward. So, I look forward to hearing what management and  
9 staff have to recommend on that.

10 CHAIRMAN JACZKO: Well, thank you for those  
11 excellent questions. I think it's great when we're able to have this forum,  
12 and have this opportunity to hear from you, and hear those questions.  
13 And, now I would turn it over to Dale Yeilding to provide some of his  
14 comments.

15 MR. YEILDING: Yes. Thank you, Chairman and  
16 Commissioners. I'm told I have to stand in the light here for the cameras.  
17 It is kind of blinding. I'd like to stick with the theme of this meeting for  
18 accomplishments and challenges, and talk about what the National  
19 Treasury Employees Union has done for the past year. And I think  
20 everyone has been hearing so much about the collective bargaining  
21 agreement, bargaining, and enduring my emails over the past six or nine  
22 months, I guess everyone is probably glad to hear that we've reached  
23 agreement. And I plan on talking to you a little bit about that agreement,  
24 knowing full well there's going to be a roll-out plan, and a communication  
25 by the Agency, training supervisors, and managers on the changes of the  
26 collective bargaining agreement. I plan on having some coffee and donut  
27 Union sessions, and being actively involved in any employee briefings.

1 I've actually posted a summary of all the collective  
2 bargaining changes on the Union's website, along with viewing the actual  
3 redlined strike-up/mark-up of what we changed. So, when I presented the  
4 changes to the union dues-paying members at ratification, I wanted to  
5 insure they had the full scope of what was being changed.

6 I'd also like to thank the bargaining team, Larry Pittiglio,  
7 Dennis Morey, and Bill Carrier, that was at my side during the months of  
8 bargaining. I'd like to thank the management team for finally reaching  
9 agreement. I won't list all their names, but it was a tough session, or tough  
10 sessions, I should say. In the 15 years I've been a steward or your  
11 Chapter President, I've probably been at the bargaining table four times  
12 doing either a full-term negotiation, or a mid-term negotiation, and I have to  
13 say this was the toughest. This was the bargaining session in which  
14 management came forth with the most changes than they've done in the  
15 past. It's always – it's usually been the majority of changes where the  
16 Union is asking for more flexibilities and benefits. But we did reach  
17 agreement.

18 You've been hearing a lot about New Flex. It's a term  
19 that NRO gave birth to it, when they established a pilot program that  
20 worked so successfully. It's actually in the collective bargaining agreement  
21 under the term "Flexitour", or "Flexitime", that anybody that's not on a  
22 compressed work schedule is actually on. So, New Flex is actually the  
23 term that is being related to the expansion of all the flexibilities that exist  
24 right now.

25 I'm not going to go over all of them in detail, but I'll touch  
26 on a few of them. Your work day can start at 5 a.m., or as late as 8 p.m.,  
27 with Office Director approval, it can go as late as 11 p.m. I'm going to be

1 asking Union stewards in the partnership environment to work with all  
2 office directors to try to encourage the flexibility to extend the work day to  
3 11 p.m., not just for the aspect of removing the night shift. A lot of  
4 employees might say why the heck would I want to work at night? But  
5 there are some flexibilities of working at home at night, put the kids to bed,  
6 and a couple of nights a week, maybe work from 9 to 10:30 at night, so  
7 that you can then leave earlier on an afternoon and spend more time with  
8 your family, so that night aspect might be opening more aspects and  
9 opportunities for folks.

10 The Union, obviously, negotiated with management,  
11 senior management. And, of course, senior management is on board with  
12 all these flexibilities. What I'm cautious and looking out for is the first line  
13 supervisor also buying into all these flexibilities and changes, because  
14 that's where the rubber meets the road, that's who the employee has to  
15 negotiate with. So, I'll say that I'm finished at the negotiating table,  
16 opening up the door, but I'm transferring the responsibility for the  
17 employee and the first line supervisor to continue the negotiation, and  
18 actually sell working these different flexible hours, and still accomplishing  
19 the Agency mission.

20 There is quite a list of reasons for a first line supervisor to  
21 deny a flexible schedule. I'm not going to go over the list now, but  
22 employees and supervisors should be aware of that, to insure that your  
23 flexible schedule still allows the branch, or your section, to get the job  
24 done. Office coverage is one.

25 Before I leave New Flex, the compressed work schedule,  
26 been around for 15, 20 years, the most popular schedule. We may find  
27 people in the compressed work schedule, which was not changed in

1 bargaining, by the way, to switch to New Flex. Why? You can have  
2 earlier starting times, and later finish times. You can still work your 9-hour  
3 day under New Flex. You can use and earn credit hours under the New  
4 Flex. You can't earn and use credit hours under compressed work  
5 schedule. And you can also glide, new term, glide to work under New  
6 Flex, which you can't under the compressed work schedule. Glide means  
7 arrive within one hour before, or one hour after your normal start time, an  
8 extreme flexibility that both the employee and the supervisor are going to  
9 have to work out to insure it doesn't affect the mission.

10 Telework. Larry, keep me honest here on my ten  
11 minutes. I don't want to extend the meeting here too long. Telework, one  
12 major change, the Agency is saying all positions are eligible for fixed  
13 schedule telework. In the past, you might have been told that your  
14 position is not one of the eligible positions. Now, they're saying all  
15 positions are eligible. You just have to look at the portability of duties.  
16 Might be talking out of two sides of my mouth there, or the Agency may  
17 with me when we say that, because you could say well, if your position  
18 doesn't have portable duties, then the position is not eligible. But I'll leave  
19 that, again, up to the employee to work with the first line supervisor to  
20 identify eight hours of portable duties. And you might take the first shot by  
21 using project-based work at home. Do that a few times on a regular basis,  
22 and you might convince your supervisor that you have enough portable  
23 duties to work one day a week at home. Get your foot in the door, and try  
24 to sell that aspect.

25 Backtracking to New Flex for one second here. The  
26 Regions are going to have a task to negotiate New Flex and core hours at  
27 each Regional location, which I've asked the Union representatives at

1 each Region to work with your regional administrators to insure that you  
2 get a negotiated change to core hours, and official times, so that aspects  
3 of New Flex can be worked in the Regions.

4 Pandemic. There's been a lot of talk of Swine Flu and  
5 H1N1, the Agency's plans for operating under a pandemic situation. And  
6 they've been making plans for two years. The Union has been notified  
7 that there's no change to policy, so there's nothing negotiable. So, I find  
8 that a little strange, that we've been planning for two years, and we have  
9 these draft plans out, but we're relying on all the existing policy that's been  
10 in effect for years, in the past. Well, if I wanted to transfer one  
11 responsibility to employees, one of the major aspects of a pandemic would  
12 be more people are eligible to work at home. So you might ask your boss  
13 two questions; do I have portable duties to work at home on a regular  
14 basis, or if a pandemic happens, rather than trying to decide under the  
15 emergency, would I have enough portable duties to work at home in that  
16 situation?

17 A couple of more points here. The EEO Discrimination  
18 Complaint process. The revised collective bargaining agreement allows  
19 you now to go immediately to the Union for assistance in filing a complaint  
20 as a EEO grievance, rather than your other option of using the formal EEO  
21 complaint process. Why would you do that? Small percentages of EEO  
22 discrimination complaints are found in favor of the employee, something  
23 like 3 percent that go to the formal process. Why? Because most of them  
24 get resolved in the negotiations, Alternate Dispute process, or in the  
25 settlement process. You might want to choose the Union to assist you in  
26 pursuing a complaint, to have the Union by your side to assist in trying to  
27 reach that settlement, so we don't have to file a formal complaint, or go to

1 arbitration.

2 Performance awards. The Agency is very generous,  
3 raising the performance award budget to 1.6 percent of salary. The Union  
4 has documented in the collective bargaining agreement a 2007 OPM  
5 regulation that requires performance awards to be tied to your  
6 performance appraisal. So, we put it in writing in the collective bargaining  
7 agreement, so you'll find that your annual performance rating of record will  
8 now be the basis for your annual performance award, so there's no  
9 management discretion in determining that aspect. The management  
10 discretion that remains is, I'm sure all outstanding performance will get an  
11 award, management discretion in determining the amount, insuring that  
12 everyone gets the same amount with the same performance rating, but  
13 how far down in the excellent performers is the management discretion,  
14 whether they award all excellent performance appraisal ratings, or whether  
15 they perform a portion of them. And the NTEU will receive a report at the  
16 end of that award process, as to who, and how many people got awards.

17 So, that brings us to appraisals. Commissioner Klein  
18 mentioned the importance of fair and annual, and complete, and accurate  
19 appraisal rating, in addition to feedback throughout the year. Remind folks  
20 that an excellent performance appraisal rating has scores from 2.7 to 3.69,  
21 which is a wide range, so you might be striving for a higher scoring  
22 excellent appraisal to, of course, achieve the higher award.

23 Statistic-wise, 11 percent of NRC employees, at least last year, were rated  
24 fully successful, so you know we have a large percentage of performers  
25 that are rated outstanding and excellent.

26 In conclusion, parking was another success negotiation.  
27 You'll be paying for your parking, as soon as the Department of Interior

1 can implement the change in the payroll process to be pre-tax dollars,  
2 similar to your health insurance. And I also convinced the Agency, since  
3 those on the waiting list parking elsewhere would not receive this pre-tax  
4 benefit, because the tax benefit has to be coming from your pay check, to  
5 consider looking at other places to park, like Commissioner Klein said, the  
6 Metro. I actually found a couple of other parking garages within walking  
7 distance here, where the Agency could, basically, reserve, and take the  
8 payment for parking out of your paycheck to pay for exterior places, so  
9 that those folks could get off the waiting list, and receive the pre-tax  
10 benefit.

11 Last, that's accomplishments, a quick summary of the  
12 collective bargaining agreement. The challenges, the NTEU is to build our  
13 Union a little bit stronger here at Chapter 208 at the NRC, make many  
14 employees that aren't dues-paying members realize what the Union does,  
15 the benefits we bring forth, not just collective bargaining, but up on Capitol  
16 Hill, insuring a fair annual cost-of-living pay adjustment, and then helping,  
17 also, employees when they get in trouble, and they need representation.  
18 So, thank you very much.

19 (Applause.)

20 CHAIRMAN JACZKO: Well, thank you, Dale, for those  
21 comments. And, again, I want to thank everybody for coming, and for your  
22 questions, and for all the hard work you do for this Agency. We are  
23 adjourned. Thank you.

24 (Applause.)

25 (Whereupon, the proceedings went off the record at  
26 3:12:06 p.m.)  
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