

December 5, 2000

MEMORANDUM TO: Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

FROM: Loren R. Plisco, Chairman **/RA/ John Monninger for**  
Initial Implementation Evaluation Panel

SUBJECT: SUMMARY OF THE INITIAL IMPLEMENTATION EVALUATION PANEL  
MEETING OF NOVEMBER 1-2, 2000

The Reactor Oversight Process (ROP) Initial Implementation Evaluation Panel (IIEP) met for its first meeting on November 1-2, 2000 in Rockville, MD. The IIEP was formed in response to Commission direction in the Staff Requirements Memorandum from SECY-00-049, "Results of the Revised Reactor Oversight Process Pilot Program." The IIEP functions as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of initial implementation of the ROP. The meeting was open to the public and was transcribed. A copy of the meeting agenda is provided as Attachment A.

The list of attendees for each day of the meeting is provided as Attachments B and C. All panel members attended the meeting with the following exceptions: Mr. James Setser representing the State of Georgia was unable to attend the meeting; Mr. David Garchow representing Public Service Electric and Gas was unable to attend the first day of the meeting; and Mr. William Borchardt of the NRC Office of Enforcement was unable to attend the meeting and sent Mr. Chris Nolan as his representative. The IIEP member roster (Attachment D) with the names and affiliations of the panel members was made available to the public at the meeting. In addition to the panel members and NRC staff who witnessed the meeting, approximately five other stakeholders attended the meeting. We received positive feedback from two stakeholders attending the meeting via NRC Form 659, "NRC Public Meeting Feedback."

As background information, the panel members were provided with the following publically available information.

| Document   | Availability  |
|--|---|
| Commission's Staff Requirements Memorandum approving initial implementation of the reactor oversight process | <a href="http://www.nrc.gov/NRC/COMMISSION/SRM/2000-0049srm.html">http://www.nrc.gov/NRC/COMMISSION/SRM/2000-0049srm.html</a>   |
| Commission's Staff Requirements Memorandum directing the staff to convene the IIEP                           | <a href="http://www.nrc.gov/NRC/COMMISSION/SRM/2000-0049srm2.html">http://www.nrc.gov/NRC/COMMISSION/SRM/2000-0049srm2.html</a>   |
| October 2, 2000 Federal Register notice announcing establishment of the IIEP                                 | <a href="http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&amp;docid=00-25235-filed.pdf">http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&amp;docid=00-25235-filed.pdf</a> |

|  |   |
|--|---|
| October 18, 2000 Federal Register notice announcing the first IIEP meeting | <a href="http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&amp;docid=00-26760-filed.pdf">http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&amp;docid=00-26760-filed.pdf</a> |
| NUREG-1649, Rev 3, "Reactor Oversight Process"                             | <a href="http://www.nrc.gov/NRC/NUREGS/SR1649/R3/index.html">http://www.nrc.gov/NRC/NUREGS/SR1649/R3/index.html</a>   |
| Reactor Oversight Process Pilot Program Evaluation Panel Report            | <a href="http://www.nrc.gov/NRR/OVERSIGHT/ROP/pp/epfinalreport.pdf">http://www.nrc.gov/NRR/OVERSIGHT/ROP/pp/epfinalreport.pdf</a>   |

The meeting was opened by the Director of the Office of Nuclear Reactor Regulation, who welcomed the panel members and provided his vision for the panel. NRC representatives from the Office of the Secretary and Office of the General Counsel discussed administrative issues with the panel including the role of independent advisory committees, legal requirements associated the Federal Advisory Committee Act, and conflict of interest issues.

The panel reviewed the IIEP charter (Attachment E) and reviewed and approved bylaws (Attachment F) guiding their operations. The Panel Chairman proposed high level objectives for the panel, which were discussed and generally agreed to by the panel. These objectives included:

(1) Determine whether the Reactor Oversight Process is achieving the NRC's goals.

- Is it maintaining safety?
- Is it increasing effectiveness and efficiency?
- Is it increasing public confidence?
- Is it reducing unnecessary regulatory burden?
- Is it objective?
- Is it risk-informed?
- Is it predictable?
- Is it understandable?

(2) Determine whether the more significant problem areas, both short-term and long-term, associated with the Reactor Oversight Process have been identified.

(3) Determine whether the NRC has developed a sound self-assessment process for the ROP and, if so, does it include mechanisms for self-correction.

To achieve these objectives, the panel agreed upon the following general approach:

- (1) Review information from the NRC staff and their self-assessment program
- (2) Solicit information from sources external from the program office
- (3) Establish framework for the report early
- (4) Focus on the more important issues

On the second day of the meeting, the NRR Inspection Program Branch briefed the panel on the status of the ROP (Attachment G - ADAMS ML003773712), plans for the self-assessment of the ROP (Attachment H - ADAMS ML003773725), and the metrics developed by NRR for self-assessment of the ROP (Attachment I - ADAMS ML003760217). The individual panel members provided verbal comments to the staff for consideration in further defining and revising these metrics; however, the panel took no official position on the overall adequacy and acceptability of the metrics. The panel indicated that they would like to continue to review the metrics developed by the staff and would expect the staff to provide them with further briefings as needed. In response to Panel members' questions regarding performance indicators, the staff provided the Panel with a draft copy of NRC Inspection Manual Chapter 0608, "Performance Indicator Program" (Attachment J - ADAMS ML003773812). Many of the preliminary issues identified by panel members and discussed during the meeting were placed in the "Parking Lot" (Attachment K - ADAMS ML003774478) for discussion and follow-up at subsequent meetings.

The panel agreed to allot time for members of the public to address the panel at the end of the first meeting. No comments were verbally received. However, prior to the IIEP meeting, on October 29, 2000, Mr. Marvin Lewis of Philadelphia, Pennsylvania, forwarded to me and John Monninger, the IIEP Designated Federal Official, via email a copy of his October 16, 2000 letter to the NRC Commissioners on problems with steam generator tube cracks in nuclear power plants (Attachment L - ADAMS ML003774424). Mr. Lewis requested that the issues discussed in his letter be presented to the IIEP during the November 1-2, 2000 meeting. The panel members were provided with a copy of his concerns and informed that the NRC staff had been formally tasked to respond to the issues within the letter. The panel decided to take the issues within the letter under advisement and to consider these issues in the development by each panel member of their major issues.

As previously stated, the two day IIEP meeting was transcribed and a copy of the transcripts is provided as Attachments M (ADAMS ML003773771) and N (ADAMS ML003773828).

The panel tentatively scheduled their next two meetings for December 11-12, 2000, in Atlanta, Georgia, and January 22-23, 2001, in Rockville, MD. The preliminary agenda for the Atlanta meeting would include: results from the regional workshops, presentations from State governments, development of the final report outline, and major issues identified by panel members. The target date for the final report was established as April 2001.

Attachments:

- A - Agenda for November 1-2, 2000
- B - Attendees on November 1, 2000
- C - Attendees on November 2, 2000
- D - IIEP Panel Member Roster
- E - IIEP Charter
- F - IIEP Bylaws
- G - Status of the Reactor Oversight Process (ADAMS ML003773712)
- H - Self-Assessment of the Reactor Oversight Process (ADAMS ML003773725)
- I - Metrics for the Self-Assessment of the Reactor Oversight Process (ADAMS ML003760217)
- J - Draft NRC Inspection Manual Chapter 0608, "Performance Indicator Program" (ADAMS ML003773812)
- K - Parking Lot / Follow-Up Issues (Attachment K - ADAMS ML003774478)
- L - Email from Mr. Marvin I. Lewis "Corrected Copy of Comments on IP2 Special Report" (ADAMS ML003774424)
- M - Transcript from Wednesday, November 1, 2000 (ADAMS ML003773771)
- N - Transcript from Thursday, November 2, 2000 (ADAMS ML003773828)

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DISTRIBUTION:

JShea, PUBLIC, IIEP Members via email, WDean, BBoger, JJohnson, Wbates

**Package Accession # ML003774521**

**Memo Accession # ML003774507**

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|--------------|------------|--|------------------------|--|--|
| <b>OFC:</b>  | NRR/ADIP   |  | Region II              |  |  |
| <b>NAME:</b> | JMonninger |  | LPlisco JMonninger for |  |  |
| <b>DATE:</b> | 12/5/00    |  | 12/5/00                |  |  |

**OFFICIAL RECORD COPY**

## REACTOR OVERSIGHT PROCESS INITIAL IMPLEMENTATION EVALUATION PANEL MEETING

**Date & Time:**

Wednesday, November 1, 2000, 1:00 pm - 5:00 pm  
Thursday, November 2, 2000, 8:00 am - 4:30 pm

**Location:**

U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Room T-8A1  
Rockville, MD

**Agenda:**

| Wednesday, November 1, 2000 |  |  |
|-----------------------------|--|--|
| 1:00-1:30                   | - Welcome & Opening Remarks<br>- Introduction of Committee Members<br>- IIEP Vision                                  | - Sam Collins, Director, NRR, NRC  |
| 1:30-1:45                   | - Role of Independent Advisory Committees  | - Andy Bates, Office of the Secretary, NRC   |
| 1:45-2:00                   | - Legal Requirements of FACA Committees<br>- Conflict of Interests   | - John Szabo, OGC, NRC<br>- Susan Fonner, OGC, NRC   |
| 2:00-2:15                   | - Administrative Support for the Committee   | - John Monninger, Designated Federal Official, NRR, NRC  |
| 2:15-3:00                   | - Groundrules and Bylaws for Committee Operation<br>- Lessons Learned from Prior Committee: What Worked, What Didn't | - Loren Plisco, Chair, NRC<br>- Ken Brockman, NRC<br>- Steve Floyd, NEI<br>- David Lochbaum, UCS |
| 3:00-3:15                   | - Break  |  |
| 3:15-4:00                   | - Committee Vision and Charter, Objectives, and Scope  | - Loren Plisco, Chair, NRC   |
| 4:00-4:15                   | - Current Status of the Reactor Oversight Process  | - Bill Dean, IIPB, NRR, NRC  |
| 4:15-5:00                   | - Overview of Staff Performance Measures<br>- Rationale and Approach for Selection                                   | - Bill Dean, IIPB, NRR, NRC  |

|                            |   |   |
|----------------------------|---|---|
| Thursday, November 2, 2000 |   |   |
| 8:00-10:00                 | - Explanation and Discussion of Individual Performance Measures   | - Bill Dean, IIPB, NRR, NRC<br>- Alan Madison, IIPB, NRR, NRC                     |
| 10:00-10:30                | - Break   |   |
| 10:30-12:00                | - Explanation and Discussion of Individual Performance Measures   | - Bill Dean, IIPB, NRR, NRC<br>- Alan Madison, IIPB, NRR, NRC                     |
| 12:00-1:00                 | - Working Lunch (Box Lunches?)  |   |
| 12:00-2:45                 | - IIEP Discussion: Identification of Potential Improvements to NRC Performance Measures                     | - IIEP Committee<br>- Bill Dean, IIPB, NRR, NRC<br>- Alan Madison, IIPB, NRR, NRC |
| 2:45-3:15                  | - Break   |   |
| 3:15-4:30                  | - Agenda Planning<br>- Homework Assignments<br>- Committee Information Needs<br>- Schedule for Next Meeting | - Loren Plisco, Chair   |

**REACTOR OVERSIGHT PROCESS INITIAL IMPLEMENTATION PANEL**  
**MEETING ATTENDEES**

**Wednesday, November 1, 2000**

**IIEP MEMBERS**

Randy Blough  
Ken Brockman  
Steve Floyd  
Richard Hill  
Rod Krich  
Robert Laurie  
Dave Lochbaum  
Jim Moorman  
Chris Nolan (representing William Borchardt)  
Loren Plisco  
Steve Reynolds  
Ed Scherer  
Jim Trapp

**AFFILIATION**

NRC/Region I  
NRC/Region IV  
NEI  
Southern Nuclear Operating Company  
Commonwealth Edison Company  
California Energy Commission  
Union of Concerned Scientists  
NRC/Region IV  
NRC/OE  
NRC/Region II  
NRC/Region III  
Southern California Edison  
NRC/Region I

**OTHER ATTENDEES**

Andy Bates  
Jim Beall  
Tom Boyce  
Chip Cameron  
Sam Collins  
Bill Dean  
Tom Houghton  
Michael Johnson  
John Monninger  
Joel Munday  
Richard Pinney  
August Spector  
Susan Yim

**AFFILIATION**

NRC/SECY  
NRC/OCM/EXM  
NRC/NRR/DIPM  
NRC/OGC  
NRC/NRR  
NRC/NRR/DIPM  
NEI  
NRC/NRR/DIPM  
NRC/NRR/ADIP  
NRC/OCM/RAM  
New Jersey, DEP  
NRC/NRR/DIPM  
Winston & Strawn, DC



**REACTOR OVERSIGHT PROCESS INITIAL IMPLEMENTATION PANEL**  
**MEETING ATTENDEES**

**Thursday, November 2, 2000**

**IIEP MEMBERS**

Randy Blough  
Ken Brockman  
Steve Floyd  
Dave Garchow  
Richard Hill  
Rod Krich  
Robert Laurie  
Dave Lochbaum  
Jim Moorman  
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NRC/OE  
NRC/Region II  
NRC/Region III  
Southern California Edison  
NRC/Region I

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Don Hickman  
Tom Houghton  
Michael Johnson  
Alan Madison  
John Monninger  
Joel Munday  
Richard Pinney  
Mitch Singer  
August Spector  
Mohan Thadani  
Susan Yim  
Mitzi Young

**AFFILIATION**

NRC/OCM/EXM  
NRC/NRR/DIPM  
NRC/OGC  
NRC/NRR/DIPM  
NRC/NRR/DIPM  
NEI  
NRC/NRR/DIPM  
NRC/NRR/DIPM  
NRC/NRR/ADIP  
NRC/OCM/RAM  
New Jersey, DEP  
NEI  
NRC/NRR/DIPM  
NRC/NRR/DLPM  
Winston & Strawn, DC  
NRC/OGC

REACTOR OVERSIGHT PROCESS INITIAL IMPLEMENTATION EVALUATION PANEL  
MEMBER ROSTER

| Name           | Title & Address  |
|----------------|--|
| Randy Blough   | Mr. A. Randolph Blough<br>Director - Division of Reactor Projects, Region I<br>U.S. Nuclear Regulatory Commission          |
| Bill Borchardt | Mr. R. William Borchardt<br>Director - Office of Enforcement<br>U.S. Nuclear Regulatory Commission                         |
| Ken Brockman   | Mr. Kenneth E. Brockman<br>Director - Division of Reactor Projects, Region IV<br>U.S. Nuclear Regulatory Commission        |
| Steve Floyd    | Mr. Steve Floyd<br>Director - Regulatory Reform and Strategy<br>Nuclear Energy Institute                                   |
| Dave Garchow   | Mr. David F. Garchow<br>Vice President -Technical Support<br>PSEG Nuclear LLC  |
| Richard Hill   | Mr. Richard D. Hill<br>General Manager - Support - Farley Project<br>Southern Nuclear Operating Company                    |
| Rod Krich      | Mr. Rod M. Krich<br>Vice President - Nuclear Regulatory Services<br>Commonwealth Edison Company                            |
| Robert Laurie  | Mr. Robert A. Laurie<br>Commissioner - California Energy Commission  |
| Dave Lochbaum  | Mr. David Lochbaum<br>Nuclear Safety Engineer<br>Union of Concerned Scientists   |
| Jim Moorman    | Mr. James H. Moorman, III<br>Senior Resident Inspector - Palo Verde Site<br>U.S. Nuclear Regulatory Commission             |
| Loren Plisco   | Mr. Loren R. Plisco<br>Director - Division of Reactor Projects, Region II<br>U.S. Nuclear Regulatory Commission            |
| Steve Reynolds | Mr. Steven A. Reynolds<br>Deputy Director - Division of Reactor Projects, Region III<br>U.S. Nuclear Regulatory Commission |
| Ed Scherer     | Mr. A. Edward Scherer<br>Manager, Nuclear Oversight and Regulatory Affairs<br>Southern California Edison Company           |

|  |   |
|--|---|
| James Setser   | Mr. James L. Setser<br>Chief - Program Coordination Branch<br>Environmental Protection Division<br>Georgia Department of Natural Resources                                      |
| Jim Trapp  | Mr. James M. Trapp<br>Senior Reactor Analyst<br>U.S. Nuclear Regulatory Commission  |
| Andy Bates (NRC<br>Advisory Committee<br>Management Officer) | Dr. Andrew L. Bates<br>Office of the Secretary of the Commission<br>U.S. Nuclear Regulatory Commission  |
| Chip Cameron<br>(Facilitator)                                | Mr. Francis X. Cameron<br>Special Counsel<br>Office of the General Counsel<br>U.S. Nuclear Regulatory Commission  |
| John Monninger<br>(Designated Federal<br>Official)           | Mr. John D. Monninger<br>Technical Assistant - Associate Director for Inspections and<br>Programs<br>Office of Nuclear Reactor Regulation<br>U.S. Nuclear Regulatory Commission |

UNITED STATES NUCLEAR REGULATORY COMMISSION  
CHARTER  
REACTOR OVERSIGHT PROCESS INITIAL IMPLEMENTATION EVALUATION PANEL

1. The Committee's official designation:

Reactor Oversight Process Initial Implementation Evaluation Panel (IIEP)

2. The Committees objectives and the scope of its activity:

The NRC has implemented a revised reactor oversight process (ROP) for commercial nuclear power plant licensees. The ROP is described in NRC Inspection Manual Chapter 2515. Background information on the development of the ROP is contained in Commission papers SECY-99-007, "Recommendations For Reactor Oversight Process Improvements," dated January 8, 1999, SECY-99-007A, "Recommendations For Reactor Oversight Process Improvements (Follow-up to SECY-99-007)," dated March 22, 1999, and SECY-00-049, "Results of the Revised Reactor Oversight Process Pilot Program," dated February 24, 2000. These Commission papers describe the scope and content of performance indicator reporting, a new risk-informed baseline inspection program, a new assessment process, and revisions to the enforcement policy. Commission paper SECY-00-049 also describes the results from the Pilot Program Evaluation Panel (a previous Federal Advisory Committees Act (FACA) panel), including a recommendation from the panel to proceed with initial implementation of the ROP at all power reactor facilities. On March 28, 2000, the Commission approved initial implementation of the ROP, and on May 17, 2000, the Commission directed the NRC staff to convene another evaluation panel under FACA to evaluate the first year of implementation of the ROP. The staff has established this IIEP in response to the Commission's directions.

The IIEP will function as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of initial implementation of the ROP and provide advice and recommendations to the Director of the Office of Nuclear Reactor Regulation on reforming and revising the ROP. IIEP meetings will be announced to the public in advance and (unless closed according to the provisions of FACA) open to the public. Subject to the Freedom of Information Act, all material made available to or prepared for or by the IIEP will be made available to the public. Meetings will be transcribed and meeting summaries will be prepared following each meeting to document the results of the meetings. The transcripts and meeting summaries will be publicly available.

The IIEP will evaluate the ROP results against performance measures. The IIEP will provide a written report containing an overall evaluation of the ROP to the Director of the Office of Nuclear Reactor Regulation. This report will include the consensus views of the panel, or the majority and minority views when panel consensus cannot be achieved. The NRC staff will use the IIEP evaluation as a major input to its deliberative process to determine what modifications, if any, are needed to the ROP following initial implementation.

3. The period of time necessary for the Committee to carry out its purpose:

Nine months

4. The NRC official to whom this Committee will report:  
  
Committee Chairman  
Loren Plisco  
Director, Division of Reactor Projects  
Region II
5. The NRC office and individual responsible for providing support for the Committee:  
  
Office of Nuclear Reactor Regulation  
  
Designated Federal Official  
John Monninger  
Technical Assistant, Associate Director for Inspection & Programs  
Office of Nuclear Reactor Regulation
6. A description of the duties for which the Committee is responsible, and if such duties are not solely advisory, a specification of the authority for such functions:  
  
The panel will provide advice and recommendations only.
7. The estimated annual operating costs, in dollars\* and staff years, for the Committee:
  - a. \$120,000 (\*Includes travel and per diem)
  - b. 0.50 FTE
8. The estimated number and frequency of the Committee meetings:  
  
Approximately 3 meetings will be held, on an as needed basis, during the period the panel is in existence.
9. Organization - The IIEP will create any subcommittees which may be necessary to fulfill the IIEP's mission. In addition, NRC and IIEP will establish such operating procedures as are required to support the group, consistent with the Federal Advisory Committee Act, as amended.
10. The Committee's termination date, if less than two years from the date of establishment:  
  
July 31, 2001
11. Charter Filing Date:  
  
October 17, 2000

***/RA/***

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Andrew L. Bates  
Advisory Committee Management Officer  
Office of the Secretary of the Commission

## **Bylaws and Operating Procedures for the Initial Implementation Evaluation Panel**

### **Section I: Purpose**

The purpose of the Initial Implementation Evaluation Panel (IIEP) is to serve as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of initial implementation of the NRC's reactor oversight process (ROP) and provide advice and recommendations to the Director of the Office of Nuclear Reactor Regulation on reforming and revising the ROP.

As deemed necessary, Loren Plisco (IIEP Chairman) may convene subgroups to support the IIEP functions. All activities of the subgroups will be in compliance with the Federal Advisory Committee Act (FACA).

### **Section II: Authority**

The Nuclear Regulatory Commission has determined that establishment of the IIEP is necessary and is in the public interest in order to obtain advice and recommendations on the reactor oversight process. The IIEP was chartered in accordance with the Federal Advisory Committee Act after consultation with the Committee Management Secretariat, General Services Administration. The IIEP is subject to the Federal Advisory Committee Act (FACA), as outlined in its Charter, filed with the Congress on October 17, 2000.

### **Section III: Membership Selection and Appointment**

Members of the IIEP are appointed by the IIEP Chairman for such terms as may be appropriate for the accomplishment of the IIEP's mission. Members will serve as representatives of groups that have been invited to furnish a representative to the IIEP, and will be selected to meet the FACA requirement for fairly balanced membership in terms of the of the points of view represented on the committee.

Membership includes the responsibility to attend the IIEP meetings personally. It is anticipated that the same representatives will attend all meetings. Rare substitutions for panel member attendance may be allowed at the discretion of the IIEP Chairman. NRC reserves the discretion to request the replacement of any representative who is unable to fully participate in the IIEP meetings.

### **Section IV: Meeting Procedures**

The IIEP will meet as required. Meetings will be called by the Designated Federal Official (DFO) in consultation with the Chairman according to the following considerations:

**A. Agenda:** The DFO will approve the agenda for all meetings. NRC will distribute the agenda to the members prior to each meeting and will publish an outline of the agenda with the notice of the meeting in the Federal Register. The notice of meeting will be published in the Federal Register at least 15 calendar days in advance of the meeting. Items for the agenda may be

*Approved November 2, 2000*

submitted to the DFO and/or the Chairman by any member of the IIEP. Items may also be suggested by nonmembers, including members of the public.

**B. Minutes and Records:** The DFO will prepare detailed minutes or transcripts of every meeting and will distribute copies (electronic preferably) to each IIEP member. Minutes of open meetings will be available to the public for inspection and copying. Minutes of meetings that have closed portions will also be available to the public for inspection and copying, subject to the withholding of matters that are exempt from disclosure under the Freedom of Information Act (FOIA). The minutes will include a record of the persons present (including the names of the IIEP members, names of staff, and the names of members of the public who made written or oral presentations) and a complete and accurate description of the matters discussed and conclusions reached, and copies of all reports received, issued or approved by the IIEP.

All documents, reports, or other materials prepared by, or for, the IIEP constitute official government records and must be maintained according to NRC policies and procedures. Subject to the FOIA, they must be available to the public so long as the committee exists.

**C. Open Meetings.** Unless closure is authorized by law, all meetings of the IIEP will be open to the public. Once an open meeting has begun, it will not be closed for any reason, unless the notice of the meeting designated that a portion will be closed. All materials brought before, or presented to, the IIEP during the conduct of an open meeting will be available to the public for review or copying at the time of the scheduled meeting or shortly thereafter.

Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the discretion of the Chairman, offer oral comment at such meeting. The Chairman may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement published in the Federal Register will note that oral comment from the public is excluded and will invite written comment as an alternative. Otherwise, the panel will allow a reasonable amount of time during each meeting for oral public comment, within the scope of the IIEP's charter and activities. Members of the public may submit written statements to the IIEP at any time.

**D. Closed Meetings:** While it is not anticipated that the panel will have any closed meetings, meetings of the IIEP will be closed only in limited circumstances and in accordance with applicable law. In addition, requests for closed meetings must be approved by NRC's Office of the General Counsel (OGC) 30 days in advance of the session.

Where the DFO has determined in advance that discussions during a IIEP meeting should be closed and OGC has concurred, an advance notice of a closed meeting, citing the applicable exemptions of the Government in the Sunshine Act that permit such closure, will be published in the Federal Register. The notice may announce the closing of all or just part of a meeting. If, during the course of an open meeting, matters inappropriate for public disclosure arise during discussions, the Chairman will order such discussion to cease and will schedule it for a future closed session.

## **Section V: Consensus**

*Approved November 2, 2000*

When a decision or recommendation of the IIEP is required, the panel will strive to achieve consensus (no one dissents from the position) view. The final report will include the consensus views of the panel, or the majority and minority views when the panel consensus cannot be achieved.

#### **Section VI: Roles of the IIEP Officials**

**Chairman:** The Chairman works with the DFO to establish priorities, identify issues which must be addressed, determine the level and types of staff and financial support required, and serves as the focal point for the IIEP's membership. In addition, the Chairman is responsible for certifying the accuracy of minutes of IIEP meetings.

**Designated Federal Official:** By Law, the DFO must: (1) approve or call any meeting of the IIEP; (2) approve meeting agendas; (3) attend or chair all meetings; and (4) adjourn the meetings when he or she determines that such adjournment is in the public interest. It is expected that all agenda items recommended by panel members, within the the scope of the IIEP's charter and activities, will be included on the meeting agendas. It is expected that the Chairman and not the DFO will chair all meetings.

In addition, the DFO is responsible for providing adequate staff support to the IIEP, the performance of the following functions: (1) notifying members of the time and place for each meeting; (2) maintaining records of all meetings, including subgroup or working group activities, as required by Law; (3) maintaining the roll; (4) arranging for preparation of the minutes of all meetings of the IIEP's deliberations, including subgroup and working group activities; (5) attending to official correspondence; (6) maintaining official IIEP records, including those items generated by subgroups and working groups; (7) acting as the IIEP's agent to collect, validate and pay all vouchers for pre-approved expenditures; and, (8) preparing and handling all reports, including any final report that is required.

#### **Section VII: Expenses and Reimbursement**

Expenses related to the operation of the IIEP will be borne by the Office of Nuclear Reactor Regulation. Expenditures of any kind must be approved in advance by the DFO. Each organization within NRR which sponsors a specific IIEP activity will be responsible for providing support services outlined in Section VI, and will assure compliance with FACA and GSA's related policies and procedures.

Federal Government employees serving on the IIEP are not eligible for any form of additional compensation. Any reimbursement for expenses or per diem which may be required for non-government members will be at a rate equivalent to that allowable for Federal employees.

#### **Section VIII: Additional Information**

Questions regarding the operation of the Committee should be addressed to the DFO. Questions regarding the application of FACA and Federal ethics rules should be addressed to Trip Rothchild, the Assistant General Counsel for Legal Counsel, Legislation and Special Projects (301-415-1611).

*Approved November 2, 2000*