



# NRC NEWS

## U.S. NUCLEAR REGULATORY COMMISSION

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### EXPERIENCES IN STAKEHOLDER INVOLVEMENT IN RADIOLOGICAL RISK ASSESSMENT AND MANAGEMENT

Opening remarks by  
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Commissioner

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Washington, D.C. 20555

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NEA Committee on Radiation Protection and Public Health Conference

Villigen, Switzerland

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Good afternoon! I would like to thank the Nuclear Energy Agency and the Swiss Nuclear Safety Inspectorate for hosting this fabulous workshop. I am really very honored and pleased to be here.

During the past day and a half we have all heard some excellent presentations that have provided suggestions on ways to improve our risk communications and how to better define our regulatory expectations. It is with those thoughts in mind that we are now looking forward to this afternoon's session: *Experiences in Stakeholder Involvement in Radiological Risk*. As you can see from the list of upcoming speakers, we will be hearing their stakeholder involvement experiences from each of their country's perspectives. Before I introduce the first speaker, let me share with you a few of the Nuclear Regulatory Commission's public outreach experiences and my vision for the future of regulatory success in this area.

### Overview

As you are all aware, effective regulation relies on coordinated and consistent actions facilitated by effective and clear communication to those we regulate, the public and other interested persons. The Commission's decision to initiate a more effective process for involving the public in NRC decisions grew out of the Commission's experience with the July 1990, *Below Regulatory Concern (BRC) Policy* (July 3, 1990, 55 FR 27522). The BRC Policy was the Commission's first attempt to establish a framework to guide Commission licensing and regulatory decisions for exempting the use of small quantities of radioactive materials from regulation by the NRC. The BRC Policy attempted to establish an overarching framework to guide Commission action on these exemptions and on other health and safety actions in a number of areas, such as decommissioning, waste disposal, recycling, and the manufacturing of consumer products.

As you also may recall, issuance of the BRC Policy created widespread and intense public concern over the implications of the new Policy. This concern was evidenced not only by the many State laws and local ordinances that were enacted to prevent the Policy from being applied in those jurisdictions, but also in legislation and which was introduced on a national level to invalidate the BRC Policy. This legislation was enacted in the U.S. as part of the National Energy Policy Act of 1992. The NRC, in response to this Act, formally revoked our Policy on August 24, 1993 (58 FR 44610).

In response to the concerns that were generated as a result of this proposed Policy, the Commission initiated an evaluation of the feasibility of convening a consensus process to re-evaluate the Policy. This feasibility evaluation involved interviews with over thirty groups nationwide representing the industry we regulate, State and local governments, and citizen and environmental groups. The primary finding was that there was widespread dissatisfaction with the process that was used to develop the BRC Policy -- even from organizations that supported the Policy! As an example, most groups felt that they had no control or influence over the Policy, and although public comments were considered, most felt that it was unclear how their comments were considered, if at all, in the formulation of the Policy. Although the Commission did hold public meetings on the Policy, it did so only after the Policy was issued.

### Where We are Today

Stimulated by the need for a more effective public involvement program than was demonstrated by the unsuccessful BRC process, the NRC has undertaken a number of initiatives for involving the public in generic and site-specific regulatory decision-making. The NRC has reviewed and revised its

public involvement and communications program. Forty-three recommendations were identified that addressed five broad categories:

1. Clarity and Timeliness of Communications
2. Public Involvement
3. Responsiveness to Public Inquiry
4. Public Access to NRC Information
5. Public Outreach

Then, in 1997, we embarked on a plan to improve public communication by improving the quality, clarity, and credibility of communications with all NRC stakeholders, and particularly with the general public. In order to make this a success, the Commission focused its improvements in the broad areas of more effective written and oral communications with the public, early identification of public concerns, early involvement of the public in NRC regulatory decisions of substantial interest or concern, development of a network of contacts representing the broad spectrum of interests affected by NRC decisions, and more effective outreach to the general public on the roles and responsibilities of the NRC.

One of the best examples of how we now involve our stakeholders early on in a regulatory decision-making process is best illustrated by our “enhanced participatory rulemaking” in establishing radiological criteria for the decontamination and decommissioning of NRC-licensed sites. The objective of this approach is to provide representatives of affected interests with an early opportunity to actively discuss the rulemaking issues with each other and the NRC. An enhanced participatory process allows the agency to convene a dialog among the interests affected by the rulemaking in order to exchange information on viewpoints and concerns, to ensure that all important issues have been identified, and to identify major areas of agreement and disagreement.

A number of observations can be made about the enhanced participatory rulemaking process. First, this type of process was strongly supported by the workshop participants and the public. Participants welcomed the opportunity for early participation in the rulemaking process including the opportunity for participants to exchange information with one another about their views on the subject. Second, workshop participants also believed that the process was valuable in helping them to understand the concerns that formed the basis for other participants’ views on the issues. Third, the process brought several significant issues to the attention of the staff that may not have been fully developed or pursued without this early dialogue provided by the workshops. Fourth, it also ensured a thorough evaluation of the rulemaking issues. And finally, but most importantly, there was a noticeable absence of the public “outrage” that had accompanied the BRC Policy, which would ultimately affect the acceptability of the rule.

NRC has also used some innovative public involvement techniques in the decommissioning of individual facilities through the use of “Community Information Roundtables.” In this approach, the NRC brings together local community leaders, including those from local government and citizens groups, the licensee, the State and various Federal agencies together for a series of meetings over the life of the project to discuss risks, issues and concerns related to the action. In so doing, the public obtains timely information about NRC processes, has meaningful contact with our staff and can express and document concerns.

### Communication Activities

As you are aware, the methods of communicating to the public are as important as the content of the message and it is clear that our nuclear regulatory programs are undergoing a significant culture change. Any communication plan should have general principles for effective communications with the public that are simple. Examples are being able to tell citizens what risk licensees pose to them, how safe the facilities are, and how those risks might be judged or evaluated.

The NRC has learned to focus its communication efforts to provide greater oversight and coordination of all communication activities. All of these efforts reflect improvements in communication with stakeholders.

#### Development of Communications Plans

The Strategic Goals in each arena in NRC's Strategic Plan include the Performance Goal of *Increasing Public Confidence*. This structure reflects the recognition of the importance of building and maintaining public trust. While the strategies discussed in the Strategic Plan are intended to increase public confidence, a fundamental tool that can be used to achieve this goal is the development and implementation of Communication Plans for important programs supporting each arena. In order to complete these plans, several actions should be completed:

1. **Development of a program supporting each arena for which individual Communications Plans should be developed.**
2. **Identification of a person responsible for each Communication Plan.**
3. **Preparation of Frequent Communication Interfaces, such as stakeholder groups or organizations which communicate or interface with the NRC in each area of regulatory activity.**
4. **Development of Mandatory Training Courses for Managers and Supervisors.**
5. **Overall Review of Internal Communications.** This review includes data collection both within and outside the NRC to learn what we do well and to identify areas of improvement with regards to communication.
6. **Redesign of Web Site.**
7. **Plain Language Initiatives.** This commitment to improving communications with the public and other agency stakeholders using plain language in documents and at public meetings stemmed from two related initiatives in the U.S. In 1998, then President Clinton sent a *Memorandum on Plain Language in the Government* to the Heads of Executive Departments and Agencies. In addition, a follow-up memorandum from then Vice President Gore provided clear, concise guidelines with examples for writing plain language documents. As a result, a government-wide Plain Language Action Network was created to improve communications from the Federal government to the public.

#### Summary

As you can see, the NRC is still in the process of learning, improving, and revising its communication and public outreach programs. These types of programs within regulatory agencies are intended to be fluid and should be expected to be revised as lessons are learned by all in this area. While we all take pride in being technically proficient and well-motivated, we also need to learn to communicate better and more frequently to the public. I believe that improvements to all of these areas are needed to not only advance the Commission's goal (or any regulatory agencies goal), which is to foster better public understanding of, and trust and confidence in, the regulatory program activities, but to also help to educate all of us in understanding the needs of our stakeholders.

Again, thank you for the opportunity to Chair this session and to share some of our U.S. experiences over the past decade with you.