

February 3, 2006

MEMORANDUM TO: William M. Dean  
Assistant for Operations  
Office of the Executive Director for Operations

FROM: Dennis K. Rathbun, Deputy Director /RA/  
Office of State and Tribal Programs

SUBJECT: COMMUNICATIONS PLAN: AGREEMENT STATE PROGRAM

Enclosed is a revision to the Communications Plan for the Agreement State Program. The Office of State and Tribal Programs has coordinated with the Regional State Agreements Officers and the Regional State Liaison Officers in preparing this document.

Please note that this is more of a "Program Plan" which primarily addresses overall communications relative to the Agreement State Program, since it does not fit the typical NRC Communications Plan which addresses a specific activity. We believe it is important to include this Communications Plan since it addresses communications with our stakeholders.

Enclosure:  
Communications Plan

CONTACT: Lloyd Bolling, STP  
301-415-2327

William M. Dean

February 3, 2006

Distribution: DCD (SP03)

**SISP Review Complete**

DIR RF (5-370)

: Publicly Available ☐ Non-Publicly Available

RVirgilio

: Non-Sensitive ☐ Sensitive

DOCUMENT NAME: E:\Filenet\ML060370097.wpd

To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

OFFICE	STP		STP:DD		STP:D		
NAME	LABolling:gd		DKRathbun		JRSchlueter		
DATE	2/2/06		2/3/06		2/3/06		

**OFFICIAL RECORD COPY**



## Office of State and Tribal Programs

# Communications Plan

for the

# Agreement State Program

### Overview

Effective regulation depends on coordinated and consistent actions. Coordination and consistency in turn depend on effective communication. Confidence in a regulatory program, both by the participants and the public, is also dependent on effective communication. Thus, effective communication has become one of the most important factors in the success of today's regulatory programs. Recognizing this, the Nuclear Regulatory Commission (NRC) developed formal plans to improve communication on all levels. The Office of State and Tribal Programs (STP) developed this plan to address communication related to the Agreement State program. The plan addresses the communication about the Agreement State program concept, how it works, and how we determine that it is working properly.

Section 274 of the U. S. Atomic Energy Act (AEA) authorizes the Agreement State program. The program is a part of the nationwide program to regulate certain radioactive materials identified in the Act. We call these materials "AEA materials." The nationwide program to regulate AEA materials consists of the NRC materials program and the materials programs of the individual Agreement States. There are currently 33 Agreement States (See STP Website <http://www.hsr.d.ornl.gov/nrc/home.html>).

Section 651(e) of the Energy Policy Act of 2005 expanded the definition of byproduct material in the AEA to include naturally occurring and accelerator-produced radioactive material (NARM) and required the NRC to provide a regulatory framework for licensing and regulating the additional byproduct material. This additional byproduct material will be incorporated into the existing NRC and Agreement State materials regulatory programs. The NRC materials program regulates AEA materials in States that have not entered an Agreement.

In an Agreement, NRC relinquishes its authority to regulate certain materials and the State asserts its own authority under State law. The State must maintain a program for licensing, inspection and enforcement of safety standards that is adequate to protect public health and safety. It must also be compatible with the NRC materials program. To assure the adequacy and compatibility, the Act gives NRC an oversight responsibility. We fulfil our responsibility by evaluating the adequacy and compatibility of the Agreement States. We do this through the Integrated Materials Performance Evaluation Program (IMPEP).

IMPEP consists of regularly scheduled, structured reviews of both the NRC materials program and the individual Agreement State materials programs. The reviews use a common set of performance indicators to evaluate all of the programs. We developed the performance indicators to focus the reviews and to provide a common basis for program evaluation. Further information about IMPEP is available on the STP Internet website, noted above.

## **Plan Objectives**

- Consistent and coordinated regulatory actions in the nationwide program of materials regulation
- Increase the confidence of NRC and Agreement State staff in the respective materials programs of the NRC and Agreement States
- Increase the confidence of the public and other stakeholders in the nationwide program for regulating materials
- Engage stakeholders at all levels by providing information, soliciting opinions and maintaining positive relationships

## **Audiences**

For this plan, we categorize the stakeholders of the Agreement State program into eight audience groups. Each group presents its own needs for information and communication tools. The plan supplements communications addressed within standard procedures, such as IMPEP.

### INTERNAL AUDIENCES:

Group A	STP Staff and Management
Group B	Regional State Agreements and Liaison Officers (RSAO/RSLO, respectively)
Group C	The Office of Nuclear Material Safety and Safeguards (NMSS), Regional Divisions of Nuclear Materials Safety (DNMS) in the Regions and the Office of Nuclear Security and Incident Response (NSIR)
Group D	The Commission and the Other NRC Offices

### EXTERNAL AUDIENCES:

Group E	State Materials Program Staff, the Organization of Agreement States, Inc. (OAS), and the Conference of Radiation Control Program Directors, Inc. (CRCPD)
Group F	Congress and the Government Accountability Office (GAO)
Group G	Federal Agencies With Materials Regulatory Responsibility or Interest,

including the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Department of Transportation (DOT), the Food and Drug Administration (FDA), the Department of Energy (DOE), the Department of Labor (DOL), the Mine Safety and Health Administration (MSHA), the Department of the Interior (DOI) and the Department of Homeland Security (DHS)

Group H      NRC and Agreement State Licensees, the Media, and the Public

## **Issues and Key Messages**

- Group A      STP staff and management must understand the strengths and weaknesses of the individual Agreement State programs. They must also know of any significant events that may affect the function of a program. To accomplish this, the findings of IMPEP reviews, and critical information such as a significant loss of staff or a major radiological incident, are the key messages. They must be rapidly and effectively communicated. The members of this group must also share the same information about the Agreement State programs so they can deliver the appropriate key messages when acting as sources of information for the other audiences. Finally, it is a key message to this group to assure that key messages are included in communications to other audiences.
- Group B      The RSAO/RSLO also need the detailed information about the Agreement State programs described above. The key messages are the same here as for Group A, and STP uses the same tools to deliver the messages to this audience.
- Group C      The staff and management of NMSS the Regional DNMS and NSIR interact with the Agreement States in the normal course of business. The issue for this group is the adequacy and compatibility of the Agreement State programs. The key message for this group is that the IMPEP reviews determine the adequacy of the Agreement State programs and their compatibility with the NRC program.
- Group D      The issues for this audience are the overall function of the nationwide materials program and the appropriate resolution of materials events. The first key message is how well the Agreement State programs are working, as determined by the IMPEP reviews. The second key message is accurate, timely, and appropriately detailed information about events and the actions taken in response. STP depends on NMSS and the Regional DNMS to help provide the information.
- The members of Groups A, B, and C need information when materials events occur in Agreement States. The States generally provide this information through NSIR and the Nuclear Material Events Database. When needed, STP contacts the States for additional information.
- Group E      The Agreement State programs need certain information to maintain their adequacy and compatibility; however, they do not require the same level of detail as Groups A and B. The primary issues for this audience are the coordination of

changes to safety standards and regulatory requirements. Our key messages for this audience consist of timely information about changes to the NRC materials program that will be matters of compatibility for the States.

STP provides information to the States about NRC training courses. We coordinate attendance by State personnel with the Professional Development Center and the Technical Training Center. STP also coordinates with other NRC Offices to provide technical assistance to the States.

- Group F Congress and the GAO require information on major NRC/STP activities, such as considering or concluding a new Agreement. This information and the method of providing it are usually prescribed by law. Congress may need information about the status of the Agreement State program, individual Agreement States, or incidents in Agreement States. One key message for this audience is background information (such as the overview for this plan) on the Agreement State program. The second is how the Agreement State program fits into the NRC materials program strategic plan performance goals. STP coordinates the delivery of these messages with the Office of Congressional Affairs (OCA).
- Group G Members of this audience need information that helps them meet their regulatory responsibilities. Our key messages for this audience include background information (such as the overview for this plan) on the Agreement State program, how the Agreement States and NRC assure that our regulatory responsibilities are met, and information (such as IMPEP findings) that show how well the program is working.
- Group H As a rule, STP does not interact directly with licensees, and rarely interacts directly with the media or members of the public. When such interactions do occur, they usually are the result of a request for specific information. Our key messages for this audience include background information (such as the overview for this plan) on the Agreement State program to assure that the requestor understands the program. We also explain how the Agreement State program fits into the NRC materials program strategic plan performance goals. Finally, we provide information (such as IMPEP findings) that show how well the program is working. STP coordinates with the Office of Public Affairs (OPA) in developing and sending these key messages.

## **Communication Tools**

We consider three categories of communication tools: electronic, paper (hard copy), and meetings (face-to-face interaction).

### **Electronic tools**

The electronic tools are centered on the capabilities of the Internet. Specific tools that STP uses are websites, list-servers, and e-mail. Other groups external to the NRC maintain their own websites and list-servers (such as the OAS list-server RADRAP, or the CRCPD

website), and use these tools to provide information to STP. The STP website is maintained by the Oak Ridge National Laboratory.

Generally, the list-servers and e-mail distribute direct communications to target audiences. The delivery of key messages to the audience depends on assuring that the contents of communication include the key message. It is a key message for STP staff and management to assure that key messages are included in communications to other audiences. Other users of this plan should also assure that key messages are delivered.

STP produces information letters to the States, commonly known as the "All Agreement State Letters." The letters are distributed by posting them on the Internet at the STP website, noted previously, and notifying the States via list-servers that they are available. Subjects include information on incidents, training and program management. To communicate the key messages, the information in these letters must be accurate and timely.

Agreement States are given access to restricted Internet sites for the purpose of communicating on issues not in the public domain. Examples include obtaining early State input on proposed changes to regulatory requirements. A key message is the need to maintain the integrity of the Commission's decision process by limiting the disclosure of pre-decisional information.

New uses of the electronic tools will be added as the capability develops. Currently, for example, States requesting new Agreements submit supporting information on paper and compact disks. STP can also accept information submitted electronically via Internet.

STP has the capacity for distribution of information by facsimile; however, the use of this tool is decreasing in favor of the Internet tools. Telephone voice mail messaging is available, but is not used.

Telephone conference calling is used as an alternative to meetings. All STP staff telephones have three-way calling capability, and selected phones have six-way capability. STP also uses bridge circuit conference calling. STP sponsors and participates in regular conference calls, such as the monthly call with the OAS and CRCPD. We participate in other calls as needed. In all calls, the key messages are delivered by providing accurate and timely information.

## **Paper**

Overall, the use of paper as a mass communication tool is decreasing. We plan to replace nearly all internally generated paper communications with Internet tools. STP produces press releases and *Federal Register* notices only as needed to meet statutory requirements. We also produce NUREGs on specific issues, but rarely and only as needed. STP does not produce a newsletter; however, we may contribute to newsletters of industry or special interest organizations such as the CRCPD.

STP produces formal reports of Agreement State materials program reviews as paper documents. However, these paper documents are also available by Internet at the STP website, noted previously.

## **Meetings**

STP staff and management attend both periodic and "one-time" meetings. Fiscal constraints usually limit the number of staff members that attend a meeting outside NRC. STP sponsors or supports workshops, briefings (such as the Commission briefings by the OAS/CRCPD, or NMSS briefings on the materials program), and public meetings; however, STP sponsorship or participation at workshops and public meetings are also limited, at least partly, by the availability of funding.

## **Communications with Internal Audience Groups**

### **1. STP Internal Communications**

E-mail is routinely used to communicate information to STP staff and management. Additional information, if public, is posted on the STP website. Information that is not public is made electronically available through ADAMS or hard paper copy. Key messages are to assure the accuracy and timeliness of the information.

The use of paper resources for internal communication is decreasing, and STP is using electronic tools whenever possible. Paper is used principally for draft documents, and documents that contain sensitive, pre-decisional, or other information that is not public.

STP holds a weekly staff meeting, on Tuesday, that focuses on significant issues at the Office and Agency level. We also hold a weekly meeting on Thursday, that focuses on significant issues in the current activities of individual staff members. STP encourages its staff to participate in these meetings. The key messages in these meetings are to be aware of situations that may affect the work of individual staff members.

### **2. The RSAO and RSLO**

The RSAO and RSLO are included in e-mail communications, such as those notifying stakeholders of the posting of a document at the STP website. There are no regularly scheduled conference calls specifically between STP and the RSAO/RSLO; however, they participate in the scheduled telephone conference calls with the OAS and CRCPD, and other specific calls, as needed. The key messages in these calls is the assurance that participants receive accurate and timely information on issues of policy and on problems affecting the program.

One important interaction between STP staff and RSAO/RSLO is the STP Agreement State Project Officer (ASPO) program. STP staff backup the RSAO/RSLO as contacts for State staff seeking to exchange information. Delivery of a key message to the State depends on the ASPO and the RSAO or RSLO having accurate and timely information. Regular communication between ASPO, RSAO, and RSLO is necessary to assure all have the latest and most accurate information. Telephone and e-mail are the preferred tools.

STP hosts annual RSLO and RSAO counterpart meetings to discuss specific topics of interest. The RSAO and RSLO also meet with STP staff while attending outside meetings, such as the OAS and CRCPD annual meetings. These meetings are used to deliver and expand on key messages.



### **3. NMSS and Regional DNMS**

An STP manager or delegate attends the weekly NMSS staff meetings. STP attends other regular meetings (events briefings, etc.) held by NMSS. STP staff also meet with NMSS staff as needed to address specific issues.

STP does not have formal routine communications with the Regional DNMS. STP organizes and participates in conference calls with them on an "as needed" basis and also participates in periodic NMSS/DNMS counterpart meetings.

### **4. The Commission and Other NRC Offices**

STP participates in conference calls organized by the Office of the General Counsel (OGC) or the other Offices on an "as needed" basis.

Information is forwarded to the Commission by information note or formal paper. STP routinely seeks OGC and other Office concurrence on papers and letters. STP supports and concurs on papers and letters from the other Offices on an "as needed" basis.

STP organizes and participates in meetings, including Technical Assistant briefings, on an "as needed" basis.

## **Communications with External Audience Groups**

### **5. Agreement State Materials Regulatory Programs**

STP routinely communicates with this audience electronically. The communications include notification that we have posted information of interest at the STP website. Most of the information at the STP website is primarily for this group.

NRC staff members attend and participate in outside meetings with this group, such as the annual meetings of the OAS or the CRCPD, and in planning OAS and CRCPD annual meetings. The Director of STP serves as an advisor to the CRCPD Executive Board.

We schedule monthly telephone conferences with the Executive Board of the OAS and the Chair of the CRCPD. The OAS and CRCPD brief the Commission annually. In addition, State staff participate in working groups to develop NRC regulatory products such as rules guidance and procedures. Agreement State staff serve on IMPEP teams and Agreement State management is represented on the Management Review Board for IMPEP findings. Proposed rules are vetted through the States, as are procedures for the conduct of STP activities. NRC staff also serve as resources to CRCPD committees, which develop suggested regulations and other regulatory policies.

The RSAO and RSLO serve as the principal day-to-day contacts with Agreement State managers and staff and Governor appointed State Liaison Officers.

The key message for NRC staff that communicate with State staff is the importance of providing accurate and timely information.

#### **6. Congress and the Government Accountability Office**

Like the other stakeholders, the members of Congress have full access to the STP website, however, STP does not routinely post information directed primarily to this audience on the website. Usually, communication with Congress is by letter. Appropriate members of Congress and the GAO are informed by letter of proposed and concluded new Agreements, and of other matters, as required by law.

STP seeks the assistance of the OCA in developing the letters, and sends the final letters to OCA for forwarding to Congress. STP also supports the other NRC Offices, as needed, in communications with these stakeholders.

The key messages for NRC staff communicating with this audience is the importance of providing the information requested or required, and the importance of assuring that the information is accurate and timely. Consideration should also be given to providing background information (such as the overview for this plan) on the Agreement State program, and how the Agreement State program fits into the NRC materials program strategic plan performance goals.

#### **7. Federal Agencies with Materials Regulatory Responsibility**

Communication with the members of this group is by letter, usually regarding new Agreements. STP also supports other NRC Offices in communications with these stakeholders.

The key message for communicating with this audience is the importance of assuring that the information provided to them is accurate and timely. Consideration should also be given to providing background information (such as the overview for this plan) on the Agreement State program.

#### **8. NRC and Agreement State Licensees, the Press, and the Public**

STP uses the *Federal Register* and press releases to communicate with this audience. Like the other audience groups, they have full access to the STP website; however, STP does not routinely post information directed primarily to this audience on the website. STP coordinates with OPA to develop press releases.

The key messages for communicating with this audience are the importance of assuring that the information is accurate and timely, the need to provide background information (such as the overview for this plan) on the Agreement State program, and the need to explain how the Agreement State program fits into the NRC materials program strategic plan performance goals.

## **Cost and Scheduling**

There is no increase in staffing or resource expenditure required for this plan. Costs of operating the website and personnel costs associated with communications are contained in the current budget. Activities not already implemented are under development and will be implemented when capabilities (upgraded e-mail capability) are available.