

## Doyle, Daniel

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**From:** Doyle, Daniel  
**Sent:** Thursday, November 10, 2016 12:29 PM  
**To:** 'Jerry, Anna'  
**Cc:** Resner, Mark; Khanna, Meena; Lund, Louise; Gavrilas, Mirela; Rivera, Alison  
**Subject:** Summary of November 8, 2016, telephone call

Ms. Jerry,

Thank you for your email and for taking the time to talk to me and my supervisor, Meena Khanna, on Tuesday afternoon about some of the concerns raised in your November 7, 2016, email. As we discussed during the telephone call, I am following up with this email to summarize and document the conversation. Mr. Robert Kurnick with IBEW also participated in the call.

We emphasized that we value IBEW's input and participation in this process. We are still very early in the process, and the purpose of the meeting on November 16<sup>th</sup> is to provide background and status of this activity and to listen to the concerns of interested stakeholders. The NRC has not made any final decisions yet, and there will be additional opportunities for public involvement. Some attendees have already made travel arrangements to attend this meeting since it was posted on the NRC's public website on October 31<sup>st</sup>, so we plan to conduct the meeting as scheduled, but we encouraged IBEW representatives who are not able to attend in person to participate via webinar or teleconference, if possible. A transcript and summary will be available after the meeting. We also offered to schedule another public meeting within the next 4 to 6 weeks to go over the same material, if IBEW is interested.

We described the future opportunities for public involvement including, at a minimum, another public meeting early next year to obtain feedback on the NRC's draft regulatory basis as well as a written comment period. You explained that IBEW representatives would like to talk to NRC staff about their unique concerns and that 3 hours at this public meeting is not sufficient.

You requested clarification about the Commission's intent in their June 6<sup>th</sup> memorandum which directed the staff to "make specific outreach to potentially affected labor organizations regarding the proposed content and timeframe for the proposed rule, in addition to its normal outreach efforts" and if this was limited to public meetings. We explained that during the rulemaking process, the staff is obligated to hold substantive discussions with interested stakeholders in a public forum for openness and transparency. However, we believe the Commission is directing the staff to reach out to labor organizations such as IBEW regarding the timing and possible format of these meetings to ensure that they are as useful as possible and that you have a sufficient opportunity to voice your concerns. After our telephone call, I found the following website which has additional information about NRC public meetings which may be helpful, including a link to the NRC's policy statement on public meetings and a list of reasons why meetings may be closed to the public: <http://www.nrc.gov/public-involve/public-meetings/meeting-faq.html>. If any of these reasons apply to what you intend to communicate to the NRC staff, we will consider closing a portion of a future public meeting.

Consistent with the Commission's direction and your request, we will reach out to you and contacts from other labor organizations about the possibility of additional public meetings and the timing and format of those meetings. We asked how much advance notice you would need, and you replied that 1 – 2 months would be more reasonable. We said that we would provide as much notice as practical. We also said that we would be open to the possibility of scheduling a public meeting that would coincide with a previously scheduled IBEW event in the DC area if that would make it easier for IBEW representatives to attend. Please let me know if there is such an event coming up and we will see if we can accommodate that date. We would also be open to arranging a regional public meeting at a location that is more convenient for your members. Please let me know if there is another contact at IBEW that I should be coordinating with regarding this specific outreach.

We appreciate your interest and feedback and look forward to further discussions with you to ensure that IBEW and the other labor organizations are provided with the appropriate forums to share concerns with the NRC staff as we undertake this rulemaking effort.

Sincerely,

Dan Doyle

Project Manager  
U.S. Nuclear Regulatory Commission  
[daniel.doyle@nrc.gov](mailto:daniel.doyle@nrc.gov)  
(301) 415-3748

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**From:** Jerry, Anna [mailto:Anna\_Jerry@IBEW.org]

**Sent:** Monday, November 07, 2016 3:17 PM

**To:** Doyle, Daniel <Daniel.Doyle@nrc.gov>

**Cc:** Resner, Mark <Mark.Resner@nrc.gov>; Blake, Kathleen <Kathleen.Blake@nrc.gov>; CHAIRMAN Resource <CHAIRMAN.Resource@nrc.gov>; Taylor, Renee <Renee.Taylor@nrc.gov>; Sprogeris, Patricia <Patricia.Sprogeris@nrc.gov>; CMRSVINICKI Resource <CMRSVINICKI.Resource@nrc.gov>; CMRBARAN Resource <CMRBARAN.Resource@nrc.gov>; Hunter, James L. <Jim\_Hunter@IBEW.org>; Stephenson, Lonnie <Lonnie\_Stephenson@IBEW.org>; Baker, Brian <Brian\_Baker@IBEW.org>

**Subject:** [External\_Sender] RE: NRC Public Meeting on 11/16 on "Role of Third Parties in Access Authorization and Fitness-for-Duty Determinations" Rulemaking

Good Afternoon,

I am writing to say that I appreciate you sharing this notice of upcoming meeting with us. We are quite stunned with surprise by the short notice that is being given. In the response to SECY-15-0149 from Executive Director for Operations, Vic McCree, he clearly states that "The staff should make specific outreach to potentially affected labor organizations regarding the proposed **content** and **timeframe** for the proposed rule, **in addition to its normal outreach efforts**." We have many things going on in the nuclear industry that have far reaching implications. Some of which include trying to keep viable plants open and running for the future of clean energy. One example is that during the week of 11/16 our Union leaders in Illinois are in the middle of the veto session and are working on legislation to save Clinton and Quad Cities Nuclear plants. In the attached link you sent, it references a timeline that is not sufficient to gather the information and work methodically through the vast number of challenges that we see involved in this issue. We had certainly hoped to find a common ground without having to reach for other options such as Congressional hearings, media and a further ground swell of opposition. We recognize and respect the NRC's role and responsibility in things that could impact nuclear safety. We can think of nothing better than to have our plants operate in the safest manner

possible and have the safety of the public and our plants held in the highest regard.

We believe that our input and buy in to a reasonable solution is the key to addressing this issue for the betterment of the nuclear industry. We are asking that you consider moving this meeting out at least 4-6 weeks to give our people time to make travel plans and to be a part of this process, and to also have a series of regional meetings. We hardly see how one public meeting meets the intent of Executive Director for Operations, Vic McCree's direction nor Chairman Burn's statement from his notation vote response sheet that reads "I agree with Commissioner Svinicki that the staff should make specific outreach to potentially affected labor organizations regarding the proposed content and timeframe for the proposed rule, in addition to its normal outreach efforts." The June 6, 2016 memo from NRC Acting Secretary Rochelle Baval to McCree specifically instructs him and the staff "to make specific outreach to potentially affected labor organizations regarding proposed content and timeframe for the proposed rule, in addition to its normal outreach efforts." So, the short notice appears to contravene directions from the Commissioners to McCree.

This email from you is the first contact NRC staff has made to work on this issue and the timelines are already set by you.

Please take a hard look at how you plan to organize this and keep in mind for logistics sake, we have workers all over the U.S. that want to weigh in on this important issue. the IBEW has workers and local union officials that want, not only to weigh in, but also to attend and speak at any meeting that the NRC conducts. Workers can weigh in by submitting comments; It's the ability to attend and speak and pose questions that is undermined by the short notice.

Sincerely,

Anna Jerry  
IBEW International Representative  
O: 202-728-6064  
C: 202-763-6488

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**From:** Doyle, Daniel [<mailto:Daniel.Doyle@nrc.gov>]

**Sent:** Thursday, November 3, 2016 8:58 AM

**To:** Jerry, Anna <[Anna\\_Jerry@IBEW.org](mailto:Anna_Jerry@IBEW.org)>

**Cc:** Resner, Mark <[Mark.Resner@nrc.gov](mailto:Mark.Resner@nrc.gov)>

**Subject:** NRC Public Meeting on 11/16 on "Role of Third Parties in Access Authorization and Fitness-for-Duty Determinations" Rulemaking

Ms. Jerry,

I would like to ensure that IBEW is aware that the U.S. Nuclear Regulatory Commission is having a public meeting on Wednesday, November 16, 2016, to obtain public input in the early stages of a rulemaking activity regarding the role of third parties in access authorization and fitness-for-duty determinations.

Additional information:

<http://meetings.nrc.gov/pmns/mtg?do=details&Code=20161393>

Would you be able to disseminate this information to the appropriate people at IBEW or could you direct me to the right person I should contact for updates like this in the future?

Sincerely,

Dan Doyle

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