



OFFICE OF THE
SECRETARY

**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
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March 13, 2018

MEMORANDUM TO FILE

SUBJECT: SUMMARY OF DROP-IN MEETING HELD ON JANUARY 30, 2018, BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION STAFF AND A CLARK COUNTY, NEVADA REPRESENTATIVE TO DISCUSS TOPICS RELATED TO THE FEBRUARY 2018 MEETING OF THE LICENSING SUPPORT NETWORK ADVISORY REVIEW PANEL (LSNARP)

At the request of Clark County, Nevada LSNARP representative Phil Klevorick, agency staff met with Mr. Klevorick on January 30, 2018, to discuss the upcoming LSNARP meeting. A list of attendees is provided in Enclosure 1 and a summary of the meeting is provided in Enclosure 2.

Russell E. Chazell, JD
Assistant for Rulemakings and Adjudications
Office of the Secretary

Enclosures: As stated.

cc w/encls: See next page

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NUCLEAR REGULATORY COMMISSION STAFF AND A CLARK COUNTY, NEVADA
REPRESENTATIVE TO DISCUSS TOPICS RELATED TO THE FEBRUARY 2018 MEETING
OF THE LICENSING SUPPORT NETWORK ADVISORY REVIEW PANEL (LSNARP)

MEETING ATTENDANCE LIST

PARTICIPANTS

AFFILIATIONS

| | |
|---------------------|---|
| Andrew Bates | Nuclear Regulatory Commission (NRC)/Office of the Secretary (SECY) |
| Andrew Welkie | NRC/Atomic Safety and Licensing Board Panel (ASLBP) |
| Annette Vietti-Cook | NRC/SECY |
| Chip Cameron | NRC Contractor |
| KG Golshan | NRC/Office of the Chief Information Officer (OCIO) |
| Lisa Bamford | NRC/ASLBP |
| Margie Janney | NRC/Acting Licensing Support Network Administrator |
| Paul Bollwerk | NRC/ASLBP |
| Phil Klevorick | Clark County, Nevada |
| Roy Choudhury | NRC/OCIO |
| Russell Chazell | NRC/SECY |

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MEETING SUMMARY

In SRM-COMSECY-17-0019, the Commission authorized the Office of the Secretary (SECY) and the Atomic Licensing and Safety Board Panel (ASLBP) to convene a meeting of the Licensing Support Network Advisory Review Panel (LSNARP). The LSNARP is an advisory committee chartered under the auspices of the Federal Advisory Committee Act (FACA) and provides advice to ASLBP and SECY regarding information technology matters relevant to the discovery system used by the parties the High Level Waste (HLW) adjudicatory proceeding and the Electronic Hearing Docket and E-Filing systems. Specifically, in this SRM the Commission directed SECY and ASLBP to “provide information to, and gather input from, LSNARP members and the public, regarding reconstitution of the Licensing Support Network (LSN) or a suitable replacement system.” To that end, SECY and ASLBP scheduled a meeting of the LSNARP for January 30-31, 2018. This meeting allowed for attendance either virtually or in person in Rockville, MD. Two LSNARP member entities, the State of Nevada and the Nuclear Energy Institute, requested that the LSNARP meeting be delayed to provide them with more time to consider options proposed by agency staff to reconstitute or replace the LSN. The NRC approved the request and rescheduled the LSNARP to February 27-28, 2018.

One of the LSNARP member entity representatives, Mr. Phil Klevorick of Clark County, Nevada, informed SECY that he had already purchased a non-refundable airplane ticket for the January meeting and would like to meet on January 30, 2018. Members of the agency staff affiliated with SECY, OCIO, and ASLBP met with Mr. Klevorick at NRC headquarters in Rockville. Mr. Klevorick’s comments were focused in three areas: (1) communication between the NRC and the LSNARP member-entities; (2) funding for affected units of local government (AULG); and Clark County’s views on LSN replacement options.

Communication

Mr. Klevorick indicated that telephonic follow-up to ensure electronic mail messages and documents are received would improve communication between the NRC and the LSNARP member-entities. Some email applications automatically block incoming messages that have certain attributes with no notification to either the sender or the receiver that the message was blocked. This occurred in connection with the Clark County e-mail system so that the notification to Mr. Klevorick of NRC’s first ADAMS LSN Library training webinar as well as some LSNARP email messages were not received by him. Mr. Klevorick suggested that NRC request an e-mail response from recipients of its significant LSNARP-related e-mails and follow up by telephone if no electronic responses to messages are received. That follow-up would ensure that the members receive LSNARP email messages. The Office of the Secretary has made every effort to provide information to Mr. Klevorick and will continue to do so.

AULG Funding

Mr. Klevorick was adamant that AULGs, including Clark County, would be substantially limited in their future HLW proceeding participation by lack of resources. As an example, he stated the Clark County no longer has a legal team to litigate admitted contentions in the proceeding. He

believes that only four of the 17 admitted parties to the proceeding (presumably NRC, the Department of Energy, the State of Nevada, and the Nuclear Energy Institute) have sufficient resources to litigate or manage a reconstituted LSN. When the HLW proceeding was suspended, Clark County had seven staffers supporting it. Now, he is the only staffer in the office and has no equipment or other resources for this purpose. He believes that other AULGs are in similar circumstances and that, in the event of a restarted proceeding, all would be disadvantaged given that they could not support any HLW activities unless and until AULG funding was provided. Mr. Klevorick understood that AULG funding was not administered by the NRC.

LSNARP Option Preference

Inasmuch as Mr. Klevorick had not yet been able to review the agency-authored “options paper,” he was provided an overview of the options in the paper to include the cost of the options, the implementation time of the options, and the risk factors of the options. He was briefed on:

- Option 1 – Traditional Discovery
- Option 2 – ADAMS LSN Library (to include automated and semi-manual document intake mechanisms)
- Option 3 – Moving to Cloud (in include NRC-managed and Party-managed cloud services)
- Option 4 – Rebuilding the Original LSN

After discussion, Mr. Klevorick indicated that Clark County favors Option 2, which leverages the ADAMS LSN Library. He sees no advantage to rebuilding something that already exists in the ADAMS LSN Library. However, he indicated that he could also support Option 3, cloud-based system. Mr. Klevorick believes that public availability to HLW documentary material is one of the biggest considerations in selecting an option, which makes Option 1, traditional discovery, less desirable because there would potentially be less public accessibility for new HLW documentary material. Finally, he was not in favor of Option 4 – rebuilding the original LSN – because he does not believe Clark County wishes to rely on their internal servers (a necessary requirement for Option 4).

In summary, the meeting was productive and provided important insights regarding the points Mr. Klevorick wished to raise.

Subsequently, Mr. Klevorick participated virtually in the LSNARP meeting on February 27-28, 2018, and agreed with State of Nevada comments to get more information on Options 2 and 3.