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POLICY ISSUE

(Notation Vote)

December 21, 1994

SECY-94-304

FOR: The Commissioners
FROM: James M. Taylor, Executive Director for Operations
SUBJECT: DRAFT REPORT ON RESPONSIVENESS TO THE PUBLIC

PURPOSE:

To inform the Commission of the staff's efforts to improve responsiveness to the public and to receive Commission approval to issue the report for public comment.

BACKGROUND:

It has been a long-standing policy of the Nuclear Regulatory Commission to conduct its business activities in an open and public manner, and in recent years NRC has moved to be even more open and responsive to the public. We define the public as individual citizens, public interest groups, petitioners, licensees, individual groups, contractors, the Congress, State and local governments, and others with whom we do business. Examples of initiatives undertaken include:

- Increased use of public workshops for rulemaking activities;
- Participatory rulemaking;
- A pilot program opening enforcement conferences to the public;
- Surveys of licensees to identify ways to reduce regulatory burden;
- Issuance of revised policy statement on staff meetings open to the public;
- Cost Beneficial Licensing Action Program;
- Elimination of regulatory requirements that are marginal to safety;
- Quarterly press conferences by Regional Administrators;
- Revisions to the 2.206 Petition Process.

Contact:

James L. Blaha, OEDO
415-1703

SECY NOTE: TO BE MADE PUBLICLY AVAILABLE IN 10 WORKING DAYS FROM THE DATE OF THIS PAPER

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The National Performance Review has placed new emphasis on Federal agencies "putting the customer first." While NRC does not have "customers" in the traditional sense, we do have the obligation to deal with the public, as defined above, in an open, professional, and cooperative manner. This includes being receptive to feedback on our performance, setting standards and goals for services we provide, and understanding and respecting the impact NRC business activities can have on those with whom we do business.

DISCUSSION:

While NRC significantly improved its public responsiveness in selected areas in recent years, it had not given responsiveness to the public priority attention in all NRC programs, nor had there been a systematic review of NRC business activities to identify potential improvements. However, following the guidance of the National Performance Review, we now have looked at infrastructure changes that will institutionalize public responsiveness as an important aspect of how we do business. Our objective is to ensure that employees consider public responsiveness as an important part of their job. To set the tone, we have developed a proposed policy on public responsiveness. We are incorporating public responsiveness into such areas as employee orientation, training, and telephone communication, and we will use information technology to facilitate openness and communication in all NRC business interactions.

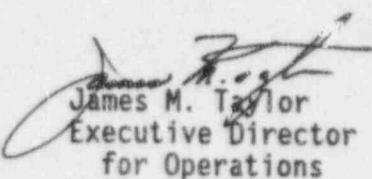
In July 1994, I requested NRC offices to develop plans to improve our responsiveness to the public in our day-to-day interactions. I asked each office, where appropriate, to identify business activities, measures, and goals of public responsiveness. Offices were to provide an opportunity for a labor management partnership representative to participate in the development of their new effectiveness measures, goals and implementation plans. We questioned whether we could be more responsive in timeliness or quality of interaction. The activities discussed in the attached report provide planned improvements derived from this initial review. We consider improving public responsiveness to be an ongoing process and will include it as an important aspect of future program evaluation and development.

We believe that there would be benefit from public input and suggest that, after the Commission meeting in late January 1995, the report be made available for a 60-day comment period.

RECOMMENDATIONS:

That the Commission:

1. Note that after a Commission meeting, the staff will publish the attached Federal Register notice announcing availability of the draft report for public comment.



James M. Taylor
Executive Director
for Operations

Attachments:

1. Draft Report on Responsiveness to the Public
2. Federal Register Notice

Commissioners' comments or consent should be provided directly to SECY by COB Thursday, February 9, 1995. Commission staff office comments, if any, should be submitted to the Commissioners NLT Friday, February 2, 1995, with an information copy to SECY. If the paper is of such a nature that it requires additional review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

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RESPONSIVENESS TO THE PUBLIC

Draft Report for Comment

December 1994

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INTRODUCTION

Since its inception, the policy of the Nuclear Regulatory Commission (NRC) has been to conduct its business activities in an open and public manner. In recent years NRC has become even more open and responsive to the public. We define the public as individual citizens, public interest groups, petitioners, licensees, industry groups, contractors, the Congress, and others with whom we do business.

Recent initiatives to increase responsiveness to the public have included expanded use of public workshops for rulemaking activities, participatory rulemaking, a pilot program opening enforcement conferences to the public, surveys of licensees to find ways to reduce unnecessary regulatory burden on licensees, the Cost Beneficial Licensing Action Program, and improvements to the 2.206 petition process. Such responsiveness, unfortunately, has not permeated all aspects of NRC programs.

The National Performance Review has placed new emphasis on Federal agencies "putting the customer first." In this spirit, on July 27, 1994, the Executive Director for Operations launched the Public Responsiveness Initiative, asking NRC program directors to identify those business activities wherein public interaction is relatively frequent and to develop "Public Responsiveness Improvement Plans." This report reflects the initial results of that effort and contains improvement plans submitted by the offices. These plans are being published for public comment so that NRC can take the comments into consideration and make adjustments and improvements as implementation proceeds.

INFRASTRUCTURE CHANGES

INTRODUCTION

Since its inception, the policy of the Nuclear Regulatory Commission (NRC) has been to conduct its business activities in an open and public manner. In recent years NRC has become even more open and responsive to the public. We define the public as individual citizens, public interest groups, petitioners, licensees, industry groups, contractors, the Congress, and others with whom we do business.

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The activities addressed in this plan include only those that are far enough along to bear discussion. We consider this an ongoing process, and other initiatives will be considered as we gain experience from implementing these activities. Some of the mission-related changes are office specific and will be implemented on a pilot basis by the particular office.

INFRASTRUCTURE CHANGES

NRC POLICY ON IMPROVING RESPONSIVENESS TO THE PUBLIC

It is the policy of the NRC to be responsive to the public. The public includes individual citizens, public interest groups, petitioners, licensees, industry groups, contractors, the Congress and all with whom we do business.

Responsiveness entails:

- structuring NRC business activities to facilitate and encourage public participation;
- making NRC documents readily available to the public through public document rooms and electronic media;
- responding in a timely manner to business requests and public inquiries;
- responding to the public in a professional and courteous manner; and
- understanding and respecting the impact that NRC activities can have on those with whom we do business.

Responsiveness and openness may have to be restricted when business activities involve classified, safeguards, proprietary, or otherwise restricted information. These exceptions will be limited to circumstances in which release of information or public participation would be adverse to public health and safety, the national defense, or legal requirements.

NRC POLICY ON PUBLIC ACCESS TO DOCUMENTS

The policy of the NRC is to make information available to the public relating to its health and safety mission, consistent with its legal obligations to protect information and its deliberative and investigative processes. In furtherance of this policy, the NRC intends to automatically make documents publicly available that are anticipated to be of interest to the public without anyone needing to file a Freedom of Information Act request.

The agency will review the types of documents that are of public interest that are not now routinely placed in the NRC Public Document Room (PDR) and local public document rooms (LPDRs), and will expand the scope of information disclosed. To this end, the NRC will make information available to the PDR and LPDRs whenever it is known or anticipated that there is or will be public interest in such information, except when there is a legitimate need to safeguard the information.

When a document that has required protection and also has known or potential interest to the public is deemed releasable in whole or in part as a result of declassification, disclosures under the Freedom of Information Act, or other agency reviews, the NRC will make the document or a portion thereof available to the public by placing it in the PDR and LPDRs.

PUBLIC RESPONSIVENESS IMPROVEMENT PLAN

Staff Orientation and Training

Background

NRC is undertaking a number of innovations to improve how it responds to the public in its day-to-day interactions. In accomplishing its mission of ensuring public health and safety, the NRC understands that it must make every effort to respond to the needs of the public in a timely and professional manner.

To emphasize the importance of this effort, the NRC will incorporate the concept of public responsiveness into all of its activities. For instance, during Orientation for New Employees.

The NRC intends to take the following actions to ensure that its employees have the necessary training and tools to better serve the public:

Planned Improvements

- (1) Complete the revisions to the following courses and/or materials to factor in responsiveness: the video, The NRC Story; Conducting and Participating in Meetings; Effective Briefing Techniques; The Media Training Workshop; and Supervising Human Resources.

- (2) Inform the staff about the importance of public responsiveness through such courses as Effective Communications for NRC Inspectors; Gathering Inspection Information Through Interviews; NRC: What It Is and What It Does; and The Regulatory Process.

- (3) Inform the staff of a university-sponsored course entitled **Dealing With Upset Citizens and the Public**.
- (4) Improve telephone communication and etiquette by providing guidelines to employees on how to answer and handle telephone calls.
- (5) Revamp the NRC telephone directories so that employees may quickly locate information and direct their calls to the correct office or staff member who can provide the fastest, most accurate response to the inquiry.
- (6) Ensure that NRC switchboard operators, who in many cases are the first contact the general public has with the agency, are knowledgeable about NRC offices, functions, and key personnel so that they may properly direct callers more quickly and more accurately.
- (7) Increase the number of NRC employees who take the in-house course **Clear Writing**, which teaches students how to write for a specific audience and purpose, provides guidance to the staff on how to respond in a logical manner, and instructs employees in general correspondence style, editing, and grammar.

Contact: Eileen Mason, Office of Personnel, 301-415-7532

Public Responsiveness Improvement Plan

Use of Electronic Media

Background

Use of information technology to improve responsiveness to the public is consistent with the findings of the National Performance Review initiative of *Creating A Government That Works Better and Costs Less, and Reengineering Through Information Technology* (a report that accompanies the National Performance Review). In an October 28, 1993, letter transmitting his report entitled "Technology for Economic Growth: President's Progress Report," President Clinton stated that technology is a powerful tool for making government more efficient and responsive." To do so, government intends to use technology to improve the quality and timeliness of service, to set up new ways for the public to communicate with government, and to make government information more readily available to the public. These goals are consistent with those set forth in NRC's *Information Technology Strategic Plan for FY 1994-1998*, NUREG-1487, Vol. 1 (November 1993). The Strategic Plan presents a vision to "manage shared data and documents as agency resources and ensure they are accessible, secure, and reliable," and to "update the agency's document management capabilities to meet current and anticipated programmatic needs," thus benefitting not only the NRC but the public as well.

The NRC has traditionally used a variety of methods to inform the public about how to access NRC's electronic information. As an example, computer codes developed under the sponsorship of the NRC are made available through the Energy Science and Technology Software Center (ESTSC), which is operated under an interagency agreement with the Department of Energy. Accessions by the

ESTSC are abstracted in *Computer Codes and Mathematical Models* (NUREG/BR-0083), which is published annually and is available to the public through the U.S. Government Printing Office.

Information available on the agency's electronic bulletin board systems is generally announced by *Federal Register* notice. These bulletin boards are, or will be, available through the Department of Commerce's National Technical Information Service (NTIS) by means of its clearinghouse known as FedWorld.

The NRC Office of Information Resources Management (IRM) serves in a support role by providing for the agency's information technology needs. IRM has initiated several activities that have the potential to help the agency be more responsive to the public. One such activity is the agency's toll-free telephone service which allows the public to make general inquiries of, or provide comments to, the staff. A six-month trial of this service is underway. In addition, essentially all NRC staff can now be reached via Internet electronic mail.

Also, IRM implemented an Internet World Wide Web server to give the public access to NRC information using NCSA MOSAIC software from the National Center for Supercomputing Applications (NCSA). A pilot program, comprising 200 NRC employees, began in August 1994, to use this software to obtain information from other public and private agencies and businesses. Utilizing this new technology, NRC has also created a "home page" for public access to NRC information via Internet. The availability of the NRC home page is cited by reference in the home page for the White House, the NCSA (the developer of

MOSAIC), and Conseil Europeen pour la Recherche Nucleaire (developers of the World Wide Web), as well as in other domestic and international sources.

Because information technology is changing so rapidly, the agency is continually looking for ways to use new information processing tools to better support its needs and those of the public.

Planned Improvements

- (1) Inform the public of existing methods for electronically accessing agency information by revising the "Citizen's Guide to U.S. Nuclear Regulatory Commission Information" to instruct the public on communicating with NRC by such electronic methods as electronic bulletin boards, Internet, and World Wide Web, in addition to the more familiar telephone and fax.
- (2) Continue to add electronic bulletin boards to FedWorld.
- (3) Develop methods of improving electronic information exchange between the nuclear industry and the NRC.
- (4) Conduct an Electronic Information Exchange Workshop with the Nuclear Information and Records Management Association.
- (5) Develop automated systems to improve our ability to track and manage the internal work flow, which will facilitate the agency's ability to respond to the public in a more timely manner.

- (6) Develop an electronic review, comment, and concurrence process to speed up the review and approval process.
- (7) Use new technology and services for the deaf to allow individuals who are hearing impaired to communicate more readily with the NRC staff via the public telephone system. These improvements will also allow NRC employees who are hearing impaired to be contacted by more members of the public.
- (8) Assess the use of expanded toll-free telephone access after the 6-month pilot program to determine if the service should be continued.

Contact:

Arnold E. Levin, Office of Information Resources Management, 301 415-7458

Walter Oliu, Office of Administration, 301 415-7175

MISSION-RELATED CHANGES

OFFICE OF NUCLEAR REACTOR REGULATION

Public Responsiveness Improvement Plan

Public Petitions

Background

Since its inception in 1975, the NRC has encouraged members of the public to bring potential health and safety issues involving NRC-licensed facilities to its attention. The primary mechanism available to the public for raising these issues and requesting specific agency action is known as the "2.206 petition process." It is described under Section 2.206 of Title 10 of the *Code of Federal Regulations*.

The 2.206 process provides that any person may file a petition requesting the Commission to institute a proceeding to modify, suspend, or revoke a license or to take any other action that may be appropriate. Once a petition is received, it is assigned to the appropriate office for evaluation and response. After the evaluation is completed, the office director issues a written decision which addresses the concerns raised by the petitioner and either grants, partially grants, or denies the petition. The office director's decision is final unless the Commission, on its own initiative, reviews the matter and determines that the office director's decision should be modified.

The filing of a petition does not automatically result in a formal adjudicatory hearing. In the past, hearings have been rare. Historically, the NRC has granted, in whole or in part, only about 10 percent of the petitions received, which has led to a perception that the NRC is not

responsive to public petitions. There are no definitive standards for measuring the effectiveness of the process.

Consistent with current efforts to improve public responsiveness and enhance public participation in the decision-making process, the NRC reviewed the 2.206 process, with the objective of making the process more effective, more easily understandable, and more credible. As part of its reassessment of the process, the NRC held a public workshop and obtained extensive feedback on the effectiveness of the program from citizens' groups, the nuclear industry, former petitioners, and State and local governments.

It was clear from this review that many believed that the 2.206 process at that time did not afford the petitioner an opportunity to participate meaningfully in the process. In addition, there were no provisions for keeping the petitioner informed of the status of his/her petition or for ensuring he/she received copies of all pertinent correspondence.

As a result of the findings of the review, the NRC has made improvements to the 2.206 process to increase public participation and to enhance communications with petitioners.

Recent Improvements:

Under this improved process, the NRC will:

- (1) Offer the petitioner, under certain circumstances, the opportunity for an informal non-adjudicatory public hearing as part of the petition review process.

- (2) Provide copies of all pertinent correspondence to all participants involved in the petition.
- (3) Identify a single NRC contact for each petition.
- (4) Contact the petitioner and inform him/her that the 2.206 process is a public process which does not protect the identity of the petitioner or the contents of the petition from the public, and ascertain from the petitioner whether he/she wishes to proceed with the petition or resubmit it as an allegation.
- (5) Establish an electronic bulletin board to provide the public with monthly status updates on all pending petitions.
- (6) Notify the petitioner of the status of the petition every 60 days, or more frequently if a significant action occurs.
- (7) Establish goal of preparing a draft of the director's decision for internal review within 120 days from the date of the acknowledgement letter.

Contact: Sheri Peterson, Office of Nuclear Reactor Regulation, 301-504-1325

Public Responsiveness Improvement Plan

Licensing Actions

Background

Licensing actions include such matters as requests from licensees to amend existing licenses, to exempt licensees from regulations found in Title 10 of the *Code of Federal Regulations*, and to relieve licensees from code requirements. The process used by the staff to review and approve a licensing action varies according to the type of licensing action requested. For example, the process for a license amendment begins when a licensee makes a submittal to the NRC to amend its license as allowed by Section 50.90 of Title 10 of the *Code of Federal Regulations*. Initially, a determination of "no significant hazards" is made and a notice is published in the *Federal Register*. Then the application is reviewed by the staff. An amendment package is prepared which includes a safety evaluation that addresses all aspects of the change to the license. The amendment is reviewed by the Office of the General Counsel and signed by the responsible project director or senior project manager. A notice is published in the *Federal Register* announcing issuance of the amendment.

As part of the current process for evaluating the agency's responsiveness to licensee requests, the agency keeps track of the licensing action inventory and the age of licensing actions. The age of an action is calculated from the date of the initial submittal by the licensee.

Although the agency completed 1217 licensing actions between October 1993 and July 1994, the inventory of licensing actions has grown over the past year.

In addition, the following trends have been noted: the age of incoming actions is trending up gradually, about 5 percent per year, and completion rates have decreased somewhat over the past year.

The current agency goals for total licensing action inventory are: 80 percent of the licensing inventory should be no more than 1 year old, 95 percent of the licensing inventory should be no more than 2 years old, and 100 percent of the licensing inventory should be no more than 3 years old. Presently, NRR is not achieving its inventory age goals: 73 percent of the total inventory is no more than 1 year old, 94 percent is no more than 2 years old, and there are 25 actions over 3 years old.

To address the increasing inventory and to help the agency meet its established licensing inventory goals, an improvement plan has been developed to assess the agency's responsiveness to licensee requests. The following initiatives constitute the agency's strategy to evaluate its current processes and to develop needed improvements:

Planned Improvements

- (1) Reevaluate goals previously set regarding the age of licensing actions and establish a plan to meet new or existing goals.
- (2) Establish a process for improving the prioritization of licensing actions.
- (3) Evaluate utilization of existing scheduling and work-planning software to improve project/technical staff resource expenditure.

- (4) Reevaluate the level of signature authority for all licensing actions.
- (5) Establish a process to provide interim response or status to licensees if an action has been stagnant for more than one year.
- (6) Evaluate expanding the use of contractors to reduce the licensing action inventory.

Contact: Cynthia A Carpenter, Office of Nuclear Reactor Regulation, 301-504-3641

Public Responsiveness Improvement Plan

Management of Allegations

Background

Since 1987, the Commission has had in place a program to receive, process, and resolve allegations reported by industry workers for NRC- regulated activities. The NRC's allegations policies and procedures appear in NRC Management Directive (MD) 8.8, "Management of Allegations."

The NRC allegations program encourages industry employees to report safety concerns to their management or to the NRC so that these concerns can be processed and resolved in a timely manner. To ensure that individuals making allegations to the NRC are properly treated, the NRC protects the identity of individuals where anonymity is appropriate and possible and notifies individuals of the resolution of their concerns. The NRC also takes enforcement action (e.g., levies civil penalties) against licensees who retaliate against employees for reporting concerns to their management or to the NRC.

The NRC's process for handling allegations involves several offices. Within 15 days of receiving an allegation, the appropriate regional or program office convenes an Allegation Review Board (ARB) to address the allegation in a timely manner. This Board includes appropriate management and allegation, technical, legal, enforcement, and investigative staff from offices pertinent to the allegation. The ARB sets priorities for the staff to evaluate the concerns, conduct inspections and/or investigations at licensee facilities, and interviews affected individuals and employers, as appropriate.

When allegers report harassment and intimidation from their employers for raising concerns, the NRC informs allegers of remedies available through the Department of Labor to combat the alleged discriminatory practices. The NRC may take action independent of, or in parallel with, the Department of Labor to investigate these allegations.

On July 6, 1993, the NRC Executive Director for Operations set up a review team to reassess the NRC's program for protecting allegers from retaliation. The review team assessed whether the NRC had taken sufficient steps within its authority to create an atmosphere within the regulated community in which individuals who had safety concerns felt free to raise such concerns to their management or to the NRC without fear of retaliation. The review team's report, NUREG-1499, "Reassessment of the NRC's Program for Protecting Allegers Against Retaliation," issued in January 1994, made 47 recommendations for improvements.

The recommendations included strengthening the NRC allegation program (19 recommendations), modifying enforcement policy for more effective deterrents against violations (11 recommendations), issuing Commission policy statements to encourage licensees to maintain an environment in which employees can voice concerns without fear of retaliation (6 recommendations), prioritizing and supporting investigations to minimize the impact of retaliation (6 recommendations), and increasing NRC investigations and involvement in the Department of Labor process (5 recommendations). The NRC plans to issue a substantially revised MD 8.8 to address the review team's recommendations by February 1995.

Planned Improvements

(1) Assist industry workers.

- Provide industry workers (and allegers) an NRC brochure that informs them of NRC's policies and procedures on handling allegations. The brochure will include guidance on reporting concerns to the NRC.
- Inform allegers by letter and brochure about remedies to their employee rights through the Department of Labor.
- Solicit feedback from allegers on the NRC's handling of their allegations.
- Establish a toll-free number for allegers to report their concerns.

(2) Protect algeber identity.

- Inform allegers by phone, letter, and brochure of the NRC's limitations in the area of protecting algeber identity so that allegers do not assume that the NRC can protect their identities under all circumstances.

(3) Monitor licensee environment.

- Be aware of the licensee's environment--whether it is hostile or conducive to employees raising safety concerns.
- Consider a licensee's environment during the NRC's assessment of a licensee's performance.

- (4) Respond to credible reports of retaliation.
 - Respond to credible reports of reasonable fears of retaliation against individuals raising safety concerns to their management or the NRC before retaliation has occurred. (In this case, the alleger must agree to be identified.)
 - Respond to senior licensee management by letter or meeting, notifying licensees of potential NRC enforcement action, and monitoring licensee actions towards the alleger.
- (5) Provide feedback on NRC actions to allegers.
 - Implement specific criteria and time frames for NRC responses to allegers (e.g., acknowledging allegation receipt and its specifics within 30 days; advising allegers within 30 days of the completion of NRC action; and informing allegers every 6 months of the status of their concerns).
- (6) Track, trend and monitor allegations from receipt to completion of agency action.
 - Implement various revisions to the NRC Allegation Management System data base, including introducing new fields for tracking and trending allegations and increasing data retrieval functions and data base capacity.
- (7) Self assessment, training, and interface of staff.
 - Establish a Senior Level Service position of Agency Allegations Advisor.

- Conduct annual audits of the Allegation Program in the regions and program offices.
- Emphasize periodic training of appropriate staff.
- Include performance standards for allegation follow-up in the appraisals of appropriate NRC staff and managers.
- Conduct Office Allegation Coordinator counterpart meetings.

Contact: Anil S. Gautam, Office of Nuclear Reactor Regulation, 301-504-2988

Public Responsiveness Improvement Plan

Emergency Preparedness

Background

Emergency preparedness is an integral part of the defense-in-depth philosophy of the Office of Nuclear Reactor Regulation (NRR) for ensuring a high level of safety at each of the nuclear power plant sites in the U.S. In implementing this philosophy, NRR (1) reviews nuclear power plant licensee's emergency plans to determine if they conform to current regulations, (2) evaluates the licensee's ability to implement those plans through observation of periodic exercises, and (3) reviews the Federal Emergency Management Agency (FEMA) findings on the adequacy of the State and local offsite emergency preparedness programs.

Other activities in the area of emergency preparedness that involve public participation include (1) holding public meetings following emergency plan exercises evaluated by both FEMA and the NRC, (2) reviewing petitions submitted by members of the public for NRC to take action against a licensee under its applicable regulations, (3) responding to inquiries from the public on specific emergency preparedness issues, (4) evaluating proposed changes to the NRC's rules governing emergency planning, and (5) responding to allegations from individuals or groups concerning emergency preparedness at a specific licensee or licensees.

The population that resides within approximately 10 miles of a nuclear power plant site is provided with information on the radiological emergency plans that would impact them and the actions they are expected to take in the

unlikely event of a severe accident at the plant. This information is provided annually to those residents by each nuclear power plant licensee. Emergency planning and preparedness entails a number of issues with which the public can readily identify (e.g., evacuation of homes, protection of children, and damage to property, etc.). Thus, the public has a genuine interest in emergency preparedness, both on an individual and a community level, and may want additional information. However, in many instances, this information has not been readily available and the public is not aware of from where or whom that additional information may be obtained.

NRR's procedures for handling emergency preparedness issues do not explicitly exclude public participation. However, there are activities involving emergency planning where NRC and the public could benefit from increased participation by the public. Several improvements are being considered.

Planned Improvements

- (1) When revisions to emergency planning rules which significantly impact offsite emergency planning are proposed, every effort will be made to encourage public input and participation through the use of publicity, meetings, and workshops.
- (2) When appropriate, respond to public inquiries regarding emergency planning by telephone. If a written response is needed and cannot be issued within a reasonable time, provide the requester a status report by telephone at specified intervals.

- (2) Conduct, as appropriate, public meetings following EP-related inspections to discuss findings.
- (4) Modify, as necessary, the existing memorandum of understanding with FEMA to establish procedures for working more efficiently with FEMA on State and local emergency preparedness issues raised by the public (e.g. 2.206 petitions, allegations).

Contact: Thomas H. Essig, Office of Nuclear Reactor Regulation, 301-504-2910

Public Responsiveness Improvement Plan

Electronic Information Exchange

Background

In 1992, NRR held a workshop on the current licensing basis. After the workshop, NRR conducted audits of two licensees' electronic methods for locating the facilities' licensing basis. During these audits, the licensees informed NRR of the need for an agreed-upon electronic standard or format for electronic information exchange (EIE) between the NRC and the public.

In 1993, the licensees proposed that a joint effort be sponsored by the Nuclear Information and Records Management Association (NIRMA) and NRC, and acknowledged by the Nuclear Energy Institute, to investigate and recommend to the NRC a standard for EIE. Every three or four months since June 1993, a joint NIRMA/NRC task force has been holding public meetings during which a number of standards, formats, and related issues have been examined.

Automating the exchange of information with the licensees and improving public access to regulatory documents will play a pivotal role in managing the large volume of documents generated within and received by the NRC. NRC electronic initiatives will make it easier for the public to gain access to NRC materials. An open workshop was held on December 7, 8, and 9, 1994, to present the findings from the NIRMA/NRC task force, to solicit public recommendations, and to inform the public of the status of information technology activities within the NRC. The NIRMA report is scheduled to be presented to the NRC in the middle of 1995.

Electronic transmittals will ultimately replace paper. However, for the time being, while paper is still required, the NRC and licensees will benefit from receiving information that is ready for direct input to existing or planned data/text files. The NRC, its licensees, and the general public will be able to retrieve information more readily as these data/text files are established and opened to the public as read-only systems. NRR and the Office of Information Resources Management (IRM) will continue to support these EIE and related communication efforts by establishing a pilot program with licensees to actively demonstrate proposed solutions in the EIE and communication areas.

Planned Improvements

- (1) Implement a pilot program with two licensees in each region on a voluntary basis to exchange complex documents to test the various formats and standards appropriate for the majority of the industry. The goal will be to minimize the impact to the public while the NRC designs or adopts systems to improve the efficiency of information retrieval in a cost-beneficial manner.
- (2) Continue demonstrations of electronic communications with the public and licensees using Internet, E-mail, and Mosaic applications. NRC will broaden the Mosaic users group as appropriate and as requested by the public.

(3) Place the Licensing Authority File, which contains the technical specifications for all nuclear power plants, on an electronic bulletin board. As with other electronic bulletin boards, this file will be accessible to the NRC and the public in a user friendly application.

Contact: David Wigginton, Office of Nuclear Reactor Regulation, 301-504-1301

OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS

Public Responsiveness Improvement Plan

Enrichment Facility Licensing and Certification

The NRC's role in regard to enrichment facilities is either licensing commercial facilities (such as the Louisiana Energy Services (LES) enrichment facility) or certifying the gaseous diffusion plants at Paducah, Kentucky and Portsmouth, Ohio (which are owned by the U.S. Department of Energy and leased and operated by the United States Enrichment Corporation, a government-owned corporation).

Background on Licensing of Commercial Facilities

In January 1991, Louisiana Energy Services submitted an application to construct and operate a gas centrifuge enrichment plant near Homer, Louisiana. Licensing under 10 CFR Part 70 provides for public participation. For example, it incorporates by reference the requirements of Part 51 regarding environmental impacts. There are formal and informal interactions with the public and involved Federal, State, and local government agencies. In July 1991, the NRC held a public scoping meeting in Homer, Louisiana, to obtain input on the content of the environmental impact statement. The meeting was announced in the *Federal Register* and in local newspapers. A summary of the scoping meeting was made available to the participants. Many meetings between NRC staff and the applicant were held which were open to the public, and Citizens Against Nuclear Trash (CANT), a group opposed to the facility, was notified of the meetings. The staff has had numerous interactions with State

and Federal officials concerning the project. A local public document room was established to give the public access to documents related to the process.

When the Draft Environmental Impact Statement (DEIS) was published, a *Federal Register* notice was issued providing for a 45-day public comment period. More than 500 individual letters were received in response to the notice. Many requested an extension of the public comment period, and a 15-day extension was granted. All extension letters were acknowledged, and all requesters were sent a copy of the *Federal Register* notice announcing the extension. Before issuing the Final Environmental Impact Statement (FEIS), the staff attended a meeting held by CANT and met with some local officials. The FEIS was issued in August 1994. The Atomic Safety and Licensing Board Panel (ASLBP) is conducting a formal hearing on this licensing action in two phases. The first phase took place in July 1994 in Shreveport, Louisiana. Phase 1 was open to the public, and between 50 and 100 members of the public came, although they were not allowed to participate. Participation in the hearing is limited to the intervenors, the applicant, and the staff; the State is allowed limited participation. During the first phase of the hearing, the ASLBP held a Saturday session in Homer, Louisiana, to hear limited appearance statements from the public. The second phase will be held in March 1995 in Shreveport, Louisiana.

Background on Gaseous Diffusion Plant Certification

The Energy Policy Act of 1992 mandates that NRC "certify" the safe operation of the gaseous diffusion plants run by the United States Enrichment Corporation (USEC). These plants have been operating for about 40 years and were officially leased to USEC on July 1, 1993. Public interest in the

initial certification is anticipated. The Energy Policy Act required NRC to develop safety and safeguards standards for enrichment plants within two years. NRC is further required to establish a certification process under which the two gaseous diffusion plants will be certified annually by the NRC for compliance with the standards. NRC must report to Congress annually on the status of the plants. NRC developed 10 CFR Part 76 which establishes technical, legal, and administrative requirements for the NRC's regulation of the plants. The rule was published in the *Federal Register* on September 23, 1994. It provides for a public meeting on the certification application to be held if the Director, Office of Nuclear Material Safety and Safeguards, determines that a meeting is in the public interest. The rule also provides for a public comment period on the application. The staff is committed to holding a public meeting on the initial certification. The meeting will be announced in the *Federal Register* and advertised in local newspapers. The rule also gives the public an opportunity to petition the Commission for review of the director's decision on the certification. To further assist the public, local public document rooms will be established in the area of each plant. The first certification application is expected from USEC by April 15, 1995.

The NRC has assigned resident inspectors to both sites. The resident inspectors and other regional officials meet at least annually with State and local officials. The initial meeting for the Paducah, Kentucky, site has been held and one will be scheduled for the Portsmouth, Ohio site. Additional meetings will depend upon the interest expressed by the State and local officials.

Since the initial certification has not been completed, it is too early to know how public participation in the annual certifications might be improved.

Planned Improvements

Enrichment facility licensing and certification is similar to major fuel cycle facility licensing, and the improvements planned here are expected to facilitate public participation in other major fuel cycle facility licensing actions.

Licensing of Enrichment Facilities

- (1) When staff review will take longer than 1 year and there is sufficient public interest, hold public meetings to obtain comments and disseminate information, as appropriate.
- (2) Increase the time allowed for public comment on Draft Environmental Impact Statements to balance the interests of the applicant, the NRC, and the general public.

Annual Certification of DOE Enrichment Plants

- (3) Place copies of the application and the decision/certification documents in the local public document rooms as soon as they are received.
- (4) Note the availability of the documents in local media so that the public will be made aware of them immediately.

(5) Evaluate the amount of public interest expressed to determine if public meetings after the initial certification are appropriate.

Contact: Merri Horn, Office of Nuclear Material Safety & Safeguards
301-415-8126

Public Responsiveness Improvement Plan

Decommissioning of Sites and Facilities

Background

Over the last 40 years, operations at licensed nuclear facilities have caused radiological contamination at a number of sites. This contamination must be remediated in a timely and efficient manner to ensure protection of the public and the environment before the sites can be released and the license terminated. The NRC terminates about 300 licenses each year, most of which are routine and do not involve significant remediation. The NRC's Site Decommissioning Management Plan (SDMP) list of about 50 sites that require special attention to resolve decommissioning policy and regulatory issues, as well as to prompt timely decommissioning at these sites.

The public has expressed interest in the decommissioning of a number of licensed sites. The amount of effort devoted by the NRC to public information and responsiveness activities varies from site to site, based on the amount of public concern and the complexity of the action required. For example, if a local community expresses concerns associated with licensing actions, the NRC considers holding, and has often held, a public meeting to explain NRC's role, the characteristics of the site, and the licensee's planned decommissioning approach and alternatives. At sites where concern has been expressed by the public and elected officials, the staff has invested a substantial effort in meeting periodically with officials and members of the public.

On basis of its experience in overseeing decommissioning activities at a number of sites, the NRC has identified goals for improving public involvement

in the ongoing licensing of decommissioning actions. These include establishing and building trust between citizens, agencies and licensees; enhancing the openness of the process for public observation, information and involvement; answering questions from the public in a timely manner; and encouraging licensee openness and responsiveness to legitimate public concerns, including presentation of a decommissioning program at the outset. Effective communication with the public before initiating decommissioning or the NRC's approval of the decommissioning plan could save many hours later in answering questions or responding to allegations.

The NRC has also enhanced opportunities for public involvement in rulemaking activities related to decommissioning. After Commission approval of the rulemaking plan in November 1992, NRC conducted an "Enhanced Participatory Rulemaking" on radiological criteria for decommissioning. The objective was to provide early and substantive opportunities for discussing issues with a wide variety of interested parties before developing a proposed rule. As part of this effort, NRC conducted seven rulemaking workshops around the country from January through May 1993, and eight scoping meetings in four cities in July 1993, to gather early public comments. In addition, in December 1994, NRC conducted a workshop on the potential use of Site-Specific Advisory Boards. This provision of the proposed rule on radiological criteria for decommissioning (59 FR 43200; August 20, 1994) is intended to enhance meaningful and timely public participation in decommissioning. Based on this and licensing experience, NRC believes it is important to engage interested parties early in the process.

Planned Improvements

Based on the Enhanced Participatory Rulemaking, licensing experiences, and two comprehensive reviews, NRC plans to make the following improvements to enhance opportunities for public involvement and information in the decommissioning program for nuclear materials facilities.

- (1) When a site is placed on the SDMP list or a decommissioning plan is submitted for a site not on the SDMP list, the staff will notify the State Liaison Officer, the State agency responsible for radiological controls, and the county, city or town where the site is located, or affected Tribal governments, in addition to the current practice of notifying State environmental protection agencies and the applicable U.S. Environmental Protection Agency regional office.
- (2) Make all NRC meetings with contaminated site licensees and responsible parties open to the public for observation (consistent with the policy statement on staff meetings open to the public in 59 FR 48340; September 20, 1994). NRC will provide advance notice, to the extent feasible, of these meetings to State, Tribal and local officials and the public. NRC will conduct a significant proportion of such meetings in the vicinity of the site.
- (3) Develop and distribute a brochure on the NRC's regulatory process for decommissioning, including a description of radiological criteria that are currently being used to evaluate the adequacy of decommissioning actions. This pamphlet will be distributed to interested officials and members of the public.

- (4) Identify the NRC project manager as the principal NRC point of contact for each decommissioning site. This individual will work closely with other NRC staff to ensure a coordinated response to public concerns and inquiries.
- (5) Announce the availability of decommissioning plans and related documents, in the *Federal Register* and local media, as appropriate, and offer an opportunity for a hearing on proposed license amendments. NRC will generally solicit written comments on the draft documents prior to taking licensing actions to approve site decommissioning plans, except in cases where the contamination is extremely limited or schedules imposed by outside parties (other than licensees) do not allow sufficient time for such review prior to approval.
- (6) Where NRC determines that an environmental impact statement (EIS) needs to be prepared, the staff will hold a public meeting on the intended scope of the EIS near the site as part of the scoping process, in accordance with the requirements in 10 CFR Part 51. NRC will solicit oral and written comments on what environmental impact and what decommissioning alternatives should be considered as part of the EIS. The NRC will advertise the meeting in the local media. The NRC will also distribute copies of the DEIS to designated Federal, State, and local representatives and members of the public who attend the scoping meeting or otherwise express interest in the decommissioning action.

(7) Conduct additional opportunities for public information and involvement in the decommissioning process on a site-specific basis, considering the level of hazards involved and the public interest expressed.

Contact: Michael Weber, Office of Nuclear Material Safety & Safeguards
301-415-7298

OFFICE OF NUCLEAR REGULATORY RESEARCH

Public Responsiveness Improvement Plan

Improvement of the Rulemaking Process

Background

The NRC is responsible for developing regulations (rulemakings) needed to execute its Atomic Energy Act responsibilities to regulate the domestic use of radioactive materials so as to protect the public health and safety. The rulemaking process is dictated by the Administrative Procedure Act which, in most cases, calls for opportunity for public review and comment in the development of Federal regulations. Hence, Commission rulemakings typically provide for a period of public comment before proposed rules are made final.

Occasionally, the NRC has conducted workshops to elicit early substantive input from the public into the rulemaking process. In a recent rulemaking on radiological criteria for decommissioning, the Commission held a series of workshops across the country and established an electronic bulletin board to further enhance the degree of public participation in this particular rulemaking.

Planned Improvements

As a consequence of its success in facilitating early and substantive public involvement in the decommissioning rulemaking, the Commission will set up an electronic bulletin board for all future rulemakings and will routinely hold workshops for particularly complex or controversial rulemakings.

Specifically, as a rulemaking improvement plan, the Commission will

- (1) Expand the use of workshops as a means to elicit early, substantive public input on particularly complex or controversial rulemakings.
- (2) Use electronic bulletin boards to facilitate public review of and comment upon all future proposed rulemakings. Through the electronic bulletin board, the proposed rule, all supporting documents, background information, and summaries of any public workshops that are held will be available for on-line viewing and downloading by the public.
- (3) Explore more interactive concepts in the use of electronic media, such as REGNET, to further enhance public involvement in agency rulemakings.

Contact: Sher Bahadur, Office of Nuclear Regulatory Research, 301-415-6237

Public Responsiveness Improvement Plan

Petitions for Rulemaking - 10 CFR 2.802

Background

Section 2.802 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.802) allows any interested person to petition the Commission to issue, amend or rescind any regulation. Historically, this rule has been used mainly by some sectors of the public to submit petitions for rulemaking that purport to increase the margins of safety. A few petitions have also been submitted to maintain existing margins of safety at reduced cost. The NRC has found that on the average the time required to grant petitions for rulemaking exceeds 30 months.

The NRC staff currently expends resources developing responses to petitions for rulemaking that may or may not lead to changes in NRC regulations. The reasons for the denial of petitions sometimes only become evident after NRC staff has expended considerable effort to develop regulatory and backfit analyses.

The NRC is proposing to amend 10 CFR 2.802 pertaining to petitions for rulemaking so as to alleviate delays.

Planned Improvements

- (1) Establish specific categories of petitions.
- (2) Establish criteria for classifying and prioritizing petitions.

(3) Clearly identify the supporting information that must be submitted with the petition.

Contact: N. Prasad, Office of Nuclear Regulatory Research, 301 415-5896

OFFICE OF STATE PROGRAMS

Public Responsiveness Improvement Plan

Program Reviews of Agreement States

Background

Section 274 of the Atomic Energy Act (AEA), as amended, enacted by the Congress in 1959, recognized the States' interest in atomic energy activities. Under Section 274, the NRC is permitted to relinquish to the States, on a State-by-State basis, certain of its authority to regulate the use of reactor-produced isotopes, source materials uranium and thorium, small quantities of special nuclear materials, uranium mill tailings, and the disposal of low-level radioactive waste. The States that have agreements with the NRC allowing them to regulate these activities are called Agreement States. At present, 29 Agreement States regulate approximately 15,000 radioactive materials licensees.

Section 274 requires the NRC to review Agreement State radiation control programs periodically. Every two years, the NRC conducts a formal onsite review of an Agreement State radiation control program to determine its continued adequacy and compatibility. NRC personnel also make an informal visit to every agreement State every other year.

Immediately after the onsite review is finished, NRC staff holds exit meetings with senior radiation control program managers to discuss preliminary NRC findings. A formal written report concerning the program review is sent to the Agreement State after it has been approved by NRC senior management. (In cases where the NRC proposes to withhold a finding of either adequacy or compatibility, program review reports are also reviewed and approved by the

Commission). NRC requests that an Agreement State respond in writing to program review findings and recommendations and to identify any corrective measures that should be implemented. Since, in the past, some of the NRC's program reviews have not been sent to the Agreement States in a timely manner, a backlog exists. The NRC Office of State Programs is committed to reducing this backlog in FY 1995 and to implementing measures to issue the program reviews in a more timely manner.

Planned Improvements:

- (1) Send the written program review report to the State within 90 days following the review.
- (2) Prepare an internal Program Review Handbook detailing procedures for drafting, reviewing, and issuing review reports.
- (3) Emphasize timely communication between headquarters and regional staff to obtain feedback and streamline the report preparation and approval process.
- (4) Identify an Office of State Programs contact to whom inquiries regarding specific program reviews can be directed.

Contact: Richard L. Bangart, Office of State Programs, 301 504-3340

Public Responsiveness Improvement Plan

Technical Assistance to Agreement States

Background

Section 274i of the Atomic Energy Act (AEA), as amended, authorizes the Commission to give technical assistance to the States. The legislative analysis of the bill which amended the AEA by adding Section 274 (Senate Report No. 870), made it clear that the intent of this authority was to "assist the States to prepare for, and carry out, independent State radiation protection programs." Thus, it is the policy of the NRC to provide technical assistance to Agreement States, as appropriate. Technical assistance is of three types: (1) routine technical assistance, which is provided to Agreement States as a normal part of NRC's day-to-day contact with Agreement States, (2) specific technical assistance, which requires specific assignment of NRC staff or consultants for a specified period of time and for a specified job; and (3) programmatic technical assistance, which is the assistance provided to an Agreement State that is experiencing problems of a programmatic nature. In giving technical assistance to Agreement States, the NRC concentrates its resources on those areas that an Agreement State may not be able to address through its own expertise or contractual support. A commitment from NRC to provide a State with technical assistance is made on a case-by-case basis and is dependent on the availability of NRC resources.

Agreement States request NRC's technical assistance through a variety of means. Usually, minor technical assistance is sought through telephone calls to either the Office of State Programs staff or to other appropriate NRC office or regional staff. Agreement States send written requests for more

substantial technical assistance involving multiple organizations, significant expenditure of staff time, or the use of consultants. In other cases, the NRC can initiate technical assistance requests by offering such assistance to an Agreement State. The Director, Office of State Programs, coordinates the review of technical assistance requests with regional administrators and directors of affected program offices. The schedule for completing the assistance arrangement is mutually agreed to by all affected organizations, including the Agreement State. Throughout the process, the Agreement State offers feedback about the quality of the assistance.

Planned Improvements:

- (1) Once a request for assistance is received, contact the Agreement State to establish a completion date and identify the NRC staff member assigned to provide the assistance. Work to ensure that the originally negotiated completion date is met 80 percent of the time. If task complexity, resource limitations, or competing priorities preclude completion by the originally scheduled date, negotiate a new completion date the Agreement State. Provide technical assistance to the Agreement States in accordance with the original or extended completion date 95 percent of the time.
- (2) Improve the efficiency and effectiveness of the assistance by streamlining task priority setting.

Contact: Richard L. Bangart, Office of State Programs, 301 504-3340

Public Responsiveness Improvement Plan

Regulatory Review of Agreement State Proposed Regulations

Background

In addition to performing the formal reviews for adequacy and compatibility, NRC asks Agreement States to give NRC an opportunity to comment on draft proposed regulations. Usually, the regulations are reviewed by the Office of State Programs at the time the State accepts comments from the public. While the regulation is in draft form, the Office of State Programs and other appropriate NRC offices (generally the Offices of Nuclear Material Safety and Safeguards, Nuclear Regulatory Research, and the General Counsel) submit technical, legal, and editorial comments. Also in conjunction with NRC reviews of Agreement State regulatory programs, NRC staff reviews the status of State activities to adopt new regulations to determine if they are compatible with NRC regulations.

The time required for completion of review of draft State regulations is determined largely by the Agreement State's own administrative rulemaking process. The Office of State Programs endeavors to meet the State's schedule. The Office of State Programs normally discusses the draft comments with the State staff by telephone to resolve concerns and ensure understanding of the regulations and the comments. Then the Office of State Programs provides written comments to the State. When time constraints will delay a normal response past the State schedule, the Office of State Programs sends comments to the Agreement State by facsimile.

On occasion, the Office of State Programs may have to defer the review of an Agreement State's draft regulation due to higher priority work or special projects.

Planned Improvements:

- (1) Expand the current goal of providing timely written comments to the Agreement State during the adoption of the regulation by providing verbal notification to the State on a draft regulation received and assigned for review, or when NRC has to defer a review.
- (2) Streamline the review of draft regulations and the process of providing comments so that comments will normally be provided to the State within 60 days after the draft regulation is received. The Agreement States will be requested to submit copies of draft regulations at least 60 days before the end of the public comment period for the rulemaking.
- (3) Place copies of the draft regulations and the written comments resulting from the review in the PDR.

Contact: Richard L. Bangart, Office of State Programs, 301 504-3340

Public Responsiveness Improvement Plan

Agreement State Training

Background

Section 274i of the Atomic Energy Act (AEA), as amended, authorizes the Commission to provide training to the States. The legislative analysis of the bill which amended the AEA by adding section 274 made it clear that the intent of this authority was to "assist the States to prepare for, and carry out, independent State radiation protection programs." Therefore, NRC offers training courses to Agreement State personnel, and in some instances, to non-Agreement State personnel, to increase their technical and regulatory knowledge in those areas necessary for competent work in a State radiation control program.

To assist in providing consistent high-quality training, the Agreement State technical training program has been consolidated within the NRC's Technical Training Division in the Office for Analysis and Evaluation of Operational Data. This consolidation will also help provide greater uniformity in materials training programs for NRC and Agreement State staff. NRC has coordinated the content, nature, and attendance at these courses with Agreement State personnel and the Conference of Radiation Control program directors. Training activities are developed and scheduled through a 1 to 2 year period.

A schedule of planned courses is sent to the Agreement States annually, and the current goal is to send specific course notices and schedule to the State personnel 60 days before the course starts. Those wishing to attend are asked

to apply as soon as possible. Currently, the NRC has a 30-day advance notification of acceptance goal, but this goal is not always met. The quality of the course is monitored by a subjective evaluation of questionnaires and evaluation forms completed by course participants.

Planned Improvement:

- (1) Conduct monthly training planning meetings to ensure that in all cases training availability notices to Agreement States are received no later than 60 days before a course begins, and that confirmation notices of acceptance into a training course are sent to Agreement States no later than 30 days before the course begins.

Contact: Richard L. Bangart, Office of State Programs, 301 504-3340

REGIONS

Public Responsiveness Improvement Plan

Materials Licensing

Background

Some regional offices have had a significant backlog of materials licensing actions. A backlog is defined according to timely issuance criteria established in 1988 by the Office of Nuclear Materials Safety and Safeguards (NMSS). Specifically, a licensing action is considered to be in the backlog of such actions for new licenses and amendments to existing licenses if it is still unfinished more than 90 days from the date it was received; for renewals, an action is considered to be backlogged at 180 days.

Region I has proposed and will implement a pilot program to reduce the backlog of materials licensing actions and to maintain consistency in the use of acknowledgment post cards for the receipt of nuclear materials licensing actions.

A combination of factors contributed to the backlog in Region I. First, requests for license amendments were much heavier than expected as a result of the decommissioning rule, and later the 100% fee recovery rule. At about the same time, the regional licensing budget for processing renewals was cut in order to place additional emphasis on medical program inspections. Finally, the region experienced abnormally heavy attrition within its staff of experienced license reviewers. Taken together, these factors contributed to the licensing backlog problem which persisted through the early 1990s.

As a result of the large backlog existing in FY 94, Region I reassigned staff to licensing actions with an emphasis on reducing the backlog. Additionally, NMSS has established a tracking system and timeliness goals for processing regional technical assistance requests and has significantly improved timeliness of these products. Because of this, the backlog of Region I licensing actions was reduced from 263 on September 1, 1993, to 83 on September 30, 1994. The goal for FY 95 is to completely eliminate the backlog from Region I materials licensing actions. This will allow all actions to be processed in a timely manner, responding better to the needs of our customers.

In addition, Region I has used the Nuclear Materials Post Card, NRC Form 532 (RI), to inform licensees that the region received a licensing action (i.e. new, amendment, termination, or renewal). Upon receipt of an action, a unique mail control number is assigned. The receipt date and mail control number are recorded on the post card and then mailed to the licensee. The post card also lists telephone numbers of the appropriate NRC contacts for information about technical issues, status of licensing actions, and fees.

To improve its responsiveness to the public by reducing the backlog of licensing actions for materials licensees during FY 95, and to maintain consistency in the use of acknowledgement post cards for the receipt of nuclear materials licensing actions, Region I will implement several improvements.

Planned Improvements

- (1) Maintain management focus on the backlogged actions to ensure that resources continue to be provided to these actions until the backlog has been eliminated.
- (2) Assign incoming licensing actions to a reviewer within five working days of receipt from the licensee/applicant and indicate the reviewer assignment in the License Tracking System.
- (3) Hold periodic meetings between reviewers and their management to discuss the status of pending actions.
- (4) Reduce reviewer processing time by giving the staff better guidance on standards for license format and deficiency questions.
- (5) Establish a tracking system to ensure the post card acknowledging receipt of the licensing action is mailed to the licensee within five working days of receipt. Cross-reference this tracking action with the mail control number in the log book.
- (6) Establish a weekly review of the log book to ensure that a post card was mailed for each licensing action received.

Contact: Charles W. Hehl, Division of Radiation Safety and Safeguards, Region I, 610-337-5281.

ADMINISTRATIVE ACTIVITIES

Public Responsiveness Improvement Plan

License Fee Inquiries

Background

The NRC is required by legislation to recover 100 percent of its budget each fiscal year through the assessment of fees. This requires issuing more than 10,000 bills to licensees. There have been significant controversies regarding NRC fees, especially those for NRC inspections and annual fees. As a result, the NRC staff receives hundreds of letters and telephone calls after each monthly or quarterly billing cycle. These interactions with the public involve general questions about the purpose of the bills, challenges on the appropriateness of the fees, exemption requests, and questions about license authorizations and fees. Because of the large volume of mail and telephone calls after each billing cycle, the NRC has not always been able to respond to inquiries as quickly as it would like. The goal is to answer most correspondence within 45 days after receipt and to respond to 80 percent of routine telephone calls within one day. A sample of correspondence reveals that we have significantly improved our response time in the past eight months.

Percent of Correspondence Answered Within

<u>Month/Yr.</u>	<u>30 days</u>	<u>45 days</u>	<u>60 days</u>
March 94 (non-peak month)	39	72	82
October 94 (peak month)	72	85	92

Planned Improvements

Responding to fee inquiries in a more timely manner is being approached from two perspectives. First, we would like to reduce the need for incoming inquiries. To this end, we plan to:

- (1) Improve the timeliness of bills so that licensing and inspection bills are issued within 30 days after the end of the billing cycle in order to reduce incoming questions about the purpose of the bills.
- (2) Improve the format of the invoices to make them more understandable so as to eliminate some of the questions that we have received in the past.
- (3) Develop a simple pamphlet, containing typical questions and answers that could be included with bills.

The second set of improvements are intended to address the public interaction workload which exceeds the currently available staff during the peak periods that follow issuance of bills. We plan to:

- (1) Provide interim responses acknowledging receipt of the licensee's letters which involve more complex questions.
- (2) Utilize contractors in performing research and in drafting correspondence during peak periods.
- (3) Use more standard letters to respond to frequently asked questions.

Contact: Diane B. Dandois, Office of Controller, 301-415-7544.

Public Responsiveness Improvement Plan

Commercial Payment Inquiries

Background

Prior to Fiscal Year 1993, the commercial payment process was, for the most part, performed manually. In addition to delaying payment, this caused delays in responding to vendor inquiries. Other factors, such as late receiving reports and invoice approval further contributed to payment delays.

The NRC has improved the timeliness of payments to commercial vendors and contractors as shown:

<u>FISCAL YR.</u>	<u>PERCENT OF PAYMENTS MADE ON-TIME</u>	<u>PERCENT OF PAYMENTS MADE W/O PENALTIES DUE</u>	<u>DOLLAR AMOUNT</u>
1993	52	92	\$18,699
1994	82	94	14,699

At the beginning of Fiscal Year 1993, the NRC implemented a new financial accounting system that includes an automated accounts payable subsystem. The accounts payable subsystem schedules payments to comply with the Prompt Payment Act requirements and automated measurement of payment performance to allow close monitoring by management. The subsystem also contains an online inquiry capability to allow for more timely and more informative responses to vendor inquiries. Additionally, improvements were made in the procedures and logistics to assure timely receiving reports and invoice approvals.

Other efforts have been made to improve agency responsiveness in the commercial payments area. This includes the addition of a customer assistance desk in the commercial payments area and the addition of contractor staff to help process payments. The customer assistance desk allows the commercial payments staff to respond very quickly to vendor inquiries and resolve related

problems. A central telephone number was established for this purpose and is included on all check payments and outgoing correspondence.

Planned Improvement

- (1) Increase the percentage of on-time payments in Fiscal Year 1995 to 84 percent.

Contact: Anthony C. Rossi, Office of the Controller, 301-415-7341

Public Responsiveness Improvement Plan

Contracting Process

Background

NRC complies with the competitive contracting procedures prescribed by the Federal Acquisition Regulation and agency implementing regulations known as the NRC Acquisition Regulation. This contracting process requires substantial contact with the public.

Individuals and firms interested in doing business with the NRC interact with agency contracting staff in a variety of ways. For example, the contracting staff frequently receives inquiries from the public regarding NRC contracting opportunities. This usually leads to the individual or firm being placed on the NRC bidders mailing list. Once a contract need is identified, NRC begins the process by publicizing a brief synopsis of the requirement in the *Commerce Business Daily (CBD)*. This gives interested firms an opportunity to obtain a copy of NRC's Request for Proposals (RFP) and to compete for NRC work. Potential sources are also identified through the NRC bidders mailing list. Once an individual or organization elects to submit a proposal to NRC, interaction with NRC may involve a preproposal conference, questions relating to proposal preparation and submission, and negotiations. Firms that are unsuccessful in this process may request a formal debriefing. Those that are successful in receiving an award will continue to interact with the NRC through participation in a contract startup meeting, regularly scheduled progress review meetings, negotiations associated with required contract changes, and the invoice payment and closeout processes.

For the most part, the public perceives the contracting process as too long and tedious. Although it is designed to ensure equity and fairness in contractor selections, the process often serves as a source of frustration for the general public, not only because there is only one winning proposal but because it frequently takes 6 months to a year or more for the process to reach that point. Although the NRC is aware of this perception and makes every effort to be responsive to the needs of competing firms at each stage of the process, there are few timeliness standards currently in place to clarify expectations and measure NRC performance in this area.

NRC has embarked on a number of initiatives to make the procurement process more efficient and effective, beginning with being designated as a Procurement Reinvention Laboratory under the National Performance Review. Initiatives under the reinvention lab include simplifying the RFP process, implementing the NRC BankCard program, empowering contracting personnel through increased delegations of authority, and performing a business process reengineering study of the procurement process. These initiatives should help NRC make the contracting process less cumbersome and more in line with the way the public acquires goods and services.

Other initiatives are under way to improve the timeliness and quality of NRC staff interactions with the public on contractual matters in general. These improvements and associated timeliness standards (in working days) are described below.

Planned Improvements

In responding to the public under this improved process, the contracting staff will:

- (1) Acknowledge requests from individuals and firms wishing to be added to the NRC bidders mailing list and mail requested application packages to requestors within 2 days.
- (2) Establish a central point for receipt and tracking of all correspondence received by the contracting office so that actions can be assigned and monitored effectively to ensure responses are timely and adequately address the needs of the requestor.
- (3) Ensure notices placed in *CBD* clearly describe the NRC contracting opportunity, the RFP issue date, and a point of contact for obtaining a copy of RFP.
- (4) Issue the RFP within 1 day of issue date stated in *CBD* notice unless there is a compelling reason not to do so.
- (5) Provide written response to questions from potential offerors regarding RFP within 10 days of receipt. (If an interim response is necessary, the response will give the date on which a final response will be provided.)
- (6) Notify competing firms whether they are in/out of the competitive range within 5 days of determination by contracting officer.

- (7) Notify winning/losing firms of award decision within 3 days of award.
- (8) Provide debriefing after award within 10 days of receipt of request.
- (9) Hold kick-off meeting with winning contractor within 5 days of award.
- (10) Streamline and automate invoice processing procedures to ensure contractors receive timely payments.
- (11) Request final audit of contract costs within 75 days of the date that the contract is assigned for closeout.

Contact: Timothy F. Hagan, Office of Administration, 301-415-7305

Public Responsiveness Improvement Plan

NRC Headquarters Security Force

Background

The NRC protects the agency's personnel, information systems, and property at the headquarters' White Flint North complex by engaging the services of a private security firm. This security force is currently contracted for by the General Services Administration, Federal Protective Service. Security officers are stationed at various entry points throughout the complex, they conduct roving patrols of the agency's facilities, and perform other security related activities.

The security force has daily contact with employees, contractors, visitors and the general public by checking people who enter and exit the White Flint North complex and by responding to requests for assistance or information. Local Area Network capabilities have also been installed for the security officers at fixed locations throughout the White Flint complex to enhance responsiveness and interaction between the security force and visitors.

During an average month, more than 4,000 individuals visit the NRC for meetings and interaction with NRC staff. This activity, coupled with facility-related contractors, delivery personnel, messengers, and others, comprises an extremely active publicly oriented environment. Every attempt is made to balance protection with service. Public responsiveness has been measured by feedback. All feedback (both positive and negative) is discussed with the security force project manager and corrective action is taken as appropriate. Records maintained on security-related events and tracking of

various incidents involving employees, contractor, and the public help form the basis for adjustments to security procedures. We expect these measures to result in improved responsiveness.

In order to improve the agency's ability to make significant and immediate changes to security officer coverage, NRC is actively pursuing the redelegation of contractual authority from GSA to NRC. Redelegation of this responsibility will provide NRC direct oversight and control over the security force and allow the necessary steps to be taken to improve responsiveness.

Planned Improvements

- (1) Assess how well security officers interact with the public and the staff by conducting an initial survey encompassing security officers, visitors, security advisors, and selected staff to establish a baseline of the current level of service provided by the security force. Conduct a follow-up survey in November 1995 of customers (staff and visitors) to determine if improvements have been perceived.
- (2) Conduct a feasibility study of the use of a video-based visitor access system to expedite entry into the White Flint complex.
- (3) Improve security officer public relations and interpersonal skills through video training and personal briefings.

Contact: David A. Dittmeier, Office of Administration, 301 415-7406.

Public Responsiveness Improvement Plan

Employment Applications

Background

It is the policy of the NRC to reply promptly and courteously to all employment applications. The Office of Personnel (OP) serves as the central point of contact for all employment inquiries from within and outside the agency. OP has one system available to capture the timeliness and quality of responses to technical applicants from outside the agency who are interested in being considered for general NRC employment. This system, known as the Applicant Review System (ARS), maintains a pool of applicants for current and future technical position vacancies, provides a variety of reports that allows for assessments of the NRC recruitment program, produces a variety of user designed and manipulated reports, and generates responses to applicants applying for general technical employment.

This system works well. However, there are certain other categories of applications that are not handled using a formalized system to acknowledge receipt and disposition of applications. These categories include:

- (1) applications in response to specific vacancy announcements
- (2) applications for special student programs
- (3) secretarial applications
- (4) unsolicited administrative applications
- (5) applications for Senior Executive Service and Senior Level positions.

For these categories, OP staff cannot readily access the status or measure the level of responsiveness without a relatively time-consuming staff exercise.

The goal of providing all applicants prompt acknowledgement of the receipt and disposition of their employment applications is generally being met. However, there is currently no vehicle to immediately gauge the level of success without a relatively time-consuming process for staff members.

Consistent with current efforts to improve public responsiveness, OP has reviewed the processes associated with all categories of applications. Our goal is to construct a centralized, automated system that covers all categories of applications. The expanded system will further enhance the quality of the responses to applicants and measure the timeliness of the responses. The system will also provide a greater degree of accountability to the public and increase staff awareness of the importance of responsiveness to the public.

Planned Improvements:

In responding to the public under this improved process, the Office of Personnel will:

- (1) Send an acknowledgement letter to all applicants within 7-10 working days.
- (2) Send a letter informing all applicants of the final outcome of their applications within 10 working days of final disposition.
- (3) Answer questions from applicants quickly throughout the process.

- (4) Provide consistent responses to all applicants among the four regions and headquarters.

Contact: Jan Clemens, Office of Personnel, 301 415-7530

Public Responsiveness Improvement Plan

Quality and Timeliness of Correspondence

Background

The NRC considers the quality and timeliness of agency correspondence as key components of its public responsiveness initiative. Agency correspondence responds to issues raised by individual citizens, public interest groups, Members of Congress, trade and professional associations, the media, and a variety of other sources. The quality of NRC correspondence directly reflects NRC's responsiveness to the concerns of the requester and the staff's recognition that different audiences require different approaches. The timely manner in which we respond affects whether the public sees us as courteous, accessible, and understanding of its needs.

The staff reviewed 6 months of correspondence prepared for review and approval of the Chairman and Commissioners to assess the timeliness factor of correspondence. The results show that while the average time to respond was about 15 working days, 25 percent required 20 or more working days for a reply. As part of this review, the Secretariats of five other Federal agencies were contacted to ascertain their procedures and experience in controlling, tracking, and responding to correspondence. The results of the informal telephone survey indicates that NRC is doing significantly better than a number of other agencies and is on par with the best. Nevertheless, the NRC is looking at ways to improve the quality and timeliness of its responses to the public.

To this end, quality and timeliness improvement plans have been developed.

Planned Improvements

- (1) Answer all correspondence within 15 working days or if a complete response cannot be developed within that time, prepare an interim reply. This allows approximately 10 working days for the staff to develop the response and one week for management/Commission review, approval, and dispatch.
- (2) Include in the response the name and telephone number of the responsible NRC person who can be contacted for additional information or in the case of an interim response, information regarding the status of the reply.
- (3) Update internal procedures to ensure proper tracking and timeliness.
- (4) Develop a "Quality of Correspondence Workshop" for NRC employees, stressing how to write for a specific audience and purpose, how to respond in a logical manner, and how to conform to general correspondence style rules and the rules of editing and grammar.
- (5) Publish a "Quick Desk Guide to Quality Correspondence" for use by the staff.
- (6) Publish a column, on a continuing basis, in internal agency publications to highlight the importance of clear, well-written responses to the public.

Contact:

Quality: Walter Oliu, Office of Administration, 301 415-7175

Timeliness: Andy Bates, Office of the Secretary, 301 415-1693

Public Responsiveness Improvement Plan

Freedom of Information Act (FOIA) Program

Background

The NRC FOIA program operates under the requirements established by statutory law, 5 U.S.C. 552, *The Freedom of Information Act (FOIA)*, and Department of Justice policy guidance. The agency is required to provide the public access to non-exempt NRC records within 10 to 20 work days of the time records are requested.

The FOIA staff interacts with the public by providing access to records maintained by the NRC. All FOIA requests received by the agency are controlled and coordinated by the FOIA staff. Requests are sent to each NRC office that appears to have responsibility for any of the records that would be included in responding to the request.

The FOIA staff interacts directly with public interest groups, licensees, law offices, bidding contractors, etc., whenever it is necessary to clarify issues concerning a request.

Once all issues have been resolved regarding proposed disclosure or non-disclosure, the FOIA staff advises the requester of the releasability of the requested documents. The releasable documents are sent to the requester or are placed in the Public Document Room where the requester may review them there or request copies from the PDR copying contractor.

NRC plans to implement the following initiatives to further enhance the agency's responsibility to provide public-access to NRC records:

Planned Improvements

- (1) Reduce the average time to respond to FOIA requests by 20 percent.
- (2) Conduct a survey of FOIA users to determine the level of satisfaction with the current NRC FOIA program.
- (3) Hold an FOIA users conference to identify areas for improvement in the current program.
- (4) Conduct regular FOIA training to increase staff cognizance of FOIA policy and to improve quality and timeliness of initial disclosure decisions.

Contact: Russell A. Powell, Office of Administration, 301 415-7095

Public Responsiveness Improvement Plan

Local Public Document Room (LPDR) Program

Background

The NRC places a high priority on providing public access to its information. Through the local public document room (LPDR) program, started by the Atomic Energy Commission in the late 1960s and continued and expanded by the NRC since its inception in 1975, citizens living or working near nuclear power reactors and certain other nuclear facilities have access to the records used by the NRC in licensing and regulating the local facility.

LPDR collections are maintained in academic, public, and state libraries having evening and weekend hours. NRC's LPDR program staff has daily contact with the public and with local librarians, and assists them in locating records in the collections. More than seven telephone calls are received and responded to each day on the toll-free LPDR hotline. By converting the site-specific paper collections at power reactor and high-level waste LPDRs to NUDOCs microfiche several years ago, the public now has local access to more than 1.5 million records released by the NRC since 1981. Among these are the records on all NRC licensed facilities as well as NRC staff and contractor publications, rulemaking documents, and generic issues. Online access to the NUDOCs data base of publicly available records is currently provided to 41 power reactor and the 2 high level waste LPDRs. Toll-free searches can be conducted approximately 13 hours each business day from 7:00 a.m. to 8:00 p.m. Eastern time. Records identified in searches can be viewed and copied from the NUDOCs microfiche at each LPDR. Paper records are still sent to LPDRs that have small collections, such as LPDRs for contaminated sites.

The staff visits LPDRs at least once every 4 years and more frequently as needed in response to library staff changes, increased public interest in the collection, or NRC's need to provide NUOCS computer training to librarians and the public. The LPDR staff contacts interested members of the public in the area to inform them of upcoming visits and to invite them to the training sessions. The visits are often publicized by the librarians in their newsletters and in local papers, on bulletin boards, and in radio announcements.

A variety of reference tools is placed at each LPDR to help patrons locate records in the collections. These include user's guides and weekly and cumulative accession list printouts identifying the records on the local facility that are available at the library. In addition, weekly and monthly printouts are sent to LPDR patrons interested in certain reactors or issues. Upon request, customized printouts are provided to LPDR patrons and interested members of the public.

The LPDR program staff also reviews NRC press releases and the *Federal Register* on a daily basis and informs LPDR librarians and members of the public who have expressed an interest in certain power reactors or issues when items they have been looking for are published.

All *Federal Register* notices that refer to power reactors or other facilities for which an LPDR exists identify the name and address of the LPDR library so the public can go there to find information on the matter discussed in the notice.

The NRC will continue to utilize the LPDR program to respond to the information needs of local citizens living or working near the facilities it regulates. Several improvements are being planned to make the LPDR program more responsive to the public.

Planned Improvements

- (1) Visit at least 22 LPDRs in FY95 to ensure that the collections are complete and up-to-date and that librarians are trained in how to locate records for patrons. Computer training will be provided at those LPDRs that have online access to the NUDOCS database. The public will be invited to attend the training sessions through publicity provided by the librarians as well as through announcements posted in the libraries.
- (2) Connect more LPDRs to the NUDOCS data base. LPDRs not connected to NUDOCS will be contacted by December 31, 1994, to determine their interest in NUDOCS access and to evaluate their hardware, software, and telecommunications capabilities. LPDR program staff will work with candidate LPDRs to connect them to the NUDOCS data base and provide appropriate training throughout the coming year.
- (3) Establish LPDRs for the two gaseous diffusion plants in Paducah, Kentucky, and Portsmouth, Ohio, by December 31, 1994. As the materials become available, the LPDRs will be provided with collection records, accession lists, instructional materials, reference tools, and any necessary microfiche equipment. Onsite training will be provided as needed.

- (4) Provide LPDRs with facsimile copies of Preliminary Notifications of Occurrences (PNOs) as they are issued. By January 31, 1995, LPDR program staff will make arrangements to receive PNOs directly from all regions and will immediately transmit them to the LPDR for the subject facility. PNOs from Region III are currently transmitted to LPDRs in this manner.
- (5) Place postage-paid postcards addressed to the NRC LPDR program staff at all LPDR libraries. By using the postcards, LPDR librarians and patrons will have another way to conveniently communicate their comments, problems, and inquiries about the LPDR program to the NRC. In order to monitor agency responsiveness to the local information needs of the public and to plan appropriate improvements in the LPDR program, the NRC will review feedback from the postcards, the toll-free LPDR hotline and reports submitted by LPDR librarians.

Contact: Jona Souder, Office of Administration, 301-415-7169.

Public Responsiveness Improvement Plan

Public Meeting Notice System

Background

The NRC's long-standing open meeting policy was recently revised to further the goal of providing meaningful opportunities for the public to be informed of NRC activities without unduly affecting open and candid discussions between licensees and the NRC staff or interfering with the NRC staff's ability to exercise its regulatory and safety responsibilities without undue administrative burden. On November 1, 1994, centralized agency services became available to the public for obtaining schedules for the staff meetings that are open to public attendance. The meeting policy is a matter of NRC discretion and may be departed from as NRC convenience and necessity may dictate.

The NRC's local public document room (LPDR) program staff will receive information on each meeting open to the public under the revised guidance provided in Management Directive/Handbook 3.5, "Public Attendance at Certain Meetings Involving the NRC Staff." Meeting information is entered into a database that generates reports of public meetings for posting in the agency's Public Document Room (PDR). A toll-free telephone recording announces upcoming public meetings and a toll-free electronic Bulletin Board System (BBS) contains searchable information on each meeting. The telephone recording accommodates multiple concurrent users. The BBS and the telephone recording are operational 24 hours a day. The BBS, the telephone recording, and the reports posted in the PDR contain the name and phone number of the NRC

meeting contact should a member of the public need additional information on the upcoming meeting.

Several feedback mechanisms are already in place to monitor the effectiveness and usefulness of the public meeting notice system to the public.

- (1) People using the toll-free BBS and the toll-free telephone recording can leave messages should they need assistance accessing the public meeting database or care to leave comments. Messages will be responded to by the system operator, the system manager, or the LPDR program staff, as appropriate, within 24 hours.
- (2) The name and telephone number of the NRC bulletin board system manager and system operator are also available online should users have questions and want to call them directly.
- (3) The toll-free BBS and telephone recording as well as the reports of upcoming meetings available in the PDR include the name and phone number of the NRC contact for each meeting, should the public require further information on a particular meeting or have questions.

Planned Improvements

- (1) Encourage local public document rooms with computer capabilities to provide public access to the toll-free BBS at the LPDR. In addition, provide LPDR libraries weekly printouts of upcoming public meetings. The phone number for both the toll-free BBS and the telephone recording will be posted in LPDR libraries. LPDR librarians and their patrons can

report any problems they encounter in the public meeting notice system by calling the toll-free LPDR hotline.

- (2) Review and evaluate public comments received during the first six months of operation. Action to initiate changes or modifications needed as a result of these comments will be taken within 5 days.

Contact: Jona Souder, Office of Administration, 301-415-7169

NUCLEAR REGULATORY COMMISSION

Draft Report on Responsiveness to the Public; Availability

The Nuclear Regulatory Commission (NRC) has published its Draft Report on Responsiveness to the Public. It has been a long-standing policy of the NRC to conduct its business activities in an open and public manner, and in recent years NRC has moved to be even more open and responsive to the public. The public is defined as individual citizens, public interest groups, petitioners, licensees, industry groups, contractors, the Congress, and others with whom NRC does business.

Recent initiatives to be more responsive to the public have included increased use of public workshops for rulemaking activities, participatory rulemaking, a pilot program opening enforcement conferences to the public, surveys of licensees to identify ways to reduce the regulatory burden on licensees, and the Cost Beneficial Licensing Action Program. Such responsiveness, unfortunately, has not permeated all aspects of NRC programs.

However, responsiveness to the public has not permeated all aspects of all NRC programs. Furthermore, the National Performance Review has placed new emphasis on Federal agencies "placing the customer first." More can be done to broaden and institutionalize public responsiveness and openness as an underpinning tenet of how NRC does business. In this spirit, on July 27, 1994, the Executive Director for Operations launched the Public Responsiveness Initiative asking NRC program directors to identify the business activities where public interaction is relatively frequent and to develop Public Responsiveness Improvement Plans. The draft report reflects the initial

results of that effort and contains improvement plans prepared by the offices. The improvement plans are being published for public comment so that NRC can consider comments and make adjustments and improvements in the plans as implementation proceeds.

Those considering public comment may obtain a free single copy of draft NUREG/BR-0199 by writing to the U.S. Nuclear Regulatory Commission, Office of Administration, Printing and Mail Services Section, Washington, DC 20555-0001. In addition, this draft report is available through the Internet World Wide Web server, which can be accessed by using the Uniform Resource Locator, (URL)<http://www.nrc.gov>. A copy is also available for inspection and/or copying for a fee in the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, DC 20555-0001.

Written comments should be mailed to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attn: Docketing and Service Branch.

Dated at Rockville, Maryland, this ____ day of _____, 1994.

For the Nuclear Regulatory Commission.

John C. Hoyle

Acting Secretary of the Commission