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June 22, 1992
OGW-92-069

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-92-321
Rec'd 6-1-92

Mr. Donnie H. Grimsley, Director
Division of Freedom of Information and
Publications Services
U.S. NUCLEAR REGULATORY COMMISSION
Washington, D.C. 20555

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST

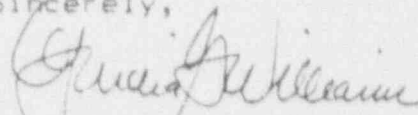
Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act, 5 U.S.C. Paragraph 552 and NRC's regulations, please make available documents that provide the information as outlined in the section below.

I would appreciate your prompt response within ten working days of the receipt of this letter, as provided by the Code. If you have any questions regarding this request, please contact me at 301/249-9672.

Thank you.

Sincerely,



Ophelia G. Williams

DOCUMENT(S) REQUESTED:

"Briefing papers," as ordered by James Taylor, EDO, on various issues, ranging from plant license renewals, to the resident inspector program, emergency preparedness and response, and the current status of Chernobyl and Three Mile Island.

These are referred to in the enclosed article from the June 15, 1992 edition of Inside N.R.C.

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standup, has been held a prisoner for several years at the Office of Management & Budget (OMB) on grounds of regulatory excess. The DOE, the Bush administration generally, and the nuclear industry regard the lower EPA standards as too rigorous and costly.

But during the recent House debate on the energy bill (ENRCA, 1 June, 1), Reps. Miller and John Dingell (D-Mich), chairman of the Energy & Commerce Committee, urged the EPA to "immediately proceed to promulgate standards" and "advised" the NRC to postpone its action, deferring instead to the EPA. That was on May 27.

The NRC wasn't listening. When the commissioners met on June 1 for one of their now frequent staff briefings on the agency's attempt to salvage something from BRC, NRC General Counsel William Parler warned them that "it may well be that, if the House version of the legislation is enacted into law, we will have statutory guidance on the point." But the commissioners disregarded that. They commended the participatory enhancers and told them to move ahead "at full speed."

Francis "Chip" Cameron, the agency's enhancement guru, told the commissioners that, for about \$110,000, contractors experienced at moderating public mayhem are being hired to plan, recruit participants in, book hotels, convene, and conduct half a dozen or more regional buzz sessions on a substitute for BRC. The sessions are to be held between September and February in rented conference rooms across the country, and Cameron reported that details already jelled would place 15 panelists at each session around a U-shaped head table, its open end facing an audience of unpredictable size and antipathy.

Cameron said the same hired "facilitator"—a chairman trained to "achieve effective interaction among workshop participants" by "keeping the discussion moving" even if some of them become "very vociferous"—would lead all seven or eight discussion sessions. Selected participants whose skeptical or hostile views and/or lack of funds might keep them from joining in would be encouraged by offers of NRC reimbursement for travel and lodging expenses, estimated to cost \$50,000 to \$70,000 overall.

The result may be that just as, or immediately after, the energy bill becomes law—quite probably allowing the states to veto any "safe enough" decontamination level the NRC could otherwise impose on them—the agency will have about \$200,000 worth of enlarded stenographic transcripts of a participatory process it cannot use.

If the law says NRC must defer to the states—or to rulemaking by EPA—the carefully orchestrated workshops could become worthless. But optimistically, Selin told Cameron that he hopes the participatory process will "give this rulemaking every possible chance of success."

The process may have other problems. At the June 1 briefing, Selin seemed less worried that legislative preemption might make the process of little value than that NRC expense payments to some—but not all—participants might give the perception of a conference of stooges. "You know," Selin remarked, "sincerity is essential in these places."

Although Cameron called expense payments to some "a must," Selin said he was "very uncomfortable about the idea of reimbursing people." The chairman's warning was this: In deciding not only who should participate but who among them should be reimbursed, NRC could appear to be saying "this is important, so we pay." The "indication" could then be that the views of those not reimbursed were deemed "not important."—Ben A. Franklin, Washington

NRC REGIONS HAVE BEEN CONVENING A SERIES OF LOCAL PRESS BRIEFINGS around the country under Chairman Ivan Selin's strategy to improve public and media perceptions of the agency and the nuclear power industry.

Pursuing Selin's policy of "openness," orders to the NRC's regional administrators to stage the periodic press briefings went out last fall. To help prepare the regions for these standups, Executive Director for Operations James Taylor ordered headquarters divisions to prepare extensive briefing papers "of handout quality" for them on various issues, ranging from plant license renewals, to the resident inspector program, emergency preparedness and response, and the current status of Chernobyl and Three Mile Island.

The press briefings began last November and December in Arlington, Texas, the Dallas suburb that is the seat of NRC Region IV, and in Miami. So far this year there have been briefings in Cleveland, Philadelphia, Wilmington, N.C., San Luis Obispo, Calif., and Cambridge, Mass. Chattanooga, Tenn. has one scheduled for June 26, to be followed by Chicago on July 6 and then, at dates yet to be set in the fall, by Syracuse and by Baltimore.

"This has never been done exactly this way," said Director of Public Affairs Joe Fouchard. "It's a cut out of the chairman's overall effort to increase openness and public understanding and acceptance. It's to help get better public understanding of our activities. It was the chairman's wish to have the regional administrators meet the media and have the media meet them."

Fouchard described the local media reaction as "basically good," with attendance that has "ranged from