

MEMORANDUM FROM: Lynn Scattolini
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TO: Stuart Reiter
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SUBJECT: SUMMARY OF PUBLIC MEETING ON ADAMS

A meeting was held at NRC Headquarters on December 10, 1999, to present information about the Agencywide Documents Access and Management System (ADAMS) to external stakeholders. The meeting agenda, list of attendees, and handouts are attached.

The handouts included copies of the slides covering the Overview of the ADAMS Program, the Electronic Information Exchange (EIE) Program, and Public Access to ADAMS presentations and copies of (1) a letter forwarding responses to questions posed by the Nuclear Information and Records Management Association related to the ADAMS program and EIE initiatives, dated December 6, 1999; (2) a memorandum on the policy and timing of the release of documents to the public, dated November 17, 1999; and (3) an ADAMS Public Users' Guide.

The meeting summary, agenda, list of attendees, and handouts are available at NRC's Web site at <http://www.nrc.gov/NRC/PUBLIC/SUMMARIES/19991210/index.html>. They are also available through the Public Electronic Reading Room (PERR).

Responses to issues raised at the meeting are attached.

Attachment: As stated

ADAMS Program Overview and Public Access to ADAMS

Issue 1

What is the intent of the workshop currently scheduled for March 2000?

Response

The intent of the workshop is to discuss alternative cost-effective approaches for managing "living documents" in an electronic environment. "Living documents" are those documents that are kept up to date today by replacing segments at a time -- traditionally, by pen and ink changes and replacement pages. These documents are created by both the NRC and applicants and/or licensees. Examples of such documents include technical specifications (TSs) and the final safety analysis report.

Issue 2

May documents that have been scanned into ADAMS constitute the official agency record? Is there case law established?

Response

NRC's Office of the General Counsel (OGC) has concluded that documents initially created or received electronically, or scanned into an electronic recordkeeping system, may legally serve as the agency record in lieu of the paper copy. ADAMS will conform to all of the National Archives and Records Administration (NARA) requirements for an electronic recordkeeping system. Proposed disposition schedules of NRC records that change the storage medium from paper to electronic format for certain NRC record series are reviewed by OGC and submitted to NARA for its review and approval. In conducting its review, NARA publishes the proposed disposition schedules in the Federal Register for public comment.

Federal law and Office of Management and Budget guidance have encouraged and, in some cases, directed all Federal agencies to accept submissions from the public electronically. For example, the Paperwork Elimination Act requires that Federal agencies accept submissions electronically from their stakeholders by 2003. Electronically maintained documents and data are admissible evidence in accordance with Federal Rules of Evidence.

Issue 3

After documents are converted to an electronic format, are there any criteria for destruction of the paper document? Will there be an opportunity for public comment?

Response

As mentioned in response to Issue 2, proposed disposition schedules for NRC records that change the storage medium from paper to electronic for certain NRC record series are submitted to the NARA for its review and approval. For these record series, those documents generated by the NRC will be entered into ADAMS in electronic form, and no paper copy will be printed. Externally generated documents will be submitted in either electronic form or paper form. If they are submitted in paper form, the schedules indicate that NRC will retain the paper documents for a period of 60 days after they have been scanned into ADAMS.

Proposed disposition schedules are submitted to the NARA, which publishes the proposed disposition schedules in the Federal Register for public comment.

As a point of clarification, the official agency copy of all NRC records created before ADAMS becomes the NRC's official recordkeeping system will be the paper copy. These paper copies will be kept in accordance with the provisions of their record disposition schedules. Once ADAMS becomes NRC's official recordkeeping system, those documents that cover certain record series (primarily programmatic records) will be stored in ADAMS in electronic form in lieu of paper. Other record series (primarily administrative records) will not be stored in ADAMS and will remain in paper form. Each NRC records disposition schedule submitted to NARA specifies which records will be stored in electronic form and which will be stored in paper form.

Issue 4

Have resident inspectors been given access to ADAMS?

Response

All NRC resident inspectors have been given access to ADAMS and have attended end-user training.

Issue 5

What are the long-range plans for documents that cannot be released because of inclusion of security, proprietary, or other sensitive information?

Response

NRC will continue to take great care in how security, proprietary, and other sensitive information will be handled. Safeguards documents will not be included in ADAMS. Other types of information will be included and can be protected through policy, procedure, and ADAMS software capabilities.

ADAMS is available to the NRC staff on internal servers that the public cannot access. NRC has created several different libraries for documents, and most sensitive documents are segregated into special libraries to which access is limited to those with a need to know. For example, there is a separate library for investigations and allegations that is only accessible to a small group of NRC staff. The ADAMS software will not copy the documents in these special libraries to the public server. Additionally, security access rights are granted and controlled at the document level in ADAMS in all internal libraries.

Proprietary information will be handled the same as it is now. A nonproprietary version will be available to the public, and the proprietary information will not be released absent certain findings set forth in NRC's regulations.

Issue 6

Will ADAMS be retrofitted with all docketed information?

Response

No, ADAMS will not be retrofitted with all docketed information. Each NRC office was asked to identify types of documents that it recommended be retrofit into ADAMS on the basis of a common set of criteria and to prioritize their recommendations. After reviewing the office's

requirements and their rationale, NRC's Executive Council agreed to a plan to retrofit the highest priority documents over a period of several years. NRC will request its licensees to voluntarily submit "living documents" in electronic form so that the agency will have a base document to use in ADAMS.

Issue 7

Will a list of the documents that will be retrofit be published?

Response

Yes, NRC will post the agency's plans to retrofit document types on the Web and in the Publicly Available Reading Room.

Issue 8

Is there a formal definition for the term "living document"?

Response

NRC has a working-level definition that we are using internally (see response to Issue 1). However, a formal definition will be established in NRC regulations through rulemaking. We expect to initiate a rulemaking in the summer of 2000 that modifies NRC's regulations to accommodate the submission of documents in electronic form and other elements of the ADAMS program.

Issue 9

What will the official copy of the TSs be when electronic submittals of TSs are made?

Response

For future electronic submittals, the official record copy will be the electronic copy of a document. For existing documents, paper will continue to be the official record.

Issue 10

Is there full-text capability for each NRC employee? For the public?

Response

Full-text search capability is available for both NRC employees and for the public.

Issue 11

Why were the Office of Public Affairs's list-servers discontinued?

Response

The agency has maintained several list-servers to accommodate the needs of various segments of the public. The Office of Public Affairs (OPA) had a list-serve for press releases and speeches which it discontinued in May, after several months of notification, due to a reduction in resources and duplication of information on the Web. Only selected meetings having high public interest are announced by OPA in news releases, such as the November 18 public meeting to discuss ADAMS--the new Agencywide Documents Access and Management System. These releases continue to be available on the Web at www.nrc.gov/OPA/ but do not cover all public meetings.

For all public meetings, the agency maintains a toll-free electronic bulletin board, a toll-free telephone recording, and a complete listing on its Website at www.nrc.gov/NRC/PUBLIC/meet.html . Normally, notices are posted about 10 days in advance of meetings. For those members of the public desiring a listing of meetings and do not have Internet access in their homes, they can use gain fee access at any local public library.

Issue 12

If a document has to be filed with the NRC by a specific date, will a filing be considered complete upon submission of the document electronically to the NRC or only after the document has been entered into ADAMS? If the NRC directs that a document be received by a specified time on that date, how will electronic submissions be handled?

Response

Electronically submitted documents will be considered filed upon receipt by the NRC. The NRC will need to codify this approach in regulations that it will develop in the year 2000 on electronic submissions.

Issue 13

Some licensees have problems accessing ADAMS and are not sure who they should contact.

Response

On the first screen encountered by the user on the Public Electronic Reading Room (PERR) Web page, there is a prominent list of bulleted hyperlinks, including "How Do I Get Help?" and "The NRC Public Document Room." Clicking on either of these hyperlinks will lead the user to information that includes information on the Public Document Room (PDR) as a resource for help with ADAMS, including the PDR's toll-free number (1-800-397-4209), the Washington area phone number (202-634-3273) and the e-mail address pdr@nrc.gov.

Issue 14

Low income and isolated areas have limited access to the Internet. University libraries limit computer time, which causes problems when trying to access lengthy documents. How is NRC addressing this problem?

Answer

All Federal Depository Libraries (FDLs) (1400 across the Nation) have as their mission to provide public access to Government documents, including ADAMS. The Government Printing Office, which is responsible for the FDLs, has been informed about ADAMS. Several FDL librarians are already proficient users. NRC will be giving them a tutorial demonstration of ADAMS at the next semiannual conference of the FDL librarians. Additionally, almost all former Local Public Document Rooms, many of which elected to keep NRC's historical microfiche collection, have computers for public use. Finally, NRC's PDR can be contacted toll free at 1-800-397-4209, or at 202-634-3273, or by e-mail at pdr@nrc.gov for assistance. We encourage any member of the public who is having difficulty accessing ADAMS to call the PDR for advice and assistance. The PDR staff will make every effort to provide information and assistance to help resolve access issues.

As in the past, the PDR staff will provide one-on-one customer service for members of the public who do not have access to computers or who do not want to use computers. The public may call the NRC on the PDR's toll-free number, and the PDR staff will perform searches on behalf of the public and arrange for reproduction of requested documents in paper form at a minimal per-page cost.

Issue 15

What information will be on the Web and what will be in ADAMS?

Response

As of November 1, 1999, NRC is making all of its newly created and received public documents available through ADAMS. A subset of those documents is available through NRC's Web site. NRC will also continue to maintain its Web site but will evaluate its contents once we and the public gain some experience with ADAMS.

Issue 16

When are you discontinuing the PDR's Bibliographic Retrieval System (BRS)?

Response

The BRS will be discontinued when all data that formerly resided in the BRS have been migrated to the ADAMS Legacy Library and performance is judged to be satisfactory.

Issue 17

Please publish a press release when the BRS is discontinued.

Response

The NRC will issue a press release in advance of discontinuation of the BRS. In the press release, we will indicate the date on which the BRS will be discontinued.

Issue 18

Is formal ADAMS training for public users being videotaped?

Response

The NRC is not providing formal training to the public on ADAMS. However, the PDR staff provides hands-on instruction to the public upon request. If we decide to provide formal training, we will consider videotaping the training.

Also, a detailed ADAMS Public User's Guide is available for ADAMS public users. The guide can be obtained from the PDR in paper form or in the "ADAMS USERS HELP/TIPS" folder in the ADAMS Publicly Available Records Library.

Issue 19

How are you measuring up to the 8-hour goal for processing externally generated documents and the 3-day goals for making documents publicly available?

Response

As of December 22, 1999, 240 documents were waiting to be processed, which is equivalent to about one day of work. We are approaching our goal of having NRC's Document Processing

Center convert incoming documents to electronic form within 8-hours of receipt. Daily document processing statistics are now available in the "ADAMS NEWS" folder in the ADAMS Publicly Available Records Library.

With the exception of a short startup period when a backlog existed, NRC has been releasing newly received documents from external entities 3 working days after the documents are added to ADAMS. Until recently, the NRC staff sent all of their publicly available documents in paper form to the Document Processing Contractor for processing, which built in some delay in the system.

The 3-day policy for NRC-generated documents is effective when the staff begins to routinely enter documents into ADAMS. This entry began on January 1, 2000, and will continue on a phased basis through the end of February 2000. Because this procedure just began, the NRC does not yet have sufficient data to determine how it is "measuring up" to the 3-day goal.

Electronic Information Exchange

Issue 20

Who is involved with the current EIE pilot?

Response

The individuals involved are participants in a hearing on an application for a independent spent fuel storage facility.

Issue 21

What is the document size limit for EIE submittals?

Response

There is a 5-megabyte limit (approximately 1,000 pages); however, larger documents may be submitted with advance notice.

Issue 22

Will there be a pilot program for power reactor licensees?

Response

Three plants have volunteered to participate in a pilot program that is tentatively scheduled to begin in February 2000.

Issue 23

When will the Regulatory Issues Summary on EIE be issued?

Response

We will issue the Regulatory Issues Summary when the system functions properly with both Internet Explorer (IE) and Netscape. Currently, the system is not working with IE.

Issue 24

Will ADAMS and EIE be addressed at the Regulatory Information Conference?

Response

Yes, a session is planned at the Regulatory Information Conference.

Issue 25

In what format can documents be submitted electronically through NRC's EIE Program?

Response

Accepted formats will include Portable Document Format (PDF), Normal, PDF, Word, and WordPerfect. We will also expand to other formats such as the American Standard Code for Information Interchange (ASCII) as necessary.

Issue 26

Can signature authority be delegated? What is the difference between the signer and the submitter?

Response

The signer is the author of the document. The submitter is the person who has sent the document to the NRC. We are working on issues pertaining to whether the author must sign the document or whether that authority may be delegated.

Issue 27

What are the requirements for processing signatures?

Response

Individual entities will develop their own procedures. Documents electronically signed and received into the NRC will be processed as any other document.

Issue 28

What are the process and time frames once documents are submitted?

Response

Documents are to be processed into ADAMS within 8 working hours of receipt. NRC is very close to achieving that goal for externally generated documents that it processes through ADAMS today. Timing for public availability is in accordance with the policy stated in the attached memorandum dated November 17, 1999.

Issue 29

Can a document be retrieved if it is submitted incorrectly?

Response

A corrected submittal will need to be sent with instructions to retract the incorrect document or stating that the later document supersedes the earlier submittal.

Issue 30

What is the official time and date stamp? Does it refer to the time the document is received at the EIE server or when it is entered into ADAMS?

Response

The document will be time and date stamped when it is received by the EIE server. The official receipt of the document occurs when it is received at the EIE server, not when it is entered into ADAMS.

Issue 31

Who can submit documents to the NRC under the EIE Program?

Response

The EIE Program is open to any person or organization that needs to do business with the NRC in a manner that requires the submission and/or receipt of documents that require the type of authentication and surety normally associated with a conventional signature. For an entity to participate in EIE, it must (1) have access to the Internet by way of IE or Netscape and (2) apply for and be granted a "digital certificate" through the NRC.

Issue 32

What is the process for sending out information by way of EIE?

Response

NRC will digitally sign a document, place it on the NRC EIE external server, and then send an e-mail to the intended recipient alerting him or her to the availability of the document on the server. The recipient will then use mechanisms available through the NRC EIE external server to transfer the documents over the Internet to his or her local computer system.

Issue 33

Do you have concerns about computer viruses?

Response

ADAMS is not using e-mail. There are no executable files attached. Files are placed on a separate server and are as secure as possible. Therefore, viruses are not a concern.

Issue 34

What about the public's access to EIE?

Response

EIE will only be used to send and receive documents in the conduct of official business with NRC. General public access to NRC documents will be through the public access features of ADAMS. Although EIE is an integral part of the overall ADAMS processing environment, it is a separate program from ADAMS and is not intended to provide general public access to any documents. All material submitted through EIE will be available to the public in ADAMS, until it contains information that is usually withheld under current criteria and practice.

Issue 35

When a document is submitted by way of EIE and is converted to PDF, what is the official record?

Response

The PDF is the official record copy. We are no longer considering accepting Tagged Information File (TIF); however, embedded TIF images are acceptable.

Issue 36

How will the electronic signature be displayed?

Response

The signature is not displayed. There is a notification on the form that the document has been signed.

Issue 37

Will NRC link to other non-Federal Web pages?

Response

We are still looking at this issue.

Issue 38

Are there any plans for lessons learned?

Response

The NRC plans to perform a formal assessment 6 months after the system is operational.

Issue 39

When documents requiring oath and affirmation are electronically submitted to the agency, how should the oath and affirmation requirement be met?

Response

The NRC will provide on its Web site the appropriate language that licensees should incorporate into their documents when they file documents requiring oath and affirmation electronically. That language also can be found at 28 U.S.C. 1746.

Stakeholders are encouraged to contact the NRC with questions and suggestions regarding ADAMS or the agency's EIE Program at the e-mail addresses listed for individuals on the attached agenda. Any comments or questions regarding the meeting or information contained in the summary can be sent to Marsha Gamberoni MKG@nrc.gov or to any of the specific presenters.