

NOTATION VOTE

RESPONSE SHEET

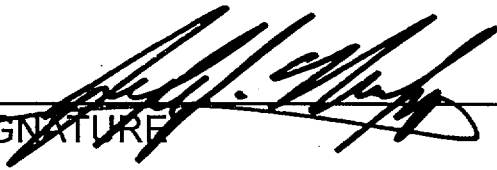
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: SECY-00-0035 - PUBLIC CONFIDENCE SURVEY

Approved _____ Disapproved Abstain _____

Not Participating _____

COMMENTS:

See attached comments.


SIGNATURE

2/22/00
DATE

Entered on "STARS" Yes No _____

Commissioner Merrifield's Comments on SECY-00-0035

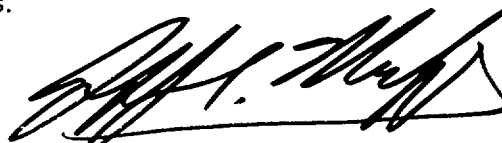
I commend the staff for their efforts associated with SECY-00-0035 and appreciate the difficulty associated with measuring public confidence. However, for the reasons discussed below, I cannot support the staff's recommendation (Option 2) as I do not believe it represents a prudent use of agency resources. Instead, I believe the agency is best served by Option 3, and thus I support that option.

As I stated in my vote on COMSECY-99-042, "Draft Nuclear Reactor Safety Chapter of the Strategic Plan", while enhancing communication and public participation are certainly important elements of increasing public confidence, we cannot lose sight of the fact that the most effective way to improve public confidence is by demonstrating that the NRC is a competent regulator. We earn public confidence through 1) technically-sound regulatory decision-making, 2) a strong regulatory framework, 3) an effective oversight process, and 4) a predictable, consistent, and responsive regulatory approach. As we pursue strategies for enhancing public confidence, we cannot lose sight of this fundamental premise.

The primary reason I oppose Options 1 and 2 at this time is that the NRC is currently embarked on an extensive regulatory reform effort, and thus, any feedback we receive either through conventional surveys or the American Customer Satisfaction Index (ACSI) is likely to be outdated in the very near term. The staff should allow sufficient time for our primary reform efforts such as the new reactor oversight process and the revised 2.206 petition process to be implemented, and experienced by our stakeholders, before it considers such feedback mechanisms. I may be open to the staff revisiting this issue in the future when it is more likely that the feedback would be timely and of greater value.

I also oppose the staff's recommendation for the same reason expressed by Commissioner McGaffigan regarding the extent of internal and external feedback the agency already receives about its processes and programs. The NRC clearly conducts its business in an open manner and places a high priority on facilitating open communication and public participation in our regulatory processes. We offer many forums by which our stakeholders, including the public, can provide feedback to us. For example, the staff has done a good job encouraging public participation and soliciting public feedback on the new reactor oversight process. The staff has done an equally fine job in the area of license renewal. As discussed in SECY-99-273, the staff is currently taking steps to solicit feedback on the NRC's allegation program. The staff is in the process of reforming the 2.206 process based on feedback received from the public. Finally, the NRC's Web site is another mechanism we already utilize to solicit comments and questions from the public. The mechanisms by which we solicit feedback from the public are simply too numerous to list. Thus, I agree with Commissioner McGaffigan that our primary focus should not be on establishing another mechanism by which to solicit public feedback, it should be on improving the manner in which we respond to the extensive feedback we already receive. More specifically, instead of spending significant resources to participate in the American Customer Satisfaction Index (Option 2), I believe we should invest those resources in improving the processes we utilize to respond to the extensive feedback we already receive.

I believe that Option 3 provides the most effective and efficient means of measuring public confidence. I agree with the staff that it may be beneficial to augment our current process by requesting feedback or comments as part of each or selected interactions with external stakeholders. There is clearly merit in a more publicly visible and documented approach to solicit, collect, evaluate, and provide responses to stakeholder feedback. While this feedback may only be from a small segment of stakeholders who participate in these interactions, this segment is typically more informed and interested in NRC activities and thus should provide more beneficial feedback on our regulatory programs and processes.



2/22/00



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 27, 2000

SECRETARY

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: STAFF REQUIREMENTS - SECY-00-0035 - PUBLIC
CONFIDENCE SURVEY

The Commission has disapproved the staff's recommendation (Option 2) and instead, has approved the augmented outreach and feedback efforts outlined in Option 3 of SECY-00-0035, subject to the following comments. The staff should augment the current process of obtaining feedback from those members of the public who attend agency public meetings or other outreach activities. The staff's primary focus should be on improving the manner in which NRC responds to the extensive feedback it receives.

Any resources necessary for this effort should be reprogrammed within existing agency resources.

The staff should not interpret the Commission's disapproval of Option 2 as indicating that a public confidence survey may not be appropriate in the future.

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
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CFO
OCA
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OPA
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