




UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 11, 2016

CHAIRMAN

MEMORANDUM TO: Victor M. McCree
Executive Director for Operations

FROM: Stephen G. Burns 

SUBJECT: RULEMAKING TRACKING AND REPORTING

The Commission and many of the agency's external stakeholders, including the Congress, have expressed a strong interest in understanding the NRC's rulemaking activities. Over the years, the NRC tracked and reported rulemaking activities in a variety of ways to keep the public informed. NRC's rulemaking web page is evidence to the number of regulatory documents we track.

In my view, the use of these multiple, redundant systems causes consistency and quality control issues. They also run counter to the NRC's "Openness" and "Clarity" Principles of Good Regulation, as they produce repeated, and at times conflicting, information. I frequently hear from our stakeholders that this generates confusion and a lack of clarity and openness. Furthermore, it can put the Commission in a position of being unable to succinctly answer simple questions such as how many rulemakings are in progress. The current approach used to track rulemaking activities does not meet my expectations or the regulatory goals of the agency.

In this light, I am directing the staff to provide a notation vote paper to the Commission within 60 days recommending improvements in this area. Specifically, the paper should address:

- i. A single, unified approach (consistent with existing legal requirements) to track rulemaking activities and inform (i.e., report to) the public and other stakeholders.
- ii. Consistent terminology and definitions to characterize the type and status of rulemaking activities that are inherently understandable by the general public.
- iii. Methods to ensure that the Commission, staff, and external stakeholders have "real time" access to view current information on rulemaking activities, as opposed to relying on snapshots in time available through papers or the NRC's public website. These are quickly outdated.
- iv. Improvements to the NRC's rulemaking website that reflects items i, ii, and iii above, including a clear explanation of the current status of any given rulemaking activity.

I believe that the NRC is one of the most transparent agencies in the Federal government with respect to its regulatory activities, rulemakings in particular. Despite our historical success, we should still endeavor to improve tracking and communication of our rulemaking activities. We should also recognize that transparency is not simply a matter of publishing information but also a matter of ensuring the information is presented clearly, timely, succinctly, and accurately so it indeed provides the complete picture we are striving to produce.

cc: Commissioner Svinicki
Commissioner Ostendorff
Commissioner Baran
SECY
OGC
OCA
OPA
CFO