

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Commissioner Baran  
**SUBJECT:** SECY-18-0005: Policy Statement on Enhancing  
Participation in U.S. Nuclear Regulatory Commission  
Public Meetings

Approved  Disapproved  Abstain  Not Participating

**COMMENTS:** Below  Attached  None

I approve publication in the *Federal Register* of the final revised policy statement on enhancing participation in NRC public meetings, subject to the attached edits. In my view, the revised policy statement represents a significant improvement over the current policy statement. Among other improvements, the revised policy statement moves away from the numeric categorization of meetings and describes the structure and content of the various types of NRC public meetings with much greater clarity. The revised policy statement also better explains the range of opportunities for stakeholders to participate in the agency's public meetings.

**Entered in "STARS"**

Yes   
No

  
\_\_\_\_\_  
**SIGNATURE**  
1/22/18  
\_\_\_\_\_  
**DATE**

JMB edits

**NUCLEAR REGULATORY COMMISSION**

**[NRC-2016-0178]**

**Enhancing Participation in NRC Public Meetings**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Revision to policy statement.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has revised its policy statement, “Enhancing Participation in NRC Public Meetings,” to further clarify and enhance participation in public meetings conducted by the NRC. The revised policy statement redefines the three categories of public meetings and identifies the level of public participation offered at each category of meeting. The revised policy statement also clarifies notification expectations for meetings that include physical presence in the meeting room and meetings that rely solely on remote access technology such as a teleconferencing. The revisions will improve the consistency of the NRC’s public meetings and help participants better prepare for NRC meetings.

**DATES:** This policy statement is effective on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

## SUPPLEMENTARY INFORMATION:

### I. Background

The NRC has had a formal policy regarding open meetings since 1978; the most recent revision was issued in 2002. In 2014 (ADAMS Accession No. ML14149A323), the NRC assembled a task group to complete a comprehensive look at the NRC's public meeting policies, processes, and guidance, including their implementation, and to work toward making improvements to those aspects of the agency's work. The task group on Enhancing NRC Public Meetings was formed in June 2014, and produced a set of recommendations in January 2015 (ADAMS Accession No. ML15029A456).

In SECY-16-0007, "Proposed Revisions to Policy Statement on Enhancing Public Participation in NRC Meetings," dated January 22, 2016 (ADAMS Accession No. ML15282A074), the NRC staff provided its proposed revisions to the NRC's policy statement on public meetings to address the task group's recommendations. The proposed revisions to the policy statement modified the public meeting categorization system and redefined the three categories of public meetings. The proposed revisions to the policy statement also included topics such as civility at NRC public meetings and NRC staff innovation with meeting formats. In the staff requirements memorandum (SRM) for SECY-16-0007, dated June 24, 2016 (ADAMS Accession No. ML15282A074), the Commission approved the proposed revisions to the policy statement for publication in the *Federal Register* for public comment. The Commission also directed the NRC staff to hold a public meeting related to the revised policy statement in order to have a dialogue on the *clarity of* expectations for and by stakeholders at NRC public meetings.

The draft revisions to the policy statement were published in the *Federal Register* on August 31, 2016 (81 FR 60026). On September 30, 2016, the NRC staff conducted a public meeting to provide information regarding the proposed revisions to the policy

The NRC updated the descriptions of all three categories of meetings to include a statement that the NRC should strive to ensure sufficient time for the meeting so that members of the public can pose their questions and have them answered during the meeting to the extent practical and that, whether all questions are addressed or not, the NRC should emphasize ways members of the public can ask questions outside of the meeting.

The NRC disagreed with three public comments. The NRC disagreed with a comment that bridge line numbers should be included in all meeting notices. There are times when the NRC staff requests that those interested in calling in to a meeting contact an NRC staff member for the bridge line information so that the NRC staff can understand in advance how many participants will be plan to calling in to a meeting and set up a bridge line with the capacity to handle the expected number of callers. The NRC also disagreed with two comments that the NRC should notify the public 1 month in advance of public meetings, stating that the NRC policy is to post meeting notices a minimum of 10 days before a meeting and, if at all possible, the NRC staff announces meetings earlier. The NRC believes that the current policy of providing a minimum of 10 days notice before a public meeting provides the public with sufficient notice of upcoming public meetings without compromising the NRC staff's ability to conduct public meetings on time-sensitive or emerging issues.

The NRC concluded that the remaining comments were either already included in the proposed revision to the policy statement or that the comments were best addressed in detail in stafflower-level guidance.

## **Attachment -- Commission Policy Statement on Enhancing Participation in NRC Public Meetings**

### **A. Purpose.**

The U.S. Nuclear Regulatory Commission's (NRC) longstanding practice is to provide the public with substantial information on its activities, to conduct business in an open manner, and to balance openness and transparency with the need to exercise regulatory and safety responsibilities without undue administrative burden. The NRC's policy is to open meetings between the agency staff and one or more outside persons to observation and participation to the extent possible. The NRC has had a formal policy regarding open (public) meetings since 1978. *The current Commission policy statement, "Enhancing Public Participation in NRC Meetings," was issued in 2002 (67 FR 36920) and can be accessed at <http://www.nrc.gov/reading-rm/doc-collections/commission/policy/67fr36920.html>.*

This policy establishes three public meeting categories based on the level of participation offered to attendees. The policy provides information such as descriptions of each category, information on how public meetings are announced, post-meeting activities, and applicability and exceptions.

### **B. Participation in NRC Public Meetings.**

In order to fulfill the NRC's commitment to openness, the level of participation, purpose, and description for each category of public meeting are described below. When assigning a category to a meeting, the NRC staff will consider the objective of the meeting and the extent of known public interest in the topic. The NRC staff should always be open to listening to members of the public, regardless of when the interaction occurs.

Whether all questions are addressed or not, the NRC should emphasize ways members of the public can ask questions outside the meeting.

Description - This type of meeting would be held with a broad range of interested parties, including representatives of non-government organizations, private citizens, or various businesses or industries, to fully engage them in a discussion of a specific regulatory issue.

The following description will be included in the notification of a **Comment-Gathering Meeting**:

The purpose of this meeting is for NRC staff to meet directly with individuals to receive comments from participants on specific NRC decisions and actions to ensure that NRC staff understands their views and concerns.

The notice for such meetings should include details as to how comments will be taken at the meeting (e.g., NRC staff taking notes, or creating a transcript of the meeting) and how NRC will use the comments (e.g., to inform NRC discussions, or as official comments related to a formal NRC regulatory decision), as well as to clarify whether participants will need to also submit comments made at the meeting in writing to receive formal consideration.

Examples – Meetings of this category may include town hall and roundtable discussions, environmental impact statement scoping meetings, and workshops.

documents related to the topic of the meeting are linked to the meeting notice as background documents to the extent practical.

Audio teleconferencing and other technologies that allow participation from locations other than a meeting room will be used whenever possible to help ensure widespread involvement in meetings. If information on how to participate remotely in a meeting is not provided in the meeting notice, individuals may request the use of such technology through the meeting contact listed on the meeting notice. Such requests may be granted to the extent ~~budgeted~~ resources are available and technical factors can be accommodated.

#### **D. After-Meeting Activities.**

The NRC staff will provide answers to questions as appropriate during the public meeting and will inform attendees at the meeting how it plans to address questions that cannot be answered at the meeting. Informal follow-up (telephone or e-mail) may be appropriate. Individuals also have the option of calling, writing, or e-mailing the NRC staff about particular concerns. NRC staff will provide feedback forms at all public meetings so that comments can be reviewed and offices can track any planned improvements or resulting actions, ~~as appropriate~~. NRC staff will make meeting summaries publicly available in ADAMS following the meeting.

#### **E. Innovation.**

The NRC staff will make efforts, ~~as appropriate~~, to find new and innovative ways to interact with individuals, including exploring varied meeting formats and other ways to incorporate technologies that allow participation from locations other than a meeting room. Experiences with new methods will be shared across the agency for information and consideration by other NRC staff.