

United States Nuclear Regulatory Commission
Office of Public Affairs
Washington, DC 20555
Phone 301-415-8200 Fax 301-415-2234
Internet:opa@nrc.gov

No. 99-137

FOR IMMEDIATE RELEASE
(Tuesday, July 6, 1999)

NRC ANNOUNCES IMPROVEMENTS TO PUBLIC PETITION PROCESS

The Nuclear Regulatory Commission has developed a number of improvements for handling petitions submitted by the public requesting that the agency modify, revoke or suspend a license it has issued.

Section 2.206 of Title 10 of the Code of Federal Regulations describes the public petition process - the primary mechanism for the public to request that the NRC take enforcement action against one of its licensees or obtain NRC's prompt review of a possible safety issue. Depending on its evaluation, NRC could modify, suspend or revoke an NRC-issued license or take any other appropriate enforcement action to resolve a problem. The NRC receives about 20 such petitions annually.

The changes are the result of a six-month effort to improve the public petition process and are based on recommendations made by petitioners and citizens' groups, all of which were surveyed in January, as well as on staff experience. The changes are designed to increase opportunities for meaningful petitioner participation, make the system more accountable to the public and improve communications between the petitioner and the NRC.

These improvements include:

- Replacing the current informal hearing process with a public meeting similar in format to licensee-staff meetings to increase the opportunity for interaction between the NRC staff and the petitioner.
- Offering petitioners an opportunity to make a 30-minute presentation to the petition review board at its meeting.
- Providing for periodic petition review board meetings, in addition to the initial meeting, in cases where additional management oversight is appropriate.
- Applying the goal of issuing a full or partial director's decision within 120 days of the issuance of an acknowledgment letter wherever possible.

- Establishing more effective communications via telephone between NRC staff and petitioners during the review process.
- Issuing letters to petitioners noting adoption of suggestions they made or staff follow-up actions that will occur in cases where petitions are denied.
- Adding petitioners to the NRC mailing lists for all headquarters and regional documents and correspondence dealing with plants in which petitioners have expressed interest and assuring that relevant licensee documents for those plants are also provided.

Under the 2.206 process, a petitioner submits a request in writing to NRC's Executive Director for Operations, specifying the grounds for NRC to take enforcement action or the basis for requesting NRC evaluate an underlying safety issue. Unsupported assertions are not considered grounds for consideration as a 2.206 petition.

If the petition is accepted for review, NRC publishes a notice in the Federal Register, notifying the public of the matter to be reviewed. The NRC's official response to a 2.206 petition is a written director's decision that includes the technical staff's evaluation of the issues raised in the petition, results of any NRC investigation or inspection, and a decision on the petitioner's request for agency action.

All director's decisions and the NRC management directive containing the new guidelines for handling 2.206 petitions will be available through the NRC Public Document Room.

##