



## U.S. Nuclear Regulatory Commission


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# Draft Information Quality Guidelines for Public Comment

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## Scope

### Information Subject to These Guidelines

The agency's information quality reviews will apply to agency documents publicly d for the first time on or after October 1, 2002. Documents that had already been pl Web site or in the Public Document Room prior to October 1 need not go through a quality review because they have already been disseminated, but these documents subject to the public seeking correction and appeal if the information is subject to t guidelines.

NRC information covered by the guidelines includes, but is not limited to, informati to:

- Rulemakings
- Inspection Reports
- Findings of the reactor oversight process
- Regulatory Guides and other guidance to licensees
- Generic Communications to licensees, including information notices, generic bulletins and others
- Technical Reports

These guidelines apply to print and electronic versions of agency information produ

Because of the importance of openness and transparency, the NRC routinely makes the public the majority of its regulatory documents, information about its decision-i processes, and the standards used to analyze information submitted by the regulat

community. OMB's guidelines require NRC to apply information quality standards or subset of this information; however, NRC is committed to quality for all of the information disseminated whether or not it is specifically covered by these guidelines. In addition, NRC has many existing processes by which the public may comment on agency information. NRC will continue to use these processes to respond to comments and requests whether they are specifically covered by these guidelines.



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## Information Not Subject to These Guidelines

Based on the OMB guidelines, the following kinds of agency information are not subject to the guidelines developed by the NRC:

- Information products associated with public filings, subpoenas, or adjudicative proceedings
- Non-scientific/non-statistical general, procedural, or organizational information
- Information that is not initiated or sponsored by the NRC
- Information that expresses opinions rather than formal agency views
- Information intended for intra-agency use
- Information intended for inter-agency use or shared government information
- Information disseminated to agency employees, contractors, or grantees
- Agency correspondence with individuals or persons
- Agency press releases
- Agency speeches
- Archival records
- Trade secrets, intellectual property, classified, restricted, unclassified safeguarded, proprietary, sensitive homeland security, privacy and other information withheld under the Freedom of Information Act.
- Responses to requests made under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act, or similar laws

NRC information quality standards may be waived temporarily for information disseminated under urgent situations. The NRC will consider the following as urgent situations: emergency conditions at licensed facilities and imminent or credible threats to the public health, safety, the environment, and the common defense and security, including homeland security.



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## Information Quality Standards

Information products disseminated by the NRC will meet NRC's existing standards and will ensure and maximize information quality. These guidelines describe key elements of

existing standards and how they address the key components of information quality

Existing agency policies and procedures ensure that standards and review processes for information quality are commensurate with the influence of the information on agency operations and decision-making. The processes to ensure quality are most rigorous for influential scientific, financial, or statistical information.

Influential scientific, financial, or statistical information as defined by OMB means information that an agency can reasonably determine that dissemination of the information will have or will have a clear and substantial impact on developing important public policies or important programs or decisions."

For NRC, influential scientific, financial, or statistical information is defined as information that forms the technical basis for a substantive rulemaking that has a substantial impact on the industry. There may also be other types of information that the NRC deems "influential" under Section 515(a) on a case-by-case basis.

Information quality is defined as comprising three elements: utility, integrity, and confidentiality. NRC's standards for these three elements are explained in the following three sections.



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## **NRC Guidelines for Achieving Information Utility**

Utility refers to the usefulness of the information to its intended users. The NRC will continue to review its existing policies to ensure information utility.

The NRC will continue to follow its existing policy on the dissemination of information to the public, which clearly specifies what is to be made public as well as the timeliness standard for release. To achieve an open regulatory environment, the NRC will continue to make information associated with agency regulatory processes and decisions unless release is restricted because, for example, it contains classified national security information, information, proprietary information, sensitive homeland security information, or information withholdable under the Freedom of Information Act.

In addition, the NRC will continue to solicit public input on what and how information is disseminated through feedback mechanisms at NRC's Web site and for NRC's Agency Documents Access and Management System (ADAMS). Further, NRC will continue to solicit comments on individual documents and hold public meetings as appropriate to solicit comment.

The NRC's Public Document Room will continue to provide assistance to help the public obtain the information they are seeking quickly and conveniently.



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## **NRC Guidelines for Achieving Information Integrity**

Integrity refers to the security of information from unauthorized access or revision that compromises the information through corruption or falsification. The NRC will continue to uphold the integrity standard by adhering to existing NRC policies for personnel security, information security, and records management.

Key components include

- Policies for systems development and life cycle management requiring that c

systems are designed and tested to ensure that data cannot be inadvertently that appropriate access controls are included in systems designs.

- Computer and personnel security policies ensuring that employees and contractors have access to electronic information and associated computer systems are : trustworthiness and are assigned the appropriate level of access.
- Records Management policies requiring that official agency records are properly maintained and protected. In particular, these policies require that documents disseminated to the public are declared as official agency records in NRC's ADAMS Documents Access and Management System (ADAMS), which protects them from alteration or falsification.



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## **NRC Guidelines for Achieving Information Objectivity**

Objectivity involves two distinct elements: presentation and substance. Information presented in a manner that is accurate, clear, complete and unbiased. In addition, the information presented must be accurate, reliable, and unbiased. To meet the standard of objectivity, the NRC will use existing agency guidelines, as described below.

### **Accuracy and Completeness**

The NRC will continue to ensure that the accuracy standard is met through NRC's fact-checking and concurrence processes that apply to all official records. Official records include documents, inspection reports, technical reports, generic communications, and all other documents covered by these guidelines. NRC will also continue to use existing quality management controls prior to disseminating information for the accuracy of all records at the NRC public Web site.

### **Reliable, Unbiased**

The NRC will continue to ensure that the standard for reliable, unbiased information is met through the means listed below. The types and rigor of review processes applicable to information products are commensurate with the significance of the information, with the most important information receiving the most rigorous review.

- Sound statistical and research methods to generate data and analytic results and statistical information
- Peer reviews of agency-sponsored research
- Reviews of agency information by independent advisory committees: the Advisory Committee on Reactor Safeguards (ACRS), the Advisory Committee on Nuclear Safety (ACNS), and the Advisory Committee on the Medical Uses of Isotopes (ACMI)
- Reviews by the Committee to Review Generic Requirements for information products and analyses with generic implications.
- Reviews of matters pertaining to the regulations of nuclear materials by the States
- Opportunities for the public and States to comment on rulemakings, Commission statements, Regulatory Guides, and other information dissemination products as appropriate.
- Use of public meetings to seek public views and solicitation of comments through the Web site and Federal Register Notices as appropriate.
- Compliance with internal policy to ensure unbiased Incident Investigation Team investigations.
- Reviews of proposed policy decisions by the five-member Commission.

### **Transparency**

Influential scientific, financial, or statistical information must have a high degree of transparency. Transparency refers to the practices of describing the data and methods of developing an information product in a way that it would be possible for an independent qualified individual or organization in some cases to reproduce the results. To the extent this standard is applicable, the NRC will continue to ensure that the transparency standard is met by including methodology sections or appendices that describe how the information was gathered and evaluated in relevant agency information products.

### **Clarity**

The NRC will continue to ensure that the clarity standard is met by adhering to the Plain Language Program in agency written and electronic products; by ensuring that the covered information, particularly the analyses of technical information, receives editorial review and that the agency responds to stakeholder comments on the clarity of proposed information products.



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## **Procedures for the Public to Seek Correction of Information**

### **1. What you must do**

To seek correction of information under Section 515(a) of Public Law 106-554, follow the procedure described below:

- State that your request for correction of information is submitted in accordance with the NRC's Information Quality Guidelines.
- Include your name, mailing address, fax number, or e-mail address, and telephone number and organizational affiliation, if any. The NRC needs this information to respond to your request and contact you if necessary.
- Clearly describe the information you believe is in error and want corrected. Include the source of the information (for example, the name and date of the report or the exact location of the error (for example, the page, figure, table number, page address), and a detailed description of the information to be corrected.
- State specifically why the information should be corrected, and if possible, provide specifically how it should be corrected. Provide supporting documentary evidence, such as comparable data or research results on the same topic, or a specific authority to help in the review of your request. If the documentary evidence is supplied as a reference, the reference must be specific enough that NRC can easily locate the information serving as the basis for the correction request.

### **2. What we will do**

Based on a review of the information provided, the NRC will:

- Determine whether a correction is warranted, and if so, what action to take. The nature of the appropriate corrective action(s) will be based upon the nature and timeliness of the information product involved and such factors as the significance of the correction and the magnitude of the correction.
- Respond to your request for correction of information within 90 business days by letter, e-mail, or fax. Our response will explain the findings of the review and the action NRC will take. If the request requires more than 45 business days to resolve, we will tell you that more time is required, state the reason why, and include an estimated decision date.

### 3. How to submit your request

You must submit your request for correction of information under these guidelines mail, fax, e-mail, or on-line as follows:

Mail: Nuclear Regulatory Commission  
Information Quality  
Washington, DC 20555  
E-mail: [Infoquality@nrc.gov](mailto:Infoquality@nrc.gov)  
Fax: TBD  
On-Line:

### 4. Your right to appeal our decision

If you wish to appeal NRC's denial of your request for correction or you wish to appeal a decision on the corrective action, follow the procedure described below:

- Submit your appeal within 90 business days of receipt of NRC's notification of NRC's notification of the corrective action. (Only the original requestor may appeal a decision.)
- Include a dated copy of the original request for correction, and a description of the response failed to resolve the request for correction.
- Submit your appeal in accordance with the directions in the agency's response.

An agency appellate official, who is independent of the initial response to the request for correction, will evaluate the appeal and will notify you of the final results of the appeal within 90 business days. The agency appellate official may consult with other Federal agencies responding to an appeal, as appropriate.

### 5. NRC's right to reject certain requests

The correction process is designed to address the genuine and valid needs of the public without disrupting agency operations. The NRC, in making a determination of whether to correct information, may reject claims made in bad faith or without justification and is required to undertake only the degree of correction that it concludes is appropriate for the nature and timeliness of the information involved. The NRC will explain decisions to deny or limit corrections in its annual fiscal year reports to the Office of Management and Budget.

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### Disclaimer

These guidelines on submitting comments are not intended to and do not confer or create any rights of individuals or organizations beyond those permitted in specific laws.

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### Privacy Act Statement for Information Correction Request Form

We are authorized to collect the information requested on the NRC Information Request Form under Section 515(a) of the Treasury and General Government Appropriations Act, Year 2001 (Public Law 106-554, codified at 44 USC 3516, note). This information is

reply to your comment. You do not have to furnish the information, but failure to do so may prevent the NRC from notifying you of the resolution of your request and will eliminate your opportunity for appeal. We may disclose information to a congressional office in response to an inquiry made on your behalf; to the Department of Justice, a court, or other tribunal; if the information is relevant and necessary to litigation; or to a contractor or another Federal agency to help accomplish a function related to this process.

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