

DOCUMENT RESUME

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Information-Gathering Activities of the Nuclear Regulatory Commission. ACGRR-77-3; E-180225. December 28, 1976. 7 pp.

Report to Marcus A. Rowden, Chairman, Nuclear Regulatory Commission; by Phillip S. Hughes, Assistant Comptroller General.

Issue Area: Energy: Executive Branch Organization and Processes for Dealing with Energy Problems (1611).

Contact: Office of the Comptroller General.

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The effectiveness of the Nuclear Regulatory Commission's (NRC) information-gathering program could be improved. Findings/Conclusions: The NRC has several procedures that contribute to effective information gathering, but the program operates informally and problems can occur in the absence of management controls. Recommendations: The NRC should: (1) establish a formal data collection program that designates duties and responsibilities of the offices and bureaus involved in the acquisition process and incorporates the critical management controls; (2) place the information clearance function at an organizational level where it can make final, independent decisions; and (3) appoint information clearance representatives in the offices and bureaus which initiate requirements to act as liaison with the information clearance officer (DJM)



ASSISTANT COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-180225

DEC 28 1976

The Honorable Marcus A. Rowden
Chairman, Nuclear Regulatory Commission

Dear Mr. Rowden:

The Trans-Alaska Pipeline Authorization Act of November 1973 requires us to undertake general studies of the information-gathering activities of the independent Federal regulatory agencies. As part of that requirement, we evaluated the effectiveness of NRC's information-gathering program.

Our objectives were to determine if the program followed sound management practices and if NRC had an effective information-gathering process. To be effective, an information-gathering program must provide for reporting requirements to be reviewed at key intervals during their development and following implementation so that appropriate decisions can be made regarding such actions as continuing, modifying, or terminating activities. If a management system does not exist or is not functioning properly, unplanned and undesirable results may occur.

We discussed with NRC officials the practices and procedures used to develop their reporting and recordkeeping requirements. We reviewed the development of 13 requirements--some selected by Commission officials and others we selected--to verify the Commission's practices and to determine if adequate management controls exist within its information-gathering program. NRC has over 150 separate information requirements approved by us, which impose an estimated annual burden on respondents of more than 4.4 million staff hours.

MANAGEMENT ACTIONS AND CONTROLS
NECESSARY FOR AN EFFECTIVE PROGRAM

Information-gathering requires adequate management attention. Because it extends into all operations of an agency, a formal program is required to operate effectively. According to the National Archives and Records Service, an authority on forms management, the responsibility for conducting the program should be clearly defined in writing and distributed to all personnel concerned. This program should prescribe procedures to aid in implementing, operating, revising, and eliminating information-gathering activities.

ACGRR-77-3

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The following four management actions and controls, necessary for an effective information-gathering program, provide for the development of reasonable requirements and the continuing reassessment of their usefulness:

- The information being sought should be needed to accomplish an assigned agency function and should actually serve that purpose.
- Alternative sources of collecting data should be considered.
- Data collection (and alternatives) should be evaluated by comparing the need for the information with the burden imposed on the Government and respondents.
- The information-gathering process should be periodically examined to reassess its effectiveness.

Assessment of need for and definition of data requirements

A clear statement of the information needed and the data required to meet that need must be developed to avoid the unnecessary expenditure of money and effort by the agency and respondents. Unless an agency has determined exactly what information it needs, a requirement may be developed that produces less than optimum results.

A reporting requirement should be implemented only if (1) the information is specifically needed, (2) the information collected satisfies that need, and (3) the agency can determine whether the need is being satisfied.

Avoiding and eliminating unnecessary duplication

During development of an information-gathering requirement, an agency must determine whether the information is already available in its existing or modified form. This can be accomplished by reviewing existing NRC reporting requirements for similar data and by contacting other agencies and/or those respondents who will be required to provide the information. By making such efforts, unnecessary costs to the Government and undue burden on respondents will be avoided.

Assuring that the data requirement is reasonable and feasible

Determining whether the data requirement being developed is reasonable and feasible is an involved process. It begins with contacting potential respondents, intra-agency offices, and other interested organizations and proceeds through such steps as soliciting comments and pretesting the proposal before it is implemented. This whole process should insure that the proposal is acceptable in terms of anticipated costs and benefits.

In keeping with good management practices, an agency should consider alternative methods of data collection, such as selective sampling, to make certain that the final product results in a minimal burden on the respondents.

Pretesting, which involves the voluntary participation of potential respondents, can provide valuable information on

--data availability because respondents complete the form rather than NRC merely inspecting it and

--the clarity of the form by citing problems with ambiguous terms and complex instructions.

Reassessment of data collection and usage

To insure that the reported data is being used fully and effectively, an agency must continually reassess its data collection efforts. The same management actions that are applied during a form's development must be applied during reassessment. For example, the need for the data and the method of obtaining it should be reviewed to assure that the data is reasonable, feasible, and does not duplicate other requirements. Reassessment should show whether the information-gathering process is functioning properly and resulting in the best possible product. Based on the results of the reassessment, decisions can be made to

--continue collecting the information,

--modify the data requirement,

--consolidate requirements that duplicate each other, or

--eliminate the requirement.

NRC'S INFORMATION-GATHERING PROGRAM

NRC has several procedures that contribute to an effective information-gathering process. For example, NRC's use of the formal rulemaking process for most data requirements provides respondents with the opportunity to provide formal comments. In addition, NRC has agreements with other agencies that establish agency responsibility for developing and enforcing regulations.

However, NRC's information-gathering program operates informally. Specific duties and responsibilities and management controls have not been established. A formal program would insure the uniform and consistent application of the management controls by the various offices and bureaus in the development and reassessment of each data requirement.

NRC has drafted an administrative manual chapter on information-gathering which addresses, to some extent, organizational responsibilities and the management controls. We believe, however, that the draft program needs to clearly define organizational responsibilities and include the management controls cited on page 2. For example, the draft program needs to make certain that (1) a specific organizational unit has final authority for information-gathering decisions and actions, (2) a forms representative or liaison is appointed in each office/bureau that initiates development and use of a form, and (3) management controls, such as reassessment, are established. These actions would make certain that decisions are expeditiously made, and the management controls are used in the development and continuing reassessment of each requirement.

The following discusses the problems that can occur when a formal program is lacking. The examples illustrate what happens if the necessary management controls are not applied on a uniform and consistent basis and if responsibility for management decisions does not rest with a specific organizational unit.

NRC's application of management controls

NRC generally does not perform all the actions which contribute to developing reasonable and feasible reporting requirements. For example, NRC has not performed cost/benefit analysis of alternate methods of data collection, obtained reporting burden estimates from respondents, or pre-tested reporting requirements.

Pretesting would provide a better assessment of reporting burden since the estimates would be based on respondents' actual burden in completing the requirements. These estimates would then provide a better basis for a cost/benefit analysis.

Although NRC has reassessed some reporting and recordkeeping requirements, it is not done on a periodic or routine basis. The need for and potential value of periodic reassessment actions are shown by the following examples.

Radiographs

Radiographs are X-rays of a nuclear facility. Under NRC regulations, radiographs are to be retained for the life of the facility so that a structural defect, when detected, may be studied. This knowledge can then be applied to inspecting other nuclear facilities. However, some of the radiographs are deteriorating earlier than expected and are being retained.

NRC recently notified their inspection and enforcement personnel to be aware of the possible deterioration. However, periodic reassessment may have detected this radiograph deterioration and allowed NRC to take action earlier to prevent such future occurrences.

Reassessment studies

An ad hoc study was conducted in 1974 to reassess the continuing need for NRC reporting requirements. The study identified 10 reports that could be eliminated or modified because they were not compiled or reviewed. Yet, almost a year and a half after the study, the recommendations have not been implemented. This was due, in part, to a disagreement between administrative and technical officials on the recommendations.

Administrative personnel felt the data contained in some of the reports could be obtained, when needed, from licensees' records. Technical officials did not agree that this approach was a viable alternative to receiving the reports. The recommendations were reconsidered in March 1976, however, the difference of opinion still exists. This example indicates what can happen when a formal program is lacking and the responsibility for management decision is not assigned to a specific organizational unit.

NRC recently revised regulations on the retention period required of certain records. This rulemaking effort decreases the retention period, resulting in a savings to the licensees.

AGENCY ACTIONS AND COMMENTS

NRC agreed with the findings, conclusions, and recommendations in this report. NRC is reviewing all reporting and recordkeeping requirements using the four management actions and controls enumerated in this report. In addition, NRC is studying the possibility of reducing or simplifying a number of reporting requirements and reducing the retention period for additional recordkeeping requirements. Also, NRC is planning to establish a formal information-gathering program that incorporates the critical management actions and controls and designates a central authority for approving information requirements.

RECOMMENDATIONS

We recommend that you establish a formal information-gathering program that designates duties and responsibilities of the offices and bureaus involved in the information-gathering process and incorporates the critical management controls.

We also recommend that you:

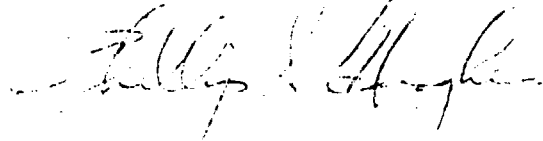
- Place the information clearance function at an organizational level where it can make final, independent decisions.
- Appoint information clearance representatives in the offices and bureaus which initiate requirements to act as liaison with the information clearance office.

Section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the House and Senate Committees on Government Operations not later than 60 days after the date of the report and to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

B-180225

We are sending copies of this report to the Director, Office of Management and Budget; the Chairmen of the House and Senate Committees on Government Operations and Appropriations; and other interested parties.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Phillip S. Hughes".

Phillip S. Hughes
Assistant Comptroller General