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This is the NEI/Industry First Draft of Subpart C

Subpart C - Gaining and Maintaining Unescorted Access**§ 26.32 FFD requirements for unescorted access categories**

(a) **Initial unescorted access**—Applicable to individuals who have not held unescorted access within the past three (3) years. Requirements are:

(1) **Consent and self disclosure**—After signing a consent statement to allow the collection of his or her personal history information, the applicant for unescorted access must complete the licensee or C/V-specified self-disclosure form and respond as required to the suitable inquiry questions.

(2) **Suitable inquiry**—The applicant's self-disclosure responses are normally validated concurrent with the employer checks being conducted pursuant to 10 CFR § 73.56 and Regulatory Guide 5.66. Satisfactory completion of a one-year suitable inquiry check is required prior to allowing temporary unescorted access authorization.

(3) **Pre-access testing**—Chemical and alcohol testing conducted under Appendix A, performed within sixty (60) days before the granting of unescorted access or assignment to activities within the scope of this part, serves as the required pre-access test. All results must be assessed as negative in order to gain UA.

(4) **Training**—The applicant must satisfactorily complete the Plant Access Training for fitness for duty and behavioral observation at the appropriate level for his or her job assignment.

(b) **Reinstatement**—Applicable to individuals coming to any plant who have had unescorted access within the past 365 days which was terminated under favorable conditions. Requirements are:

(1) If the individual has been away from a licensee-approved behavioral observation program for thirty (30) days or less, the individual may be promptly reinstated. No FFD sample is required.

(2) If the individual has been away from a licensee-approved behavioral observation program for sixty (60) days or less and there were no associated self-disclosure issues, or if a negative drug and alcohol testing result was obtained on the individual within the previous sixty (60) days, no FFD sample is required.

(3) If an individual is being reinstated after an absence from the possibility of being tested for more than sixty (60) days but not more than 365 days, the licensee would:

(i) Conduct pre-access testing by completing alcohol testing and collect a urine specimen for testing.

(ii) Grant temporary unescorted access while awaiting results of drug testing

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if an individual's unescorted access was terminated under favorable conditions and the individual continued to be covered by an approved behavioral observation program; or

- (iv) If the individual had not been covered under an approved behavioral observation program, temporary access can be granted after ascertaining activities since the individual last held unescorted access while awaiting results of drug testing.
 - (v) Verify any self-disclosure of FFD issues and the initiation of a suitable inquiry for the elapsed period. ***[Need to define terms—Ascertaining activities includes...]
 - (vi) Ensure training requirements are current.
- (c) **Update**—Applicable to individuals who have had unescorted access within the past three (3) years but not in the last 365 days and the access was terminated under favorable conditions and was not covered by an approved behavioral observation program. Requirements are:
- (1) Consent and self-disclosure—A new consent statement is required to allow an update of the collection of his or her personal history information. The applicant for unescorted access must complete the licensee or C/V-specified self-disclosure form by responding to the suitable inquiry questions for the period since unescorted access was last held.
 - (2) Suitable inquiry—The applicant's self-disclosure responses would be validated concurrent with the employer checks being conducted pursuant to 10 CFR §73.56 and Regulatory Guide 5.66. Satisfactory completion of a one-year suitable inquiry check is required prior to allowing temporary unescorted access authorization. A suitable inquiry for the period since the individual last held unescorted access would be initiated unless the individual had been covered under an approved behavioral observation program.
 - (3) Pre-access testing—Chemical and alcohol testing conducted under Appendix A, performed within sixty (60) days before the granting of unescorted access or assignment to activities within the scope of this part, serves as the required pre-access test. All results must be assessed as negative in order to gain unescorted access.
 - (4) Training—The applicant must satisfactorily complete the Plant Access Training for Fitness for Duty and behavioral observation at the appropriate level for his or her job assignment.
 - (5) Behavioral observation—If an individual's unescorted access was terminated under favorable conditions and the individual has been covered by an approved behavioral observation program since unescorted access was last held, only items (3) and (4) are required for the Update.
- (d) **Maintaining unescorted access:**
- (1) Remaining under a Part 26 random testing program.
 - (2) Remaining under a licensee-approved behavioral observation program.

(3) Complete required FFD retraining on the specified periodicity.

(e) Maintaining unescorted access authorization:

- (1) Remaining under a licensee-approved behavioral observation program.
- (2) Complete required FFD retraining on the specified periodicity.
- (3) Either remain covered by a Part 26 random testing program or meet the reinstatement testing requirements for unescorted access.

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