

From: "Dunn, Mike" <Mike.Dunn@dshs.state.tx.us>
To: <MLO1@NRC.gov>
Date: 01/30/2008 5:55:59 PM
Subject: Fingerprint Conditions

Here is the modification we talked about. Let me know if we need to supply anything else.

Thanks for the quick turn-around on this.

Mike Dunn, Chief, Industrial Licensing Program
Radiation Safety Licensing Branch
512-834-6688 ext. 2207

CC: "Fogle, David" <David.Fogle@dshs.state.tx.us>, "Cardwell, Cindy" <Cindy.Cardwell@dshs.state.tx.us>, "Taylor, Barbaraj" <Barbaraj.Taylor@dshs.state.tx.us>

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Subject: Fingerprint Conditions
Creation Date 01/30/2008 5:55:43 PM
From: "Dunn, Mike" <Mike.Dunn@dshs.state.tx.us>

Created By: Mike.Dunn@dshs.state.tx.us

Recipients

nrc.gov
TWGWPO03.HQGWDO01
MLO1 (Monica Orendi)

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Barbaraj.Taylor CC (Barbaraj Taylor)
Cindy.Cardwell CC (Cindy Cardwell)
David.Fogle CC (David Fogle)

Post Office

TWGWPO03.HQGWDO01

Route

nrc.gov
dshs.state.tx.us

Files	Size	Date & Time
MESSAGE	253	01/30/2008 5:55:43 PM
TEXT.htm	2604	
fingerprintingliccondition130 (2).doc		42496
Mime.822	63720	

Options

Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: Standard

LICENSE CONDITION REQUIRING FINGERPRINTING FOR NEW LICENSEES

- XX. The licensee shall comply with the requirements described in U. S. Nuclear Regulatory Commission's Order EA-07-305 (the Order). **Notwithstanding the time periods contained within the Order, the licensee shall comply with the following conditions in the time specified.** The licensee shall complete implementation of said requirements by the first day that radionuclides in quantities of concern are possessed at or above the limits specified in "Table 1: Radionuclides of Concern" contained within the Order. The licensee shall notify **the DSHS - Radioactive Material Licensing Group, Manager** when they have achieved full compliance with the requirements described in the Order. The notification shall be made within **thirty (30)** days after full compliance has been achieved. This notification shall include a certification that the Trustworthiness and Reliability (T&R) Official, ~~(and any subsequent T&R Official,)~~ is themselves deemed trustworthy and reliable by the Licensee as required in B.2. of the Order. The licensee shall notify **the Agency Texas Department of Public Safety, Intelligence Center at (866) 786-5972** within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.

LICENSE CONDITION REQUIRING FINGERPRINTING FOR EXISTING LICENSEES (Example 2)

- XX. The licensee shall comply with the requirements described in U. S. Nuclear Regulatory Commission's (NRC) **[insert requirement], dated [insert date of requirement], and the document (NRC Order EA-07-305 (the Order), with attachments, dated December 5, 2007) entitled "Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material."** The requirements listed in the NRC Order shall be implemented as part of the trustworthiness and reliability program of the Increased Controls requirements.
- By **[insert date 90 days after the date of this license amendment] of the effective date of this license condition**, the licensee shall provide under oath or affirmation, a certification that the Trustworthiness and Reliability Official (TRO) is deemed trustworthy and reliable by the licensee as required in paragraph B.2. of the **U.S. Nuclear Regulatory Commission (NRC) Order EA-07-305, published in the Federal Register on December 13, 2007 [72 FR 70901].**
 - All fingerprints obtained by the licensee pursuant to this requirement must be submitted to the NRC for transmission to the U.S. Federal Bureau of Investigation (FBI). Additionally, the licensee's submission of fingerprints shall also be accompanied by a certification, under oath and affirmation, of the trustworthiness and reliability of the **TRO Trustworthiness and Reliability Official** as required by paragraph B.2. of **NRC the Order EA-07-305.**
 - The licensee shall complete implementation of the fingerprinting requirements by **[insert date 180 days after the date of this license amendment]**. The licensee shall notify **the DSHS - Radioactive Material Licensing Group, Manager** when they have achieved full compliance with the requirements described in the NRC Order. The notification shall be made within **thirty (30)** days after full compliance has been achieved.
 - The licensee shall notify **the Agency Texas Department of Public Safety, Intelligence Center at (866) 786-5972** within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.

LICENSE CONDITION REQUIRING FINGERPRINTING FOR NEW LICENSEES

- XX. The licensee shall comply with the requirements described in U. S. Nuclear Regulatory Commission's Order EA-07-305 (the Order). Notwithstanding the time periods contained within the Order, the licensee shall comply with the following conditions in the time specified. The licensee shall complete implementation of said requirements by the first day that radionuclides in quantities of concern are possessed at or above the limits specified in "Table 1: Radionuclides of Concern" contained within the Order. The licensee shall notify DSHS - Radioactive Material Licensing Group, Manager when they have achieved full compliance with the requirements described in the Order. The notification shall be made within thirty (30) days after full compliance has been achieved. This notification shall include a certification that the Trustworthiness and Reliability (T&R) Official, and any subsequent T&R Official, is themselves deemed trustworthy and reliable by the Licensee as required in B.2. of the Order. The licensee shall notify the Texas Department of Public Safety, Intelligence Center at (866) 786-5972 within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.

LICENSE CONDITION REQUIRING FINGERPRINTING FOR EXISTING LICENSEES (Example 2)

- XX. The licensee shall comply with the requirements described in U. S. Nuclear Regulatory Commission's (NRC) Order EA-07-305 (the Order), with attachments. The requirements listed in the Order shall be implemented as part of the trustworthiness and reliability program of the Increased Controls requirements.
- By **[insert date 90 days after the date of this license amendment]**, the licensee shall provide under oath or affirmation, a certification that the Trustworthiness and Reliability Official (TRO) is deemed trustworthy and reliable by the licensee as required in paragraph B.2. of the Order.
 - All fingerprints obtained by the licensee pursuant to this requirement must be submitted to the NRC for transmission to the U.S. Federal Bureau of Investigation (FBI). Additionally, the licensee's submission of fingerprints shall also be accompanied by a certification, under oath and affirmation, of the trustworthiness and reliability of the TRO as required by paragraph B.2. of the Order.
 - The licensee shall complete implementation of the fingerprinting requirements by **[insert date 180 days after the date of this license amendment]**. The licensee shall notify DSHS - Radioactive Material Licensing Group, Manager when they have achieved full compliance with the requirements described in the Order. The notification shall be made within **twenty-five (25) days** after full compliance has been achieved.
 - The licensee shall notify Texas Department of Public Safety, Intelligence Center at (866) 786-5972 within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.