

September 2, 2010

TO: Those on the Enclosed List

SUBJECT: SUMMARY OF AUGUST 25, 2010, CATEGORY 3 PUBLIC MEETING TO DISCUSS PROPOSED RULE ON FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS GRANTED UNESCORTED ACCESS TO NON-POWER REACTORS (TAC NO. ME4283)

On August 25, 2010, the U. S. Nuclear Regulatory Commission (NRC) staff held a Category 3 public meeting to discuss a proposed rule to obtain a fingerprint-based criminal history records check before granting any individual unescorted access to a non-power reactor facility. Mr. Timothy Reed, Project Manager and Ms. Beth Reed, Project Manager, gave the presentation, stressing the purpose of the meeting was not to document the participants' oral comments, which could increase the risk of miscommunication, but to facilitate stakeholders' understanding of the proposed rule so that they will be able to provide written comments in their own words. Stakeholder participants, who attended remotely by webinar, are on the enclosed attendee list. They represented the research and test reactor licensees of the University of Missouri, Pennsylvania State University, and the National Institute of Standards and Technology. Attendees discussed a variety of issues. Some of them, such as the definition of "unescorted access," were beyond the scope or statutory authority of this rulemaking on fingerprinting requirements. Other issues discussed included the sufficiency of the proposed 120-day effective date, the potential for conflicts with state and local privacy requirements, the relationship of this rule to the planned Part 37 rule for materials security, and whether background checks, such as employment or credit histories, should be required in addition to fingerprint-based Federal Bureau of Investigation criminal history checks for a determination of trustworthiness and reliability.

The NRC slide presentation for the meeting is available in the Agencywide Documents and Management System under Accession number ML102360002.

Please direct any inquiries to Robert D. MacDougall at 301-415-5175, or by electronic mail at Robert.Macdougall@nrc.gov.

/RA/

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Office of Nuclear Reactor Regulation

Enclosure:
As stated

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On August 25, 2010, the U. S. Nuclear Regulatory Commission (NRC) staff held a Category 3 public meeting to discuss a proposed rule to obtain a fingerprint-based criminal history records check before granting any individual unescorted access to a non-power reactor facility. Mr. Timothy Reed, Project Manager and Ms. Beth Reed, Project Manager, gave the presentation, stressing the purpose of the meeting was not to document the participants' oral comments, which could increase the risk of miscommunication, but to facilitate stakeholders' understanding of the proposed rule so that they will be able to provide written comments in their own words. Stakeholder participants, who attended remotely by webinar, are on the enclosed attendee list. They represented the research and test reactor licensees of the University of Missouri, Pennsylvania State University, and the National Institute of Standards and Technology. Attendees discussed a variety of issues. Some of them, such as the definition of "unescorted access," were beyond the scope or statutory authority of this rulemaking on fingerprinting requirements. Other issues discussed included the sufficiency of the proposed 120-day effective date, the potential for conflicts with state and local privacy requirements, the relationship of this rule to the planned Part 37 rule for materials security, and whether background checks, such as employment or credit histories, should be required in addition to fingerprint-based Federal Bureau of Investigation criminal history checks for a determination of trustworthiness and reliability.

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Test, Research, and Training
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ATTENDEES LIST

AUGUST 25, 2010, CATEGORY 3 PUBLIC MEETING TO DISCUSS PROPOSED RULE ON FINGERPRINT-BASED FBI BACKGROUND CHECKS FOR UNESCORTED ACCESS TO RESEARCH AND TEST REACTORS (TAC NO. ME4283)

Stakeholder Attendees

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