

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF FEDERAL AND STATE MATERIALS
AND ENVIRONMENTAL MANAGEMENT PROGRAMS
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF NEW REACTORS
WASHINGTON, DC 20555

NOVEMBER 15, 2013

NRC INFORMATION NOTICE 2013-22: RECENT LICENSING SUBMITTALS CONTAINING
PERSONALLY IDENTIFIABLE INFORMATION

ADDRESSEES

All materials licensees, certificate holders, applicants, and other entities subject to regulation by the U.S. Nuclear Regulatory Commission (NRC) for the use of source, byproduct, and special nuclear material. All Radiation Control Program Directors and State Liaison Officers.

All holders of an operating license or construction permit for a nuclear power reactor under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities." All holders of an operating license for a non-power reactor (research reactor, test reactor, or critical assembly) under 10 CFR Part 50.

All holders of and applicants for a power reactor early site permit, combined license, standard design certification, standard design approval, or manufacturing license under 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants."

PURPOSE

The NRC is issuing this information notice (IN) to remind licensees to refrain from submitting Personally Identifiable Information (PII) in licensing applications and other correspondence when the PII is not necessary to support NRC review of the submitted information. The NRC expects that all recipients will review the IN for applicability to their facilities and consider actions, as appropriate. However, suggestions contained in this IN are not new NRC requirements; therefore, no specific action or written response is required. The NRC is providing this IN to the Agreement States for their information and distribution to their licensees as appropriate.

DESCRIPTION OF CIRCUMSTANCES

The NRC has recently received several documents containing PII that were not marked as sensitive. A few examples are highlighted below.

ML13247A109

On March 20, 2013, a medical licensee submitted a license amendment request to the NRC to add the name of a physician as an authorized user. The submittal contained the physician's home address and medical license number, was not marked as sensitive, and there was no request by the licensee to protect the PII from public disclosure.

On March 21, 2013, a medical licensee submitted a license amendment request to replace the type of high dose rate afterloader specified on the license. The submittal contained the personal e-mail addresses of two employees, was not marked as sensitive, and there was no request by the licensee to withhold the PII from public disclosure.

On April 30, 2013, a nuclear pharmacy submitted a license amendment request to the NRC to add an authorized user to the license. The submittal contained the individual's home address, date and country of birth, and the individual's Alien Registration Card Number. Similar to the first two examples, the document was not marked as sensitive and there was no request by the licensee to withhold the PII from public disclosure.

BACKGROUND

The NRC has periodically issued communications to enhance licensee awareness of the sensitivity of PII, including:

- Regulatory Issue Summary 2007-04, "Personally Identifiable Information Submitted to the U.S. Nuclear Regulatory Commission," dated March 9, 2007, and
- NUREG/BR-0117, No. 10-02, "Protecting Personally Identifiable Information from Public Disclosure." Office of Federal and State Materials and Environmental Management Programs Licensee Newsletter.

The NRC also has added information about PII to recent versions of guidance documents such as the NUREG-1556 series "Consolidated Guidance about Materials Licenses." Specifically, the NRC has requested that licensees refrain from including PII in submittals and correspondence to the NRC unless it is required by NRC regulations or necessary for the NRC's review.

DISCUSSION

PII is information that:

- can be used to identify or contact a person uniquely and reliably, or
- can be traced back to a specific individual (e.g., a person's name in conjunction with any of the following information: relatives' names, postal address, home e-mail address, home or cellular telephone number, personal characteristics, social security number, date or place of birth, mother's maiden name, driver's license number, bank account information, credit card information, or any other information that would make the individual's identity easily traceable).

The inadvertent disclosure or release of PII can result in substantial harm, embarrassment, and inconvenience to the individuals involved and may lead to identity theft or other fraudulent use of the information. In addition, the inclusion of unnecessary PII in documents submitted to NRC

is likely to result in some delay in processing these documents in order to redact this information. This could lead to an increase in the amount of time beyond that normally required to process a licensing action or respond to other correspondence. Protecting PII is a shared responsibility. Therefore, the information provided in this IN should receive the widest possible distribution in order to promote awareness of privacy and security responsibilities and assist in the efficient processing of documents submitted to NRC.

Licensees, certificate holders, and applicants are reminded not to submit any documents to the NRC that contain PII unless the PII is necessary to process the documents. If submitted, in order to prevent inadvertent disclosure, PII must be properly marked as sensitive and the submitter should also follow the procedures in 10 CFR 2.390 to request that the PII be withheld from public disclosure. The NRC will normally make all licensing submittals and correspondence available to the public on the internet through the Agencywide Documents Access and Management System unless the submitter marks the document as sensitive and follows the requirements of 10 CFR 2.390.

RELATED GENERIC COMMUNICATIONS

NRC Regulatory Issue Summary 2007-04, "Personally Identifiable Information Submitted to the U.S. Nuclear Regulatory Commission," dated March 9, 2007.

CONTACT

This IN requires no specific action or written response. If you have any questions about the information in this notice, please contact the technical contact listed below or the appropriate regional office.

/RA Andrea D. Valentin for/

Michael Cheek, Acting Director
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and Operational Programs
Office of New Reactors

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Lawrence E. Kokajko, Director
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(301) 415-6202
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Enclosure:
List of Recently Issued FSME Generic
Communications

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Enclosure:
List of Recently Issued FSME Generic
Communications

ML13247A109

OFFICE	FSME/LB	FSME/LB	FSME/RMSB	OIS	OGC
NAME	KWagner	MKotzalas	AMcIntosh	JFlanagan (via e-mail)	CMullins (via e-mail)
DATE	9/04/13	9/04/13	9/05/13	9/03/13	9/24/13
OFFICE	FSME/DWMEP/DURLD/URLB	FSME/MSSA	NRO/DCIP	NRR/DPR	NMSS/SFST
NAME	DMandeville for BVon Till	CEinberg	AValentin for MCheck	LKokajko	MLombard
DATE	9/27/13	9/26/13	10/24/13	10/28/13	10/29/13
OFFICE	NMSS/FCSS	FSME/MSSA			
NAME	MBailey	PHenderson			
OFFICE	10/29/13	11/15/13			

List of Recently Issued Office of Federal and State Materials and Environmental Management Programs Generic Communications			
Date	GC No.	Subject	Addressees
10/17/2013	RIS-2013-17	Resuming Normal Interactions Between the NRC and NRC Stakeholders Following an Agency Shutdown	All U.S. Nuclear Regulatory Commission (NRC) licensees, certificate holders, permit holders, and applicants; all Agreement and Non-Agreement States, and State Liaison Officers; and other interested stakeholders.
10/09/2013	RIS-2013-16, Supp. 1	Interactions Between the NRC and NRC Stakeholders During a Lapse of Agency Appropriations	All U.S. Nuclear Regulatory Commission (NRC) licensees, certificate holders, permit holders, and applicants; all Agreement and Non-Agreement States, and State Liaison Officers; and other interested stakeholders.
10/01/2013	RIS-2013-16	Interactions Between the NRC and NRC Stakeholders During a Lapse of Agency Appropriations	All U.S. Nuclear Regulatory Commission (NRC) licensees, certificate holders, permit holders, and applicants; all Agreement and Non-Agreement States, and State Liaison Officers; and other interested stakeholders.
09/16/2013	IA-03-02	Criteria for Reporting Cybersecurity Incidents	All Radiation Control Program Directors and State Liaison Officers. All Increased Controls (IC) materials licensees. All licensees possessing Category 2 and higher materials.
09/11/2013	RIS-2013-14	Reporting Transactions Involving Temporary Jobsites to the National Source Tracking System	All industrial radiography and well logging licensees, and all Radiation Control Program Directors and State Liaison Officers.

List of Recently Issued Office of Federal and State Materials and Environmental Management Programs Generic Communications			
Date	GC No.	Subject	Addressees
08/23/2013	RIS-2013-12	Notice of Issuance of Enforcement Guidance Memorandum – Interim Guidance for Dispositioning Violations Involving 10 CFR 35.60 and 10 CFR 35.63 for the Calibration of Instrumentation to Measure the Activity of Rubidium-82 and the Determination of Rubidium-82 Patient Dosages	All U.S. Nuclear Regulatory Commission (NRC) medical use licensees and NRC master materials licensees, Agreement State Radiation Control Program Directors, and State Liaison Officers.
<p>Note: This list contains the six most recently issued generic communications, issued by the Office of Federal and State Materials and Environmental Management Programs. A full listing of all generic communications may be viewed at the NRC public Web site at the following address: http://www.nrc.gov/reading-rm/doc-collections/gen-comm/index.html</p>			