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INCREASED SECURITY CONTROLS UPDATE

Date: September 18, 2008
Subject: N.C. Radioactive Materials Increased Controls (IC) and Fingerprinting Requirements
To: All IC Licensees
From: NC Radiation Protection Section

Since the spring of 2008 all NC licensees within the IC arena have been aware of the requirements for implementation of fingerprinting into their trustworthy and reliability determinations. The implementation of this requirement was to be communicated and documented using the agency provided Certificate of Compliance Form. This form provided certain benchmarks for licensees, allowed for verification licensees were aware of the requirements and were successfully attaining them. The original schedules for these benchmarks, as provided in the Certificate of Compliance Form, were:

Benchmark Action	Benchmark Due Date
Part I Completion	April 19, 2008
Part II Completion	June 18, 2008
Part III Completion	September 22, 2008

It has come to the agency’s attention that after timely submission of fingerprint cards, many licensees have experienced an unexpected time delay in receiving information back from the Nuclear Regulatory Commission (NRC). **In acknowledgement of this delay imposed on the licensees, the agency is revising the final benchmark due date (for claiming full compliance with the fingerprinting requirements) from September 22, 2008 to December 8, 2008.** Thus all outstanding IC licensees are required to submit their Certificate of Compliance Form by the revised due date indicating status in regards to all “Parts” (I, II, & III). Licensees that have already submitted the entirely completed Certificate of Compliance Form are not effected by this revised due date.

The revised Benchmark table appears as:

Benchmark Action	Benchmark Due Date
Part I Completion	April 19, 2008
Part II Completion	June 18, 2008
Original Part III Completion	September 22, 2008
Revised Part III Completion	December 8, 2008

Licensees should strive to adjudicate all pending fingerprinting submissions prior to the revised due date. Since it is possible submissions will remain pending at the due date, licensees should have a documented policy to address the ongoing adjudication process. Each licensee may and should determine the best policy for their program which meets the intent of the fingerprinting requirements and is defensible through documentation and reference. One such reference for consideration is posted at the end of this memo.

Questions or comments concerning this memo may be addressed to the following staff at 919-571-4141:
Grant Mills, Health Physicist – ext. 237
Radioactive Materials Branch



Source:

Supplemental (S) Questions and Answers Regarding Implementation of the Order Imposing Fingerprinting and Criminal History Check Requirements For Unescorted Access to Certain Radioactive Material (EA-07-305)

Version: 08/14/08

<http://www.nrc.gov/security/byproduct/icfp-supplemental-qa.pdf> [**]

S14. The June 2, 2008* implementation deadline has passed and I have not completed the trustworthiness and reliability adjudication process for certain individuals because I have not received classifiable fingerprint/FBI criminal history check results. Should I submit a request for relief from the implementation deadline?

A request for relief from the June 2, 2008 implementation deadline is not necessary if the initial fingerprint submissions for individuals requiring unescorted access to radioactive materials in quantities of concern were submitted to the Nuclear Regulatory Commission (NRC) by the implementation deadline. For these individuals, the trustworthiness and reliability adjudication process should be completed within a maximum of 35 days from the date of receipt of classifiable fingerprints and criminal history reports. Licensees operating within Agreement State jurisdiction should work with their respective authorities to meet Agreement State specific implementation deadlines.

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[*Note: June 2, 008 was the NRC deadline, the NC deadline was Sept. 22, 2008.]

[**Note: Due to transitions and resource availability, the agency has been unable to recently update the IC Toolbox found at <http://ncradiation.net/rms/rmsichome.htm> , licensees should consider monitoring the NRC website(s) for updated information regarding the Increased Control program.