

## Questions from Part .15 Meetings

1. Is there a time-line for reinstatement?

**Within 365 days, if employee left in good standing in regards to T&R.**

2. Are fingerprints required to be on file by the licensee?

**The NRC considers documentation regarding T&R of employees to include: all fingerprint and criminal history records received from the FBI, or a copy if the individual file has been transferred, and all records from the other background investigation requirements.**

**Determination documentation should include: name, criteria and procedures, supporting documentation, date of the determination , with name and signature of Reviewing Official.**

3. In obtaining references for an individual, is there a certain criteria established as to how long a person must have known an individual before they can be considered a reliable reference?

**No, there are no criteria established for a reference. Unless other references are not available, reference checks may not be conducted with any person who is known to be a close member of the individual's family, including, but not limited to , the individual's spouse, parents, siblings, or children, or any individual who resides in the individual's permanent household. The reliability of the reference must be determined by the Reviewing Official.**

**Here is what is expected for the background investigation:**

**Verification of true identity – driver's license, passport, government ID, certificate of birth.**

**Employment history verification – must include most recent 7 years.**

**Education verification – diploma and/or transcripts.**

**Character and reputation determination – shall complete reference checks to determine the character and reputation of the individual. Some questions may include: would the organization rehire the individual, would it trust the individual with company assets, does it consider the individual to be trustworthy and reliable, has it ever witnessed anything in the individual's behavior that would cause it to question his or her reliability.**

**Obtain independent information – Seek references not supplied by the individual by interviewing others that may know the individual. This may include but not limited to; teachers, friends, co-workers, neighbors, church members, civic association.**

4. Is a person that only orders radioactive material (i.e. clerical) required to be identified as T&R?

**No. Only individuals granted access to the security plan, implementing procedures, or list of individuals granted unescorted access are required to go through the T&R process. If a person is doing more than just placing an order, then the licensee needs to review that process and determine if a background investigation is warranted.**

5. What level of detail is needed for the security plan?

**The plan shall include, but not be limited to:**

**Description of the radioactive material, its categorization, and its use;**

**Description of the environment, building, and facility in which the radioactive material is used or stored and, if appropriate, a diagram of the facility layout and security system;**

**The location of the building or facility relative to areas accessible to the public;**

**Local security procedures;**

**Objectives of the security plan for the building or facility, including the following; the specific concern that will be addressed (e.g., unauthorized removal, destruction, or malevolent use), the kind of control necessary to prevent undesired consequences, including the auxiliary equipment that might be needed, the equipment or premises that will be secured;**

**Security measures that will be used, including the following; the measures to secure, provide surveillance, provide access control, detect, delay, respond and communicate, the design features to evaluate the quality of the measures against the assumed threat; and**

**Administrative measures that will be used, including the following; security roles and responsibilities, staff, and others, routine and non-routine operations, including an accounting of the source(s), maintenance and testing of equipment, a determination of the trustworthiness of personnel, the application of information security, methods for access authorization, security related aspects of the emergency plan, including event reporting, training, key control procedures, procedures to address an increased threat level, the process for periodically evaluating the effectiveness of the plan and updating it accordingly, any compensatory measures that may need to be used, references to existing regulations or standards;**

6. Does a licensee need to document the weekly check required by .15(18)(a)3.iii.?

**From NUREG-2155**

**How the licensee performs periodic accounting for each radioactive source should include the following information;**

**The accounting method used, such as a physical check, remote video monitoring, examination of seals or other tamper-indicating devices, or radiation measurements;**

**Records generated that indicate the results of each verification, including information about when the verification was done, who performed it, and what method was used; and**

**The arrangements for corrective actions and reporting if the presence of a radioactive source cannot be verified.**

**The intent of the provision for “other means” to detect the removal of a category 2 quantity of material is to give the licensee flexibility to use the method that works best for its facility. Although electronic sensors for detecting the removal of category 2 quantity of material are not required, the licensee should consider, as good practice, the application of these devices to category 2 quantities, where feasible, for immediate detection capability.**

**If a licensee decides to use an electronic, tamper-indicating device for detecting the removal of a category 2 quantity of material, it is recommended that the system be designed to silently or audibly alarm on any attempt to remove a device or a source from its device. The licensee should arm the tamper-indicating alarm at all times, other than those for equipment maintenance or calibration. The licensee’s security plan should also explain how any method used to detect the unauthorized removal of a category 2 quantity of material will be reliable and effective in meeting the requirements.**

7. What documents need to be submitted to the Agency at the next amendment request or renewal of the license?

**None at this time, but it is expected that any updates to your current procedures should be submitted during your next amendment.**

8. Who is considered the licensee representative when identifying the RO under oath and affirmation?

**The rule does not specify the requirements for the licensee representative. Routinely, that individual will be a person within upper management or his/her designee.**

**The licensee representative decides who is to be named as a Reviewing Official (RO). The RO may be the Radiation Safety Officer, someone from the Human Resources department, or any other individual. To review the FBI criminal history records, the RO must be an employee of licensee, not a contractor. Also, the RO must be authorized for unescorted access to category 1 or 2 quantities of radioactive material or access to SGI or SGI-M, but the RO does not have to be actually granted access to the material.**

9. A new hire goes through a portion of the documented requirements for a background check (i.e., references, employment history, etc.) as part of their initial hire process. At a later date, the licensee decides to T&R that individual. Can the licensee use that initial information to assist in making a T&R assessment? If yes, is there a timetable for use of this information (i.e. one year after the information is gathered)?

**There is no specific timetable in the rule, therefore it would fall to the RO to make that determination. The initial determination of approval would need to be less than 10 years old.**

10. What documentation is necessary for training and /or refresher training (security plan)?

**There are no set criteria for training documentation. An outline of topics covered, the date of training, along with a roster of attendees would be satisfactory.**

**The extent of training should be commensurate with the individual's potential involvement in the security of category 1 or category 2 quantities of radioactive material. Training examples include: the controls that are in place to prevent unauthorized access to material, the purpose and functional requirements of the licensee's alarm and access control, notification procedures in the event of an unauthorized access for potential malevolent activities, ways to confirm quickly and accurately whether an intrusion is likely to be intentional or accidental.**

**The licensee must also provide refresher training at least every 12 months and when significant change have been made to the security program. The refresher training should address the following items; any changes to the security program since the last training, any changes in the assigned responsibilities of individual trainees that would require new training, recent information on any relevant security issues or lessons learned, relevant results from the program review or any inspections, relevant operating experience from the maintenance and testing program for security systems or system components.**

11. How should the licensee verify an individual's employment history and education?

**The licensee should contact previous employers and academic institutions. When contacting the previous employers, the licensee should ask specific questions regarding an individual's employment to verify that he or she is being honest about his or her work history. For verification of education, the licensee may also ask the individual to provide documentation that verifies his or her education (e.g., a high school diploma or college transcripts, or both).**