



Implementation of the New Fingerprinting Rule

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Purpose of Rulemaking

This rulemaking makes
fingerprint provisions
generically applicable in the
Code of Federal Regulations



Regulatory Compliance

NRC must comply with AEA, as amended:

Section 149

NRC must fingerprint all persons seeking or granted unescorted access to *utilization facilities*



Regulatory Compliance

Section 104c

NRC is directed to impose only the minimum amount of regulation consistent with its obligations to promote the common defense and security and protect public health and safety and that “will permit the conduct of widespread and diverse research and development”



Rulemaking History

- September 11, 2001 – Security paradigm shift
- 2002-2004 – Incorporation of Interim Compensatory Measures
- August 8, 2005 – Energy Policy Act of 2005 (EPAAct) becomes law



Rulemaking History

- 2006-2007 – Development and implementation of fingerprint orders
- April 14, 2009 – NRC issues Advance Notice of Proposed Rulemaking
- July 20, 2010 – NRC publishes Proposed Rule
- December 2010 – NRC reopens public comment period



Status Update

- NRC staff submitted the draft final rule to the Commission on August 4, 2011
- Effective date of implementation: 180 days from date of final rule publication in the FRN
 - NOTE: The staff has recommended 180 days in the final rule package. The Commission may alter this time during the voting process.



Implementation

- The rule maintains the same functional effectiveness as the current 2007-issued fingerprinting orders
- Non-prescriptive regulation
- NRC intends to offer site-specific implementation meetings

Implementation

- NRC estimates 5 additional individuals/year for the entire fleet of 31 nonpower reactors to require fingerprints for unescorted access as a result of a *vital area* criterion
- “Relax” the orders
- Draft final rule is publically available in ADAMS (ML111250144)

Questions and Answers

