

§ 10.1

- 10.33 Action by the Deputy Executive Director for Corporate Management and Chief Information Officer.
10.34 Action by the Commission.
10.35 Reconsideration of cases.

Subpart D—Miscellaneous

- 10.36 Terminations.
10.37 Attorney representation.
10.38 Certifications.

AUTHORITY: Atomic Energy Act secs. 145, 161 (42 U.S.C. 2165, 2201); Energy Reorganization Act sec. 201 (42 U.S.C. 5841); E.O. 10450, 3 CFR parts 1949–1953 Comp., p. 936, as amended; E.O. 10865, 3 CFR Parts 1959–1963 Comp., p. 398, as amended; E.O. 12968, 3 CFR 1995 Comp., p. 396.

SOURCE: 47 FR 38676, Sept. 2, 1982, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 10 appear at 70 FR 30897, May 31, 2005, and 77 FR 39904, July 6, 2012.

Subpart A—General Provisions

§ 10.1 Purpose.

(a) This part establishes the criteria, procedures, and methods for resolving questions concerning:

(1) The eligibility of individuals who are employed by or applicants for employment with NRC contractors, agents, and other individuals who are NRC employees or applicants for NRC employment, and other persons designated by the Deputy Executive Director for Corporate Management and Chief Information Officer of the NRC, for access to Restricted Data under the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, or for access to national security information;

(2) The eligibility of NRC employees, or the eligibility of applicants for employment with the NRC, for employment clearance; and

(3) The eligibility of individuals who are employed by or are applicants for employment with NRC licensees, certificate holders, holders of standard design approvals under part 52 of this chapter, applicants for licenses, certificates, and NRC approvals, and others who may require access related to a license, certificate, or NRC approval, or other activities as the Commission may determine, for access to Restricted Data under the Atomic Energy

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Act of 1954, as amended, and the Energy Reorganization Act of 1974, or for access to national security information.

(b) This part is published to implement the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, Executive Order 10865, 25 FR 1583 (February 24, 1960) Executive Order 10450, 18 FR 2489 (April 27, 1954), and Executive Order 12968, 60 FR 40245 (August 2, 1995).

[64 FR 15641, Apr. 1, 1999, as amended at 72 FR 49483, Aug. 28, 2007]

§ 10.2 Scope.

The criteria and procedures in this part shall be used in determining eligibility for NRC access authorization and/or employment clearance involving:

(a) Employees (including consultants) of contractors and agents of the Nuclear Regulatory Commission and applicants for employment;

(b) NRC licensees, certificate holders and holders of standard design approvals under part 52 of this chapter, applicants for licenses, certificates, and standard design approvals under part 52 of this chapter, and their employees (including consultants) and applicants for employment (including consulting);

(c) NRC employees (including consultants) and applicants for employment; and

(d) Any other person designated by the Deputy Executive Director for Corporate Management and Chief Information Officer of the Nuclear Regulatory Commission.

[47 FR 38676, Sept. 2, 1982, as amended at 64 FR 15641, Apr. 1, 1999; 72 FR 49483, Aug. 28, 2007]

§ 10.3 [Reserved]

§ 10.4 Policy.

It is the policy of the Nuclear Regulatory Commission to carry out its responsibility for the security of the nuclear energy program in a manner consistent with traditional American concepts of justice. To this end, the Commission has established criteria for determining eligibility for access authorization and/or employment clearance