



# NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs

Telephone: 301/415-8200

Washington, D.C. 20555-0001

E-mail: [opa@nrc.gov](mailto:opa@nrc.gov)

Web Site: <http://www.nrc.gov/OPA>

---

No. 04-161

December 15, 2004

## NRC EXPANDS ELIGIBILITY CATEGORIES FOR SEEKING ACCESS TO CLASSIFIED INFORMATION

The Nuclear Regulatory Commission is amending its regulations to expand the categories of persons who may seek access to classified information associated with NRC-regulated activities, as well as the categories of facilities that may be authorized to store such information.

The changes will allow the agency to process any requests for security clearances related to the anticipated hearing for a potential high-level radioactive waste repository at Yucca Mountain, Nev., and to activities involving the design of advanced reactors.

The rule will contribute to the Commission's policy of openness by allowing authorized stakeholders to be involved in NRC decision-making involving classified information relating to the potential Yucca Mountain repository.

With regard to advanced reactors, NRC believes that most current vendors of advanced reactor designs are NRC licensees or contractors to NRC licensees or holders of security clearances from other government agencies. However, to allow for the possibility that there could be vendors who would need to seek access to classified information through the NRC, the agency is amending the regulations to allow the processing of these requests.

Before access authorization to classified information is granted, a satisfactory background investigation must be completed, and the individual will be informed that unauthorized disclosure of classified information could result in civil or criminal penalties.

The amendments also extend the regulations on facility security clearances. Current regulations permit persons and companies regulated by the NRC to seek a facility security clearance to use, store, reproduce, transmit, transport or handle NRC classified information. These changes allow persons who are not regulated by the NRC but nevertheless need the facility clearance for NRC classified information to apply.

The revised regulations were published today in the *Federal Register* and will become effective Feb. 28, unless significant adverse comments are received by Jan. 14. Comments should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001,

Attention: Rulemakings and Adjudications Staff; or sent by e-mail to [SECY@nrc.gov](mailto:SECY@nrc.gov) or fax to 301/415-1101. Comments may also be submitted via the NRC's rulemaking web site at <http://ruleforum.llnl.gov> .

###