

120.064: continued

- (2) Efforts to limit access shall include the development, implementation, and maintenance of written policies and procedures for controlling access to, and for proper handling and protection against unauthorized disclosure of, the security plan, ~~and~~ implementing procedures, **and the list of individuals that have been approved for unescorted access.**
- (3) Before granting an individual access to the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access,** licensees shall:
- (a) Evaluate an individual's need to know the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access;** and
 - (b) If the individual has not been authorized for unescorted access to category 1 or category 2 quantities of radioactive material, safeguards information, or safeguards information-modified handling, the licensee must complete a background investigation to determine the individual's trustworthiness and reliability. A trustworthiness and reliability determination shall be conducted by the reviewing official and shall include the background investigation elements contained in 105 CMR 120.058(A)(2) through (7).
- (4) Licensees need not subject the following individuals to the background investigation elements for protection of information:
- (a) The categories of individuals listed in 105 CMR 120.060(A)(1) through (13); or
 - (b) Security service provider employees, provided written verification that the employee has been determined to be trustworthy and reliable, by the required background investigation in 105 CMR 120.058(A)(2) through (7), has been provided by the security service provider.
- (5) The licensee shall document the basis for concluding that an individual is trustworthy and reliable and should be granted access to the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access.**
- (6) Licensees shall maintain a list of persons currently approved for access to the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access.** When a licensee determines that a person no longer needs access to the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access,** or no longer meets the access authorization requirements for access to the information, the licensee shall remove the person from the approved list as soon as possible, but no later than seven working days, and take prompt measures to ensure that the individual is unable to obtain the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access.**
- (7) When not in use, the licensee shall store its security plan, ~~and~~ implementing procedures, **and the list of individuals that have been approved for unescorted access** in a manner to prevent unauthorized access. Information stored in nonremovable electronic form must be password protected.
- (8) The licensee shall retain as a record for three years after the document is no longer needed:
- (a) A copy of the information protection procedures; and
 - (b) The list of individuals approved for access to the security plan, ~~or~~ implementing procedures, **or the list of individuals that have been approved for unescorted access.**

120.065: LLEA Coordination

- (A) A licensee subject to 105 CMR 120.063 through 120.071 shall coordinate, to the extent practicable, with an LLEA for responding to threats to the licensee's facility, including any necessary armed response. The information provided to the LLEA must include:
- (1) A description of the facilities and the category 1 and category 2 quantities of radioactive materials along with a description of the licensee's security measures that have been implemented to comply with 105 CMR 120.063 through 120.071; and
 - (2) A notification that the licensee will request a timely armed response by the LLEA to any actual or attempted theft, sabotage, or diversion of category 1 or category 2 quantities of material.
- (B) The licensee shall notify the Agency within three business days if:
- (1) The LLEA has not responded to the request for coordination within 60 days of the coordination request; or
 - (2) The LLEA notifies the licensee that the LLEA does not plan to participate in coordination activities.

(C) The licensee shall document its efforts to coordinate with the LLEA. The documentation must be kept for three years.