

suspend Stepan's license, contingent upon USACE notifying the NRC of their intent to take physical possession of all, or part, of the licensed portions of the site (ADAMS Accession No. ML082760095). The Order provided the USACE with the mechanism to request that the NRC suspend the NRC's license for the Stepan burial pits. In December 2008, August 2009, and January 2010, the USACE notified the NRC that it had taken physical possession of Burial Pits #2, #3, and #1, respectively.

On February 14, 2012, the USACE notified the NRC that the remediation response action had been completed for all three of the NRC-licensed burial pits, and pursuant to the MOU, USACE also provided notification of its intent to terminate physical possession of all three licensed burial pits in May 2012 (ADAMS Accession No. ML120880217). On May 7, 2012, NRC license STC-1333 was reinstated when Stepan reestablished possession of the burial pits in accordance with the Confirmatory Order (ADAMS Accession No. ML12159A537). By letter dated August 15, 2014, Stepan submitted a request to the NRC for the termination of their materials license (ADAMS Accession No. ML14259A103). As part of this submittal, Stepan provided the NRC with the USACE's Post Remedial Action Reports for each of the burial pits (ADAMS Accession Nos. ML12046A500, ML12046A502, and ML12046A504, respectively). On July 20, 2015, Stepan provided a response to the NRC's request for additional information (ADAMS Accession No. ML15217A026) and a radiological dose assessment (ADAMS Accession No. ML15217A025).

The NRC has now completed its review of the reports and associated documents according to NUREG-1757, "Consolidated Decommissioning Guidance," and guidance in the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM (NUREG 1575). The NRC staff has concluded that the Final Site Survey (FSS) design and data collected were adequate to characterize the residual radioactivity in the NRC-licensed portions of the Stepan site. The NRC staff also concluded that the data analysis and dose assessments performed are appropriate and that the projected dose from residual radioactivity in these areas is less than the 25 mrem/year dose criterion in 10 CFR 20.1402. Stepan has also submitted a completed NRC Form 314 ("Certificate of Disposition of Materials") and otherwise met the requirements of 10 CFR 40.42(j), the NRC regulation concerning the final step in the

decommissioning process for a 10 CFR part 40 source materials license. For these reasons, the NRC staff has determined that Stepan has demonstrated that the site will meet the radiological criteria for license termination described in 10 CFR 20.1402. Therefore, Source Materials License No. STC-1333 has been terminated.

Dated at Rockville, Maryland, this 18th day of February 2016.

For the Nuclear Regulatory Commission.

Bruce A. Watson,

CHP, Branch Chief, Reactor Decommissioning Branch, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[NRC-2015-0231]

Clarification of Licensee Actions in Support of Enforcement Discretion Per Tornado-Generated Missiles

AGENCY: Nuclear Regulatory Commission.

ACTION: Interim staff guidance; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Interim Staff Guidance (ISG) DSS-ISG-2016-01, "Clarification of Licensee Actions in Receipt of Enforcement Discretion Per Enforcement Guidance Memorandum EGM 15-002, 'Enforcement Discretion for Tornado-Generated Missile Protection Noncompliance.'" This ISG provides clarifying guidance for staff understanding of expectations for consistent oversight associated with implementing enforcement discretion for tornado missile protection noncompliance per EGM 15-002 and allows consistent enforcement and regulation of licensees that implement corrective actions outlined in EGM 15-002.

DATES: This guidance is effective on February 25, 2016.

ADDRESSES: Please refer to Docket ID NRC-2015-0231 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC-2015-0231. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463;

email: Carol.Gallagher@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. Interim Staff Guidance DSS-ISG-2016-01, "Clarification of Licensee Actions in Receipt of Enforcement Discretion Per Enforcement Guidance Memorandum EGM 15-002, 'Enforcement Discretion for Tornado-Generated Missile Protection Noncompliance,'" is available in ADAMS under Accession No. ML15348A202.

- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Todd Keene, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1994, email: Todd.Keene@nrc.gov.

SUPPLEMENTARY INFORMATION: Following the issuance of EGM 15-002 (ADAMS Accession No. ML15111A269), the staff received stakeholder comments requesting clarification in complying with NRC expectations for implementing enforcement discretion in accordance with the EGM, specifically the implementation of compensatory measures and guidance on addressing operability status of equipment once the EGM is implemented. The NRC staff has developed ISG DSS-ISG-2016-01, "Clarification of Licensee Actions in Receipt of Enforcement Discretion Per Enforcement Guidance Memorandum (EGM) 15-002, 'Enforcement Discretion for Tornado-Generated Missile Protection Noncompliance,'" to provide clarification concerning the implementation of EGM 15-002.

Dated at Rockville, Maryland, this 19th day of February, 2016.

For the Nuclear Regulatory Commission.

Alex Garmoe,

*Acting Chief, Generic Communications
Branch, Division of Policy and Rulemaking,
Office of Nuclear Reactor Regulation.*

[FR Doc. 2016-04023 Filed 2-24-16; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2016-0033]

Nuclear Regulatory Commission Insider Threat Program Policy Statement

AGENCY: Nuclear Regulatory
Commission.

ACTION: Policy statement; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing its Insider Threat Program Policy Statement that establishes the NRC Insider Threat Program in accordance with Executive Order (E.O.) 13587, "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information." The purpose of the policy statement is to ensure the responsible sharing and safeguards of classified information, including restricted data and safeguards information, by deterring employees, contractors, and detailees holding national security clearances from becoming insider threats, detecting insiders who pose a risk to protected information, and mitigating risks.

DATES: The NRC's Insider Threat Program Policy Statement is effective February 25, 2016.

ADDRESSES: Please refer to Docket ID NRC-2016-0033 when contacting the NRC about the availability of information for this policy statement. You may access publicly-available information related to this policy statement by any of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0033. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select

"ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Denis Brady, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-5768; email: Denis.Brady@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Executive Order 13587, "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information," directs all executive branch departments and agencies that have access to classified information to implement reforms to ensure responsible sharing and safeguarding of classified information on computer networks, consistent with appropriate protections for privacy and civil liberties (76 FR 63811; October 13, 2011). The E.O. also established the National Insider Threat Task Force, which issued the "National Insider Threat Policy" and the "Minimum Standards for Executive Branch Insider Threat Programs" on November 21, 2012 (see <https://www.whitehouse.gov/the-press-office/2012/11/21/presidential-memorandum-national-insider-threat-policy-and-minimum-stand>, last visited February 8, 2016). In order to execute its primary mission essential functions, the NRC has access to and possesses classified information, including classified information on computer networks, which it protects through appropriate security procedures. This policy statement establishes the NRC's Insider Threat Program in accordance with E.O. 13587.

II. Discussion

The purpose of this policy statement is to ensure the responsible sharing and safeguards of classified information, including restricted data and safeguards information, by deterring employees, contractors, and detailees holding national security clearances from

becoming insider threats, detecting insiders who pose a risk to protected information, and mitigating risks. The policy statement addresses the background, purpose, applicability, policy components, and references. This policy statement is not applicable to members of the public.

The NRC's Insider Threat Program Policy Statement is published in its entirety in the attachment to this document, and is also available in ADAMS under Accession No. ML16039A282.

III. Procedural Requirements

Paperwork Reduction Act Statement

This policy statement does not contain information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Congressional Review Act

This policy statement is not a rule as defined in the Congressional Review Act (5 U.S.C. 801-808).

Dated at Rockville, Maryland, this 18th day of February, 2016.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

Attachment—Nuclear Regulatory Commission Insider Threat Program Policy Statement

1. Background. Executive Order (E.O.) 13587, "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information," directs all executive branch departments and agencies that have access to classified information to implement reforms to ensure responsible sharing and safeguarding of classified information on computer networks that are consistent with appropriate protections for privacy and civil liberties (October 7, 2011). The Executive Order also established the National Insider Threat Task Force, which issued the "National Insider Threat Policy" and the "Minimum Standards for Executive Branch Insider Threat Programs" on November 21, 2012. In order to execute its primary mission essential functions, the Nuclear Regulatory Commission (NRC) has access to and possesses classified information, including classified information on computer networks, which it protects through appropriate security procedures.

2. Purpose. This document establishes the NRC Insider Threat Program (ITP) Policy in accordance with E.O. 13587 and the Atomic Energy Act of 1954, as amended (AEA). The primary purpose of the ITP is to protect information classified under E.O. 13526 or section 142 of the AEA (restricted data), or that is safeguards information under section 147 of the AEA, as well as any such information on classified networks, by