

# System of Records Notices

[Effective Date: October 1, 2009](#)

## **COMMERCE/NIST-5**

### **SYSTEM NAME:**

Nuclear Reactor Operator Licensees File.

### **SECURITY CLASSIFICATION:**

None.

### **SYSTEM LOCATIONS:**

NIST Center for Neutron Research, Materials Science and Engineering Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899-8560.

### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

NIST employees who are licensed as Nuclear Reactor Operators, those whose applications for licenses are being processed, and those whose licenses have expired.

### **CATEGORIES OF RECORDS IN THE SYSTEM:**

These records contain information relating to the application for a Nuclear Reactor Operator's license, certification of competency, certification of medical history, results of medical examination and related correspondence, reactor operator examination and examination results, records of training, and license or denial letter.

## **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Section 107, 161(i), Atomic Energy Act of 1954 as amended; [42 U.S.C. 2137](#), and 2021(i); [15 U.S.C. 272](#).

## **PURPOSES:**

The information contained in the system is required because it must be available for disclosure to the Nuclear Regulatory Commission upon request for the purpose of conducting audits of the qualifications of reactor operators.

## **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:**

1. Information in these records may be disclosed to the Nuclear Regulatory Commission for the purpose of conducting audits of the qualifications of reactor operators.
2. In the event that a record in this system of records indicates a violation or potential violation of law or contract, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, rule, regulation, or order issued pursuant thereto, or protecting the interest of the Department.
3. A record from this system of records may be disclosed to a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring, or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

4. A record from this system of records may be disclosed to a federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring, or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

6. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

7. A record in this system of records may be disclosed to a contractor of the Department having need for the information in the performance of the contract, but not operating a system or records within the meaning of [5 U.S.C. 552a\(m\)](#).

8. A record in this system may be transferred to the Office of Personnel Management: for personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related manpower studies.

9. A record from this system of records may be disclosed to the Administrator, General Services, or designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs under authority of [44 U.S.C. 2904](#) and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

10. A record in this system of records may be disclosed to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act ([5 U.S.C. 552](#)).

A record in this system of records may be disclosed to appropriate agencies, entities and persons when: (1) it is suspected or determined that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the

suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or whether systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and to prevent, minimize, or remedy such harm. [72 FR 45009](#)

## **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable.

## **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

### **STORAGE:**

Paper records in file folders.

### **RETRIEVABILITY:**

Filed alphabetically by name.

### **SAFEGUARDS:**

Records are maintained in a locked filing cabinet in a limited-access building.

### **RETENTION AND DISPOSAL:**

All records relating to an individual's license and documentation for license including requalification requirements will be retained as long as is required by the Reactor License and will thereafter either be turned over to the individual concerned or destroyed.

## **SYSTEM MANAGER(S) AND ADDRESS:**

Director, NIST Center for Neutron Research, Materials Science and Engineering Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899-8560.

## **NOTIFICATION PROCEDURE:**

Information may be obtained from: Chief, Management and Organization Division, National Institute of Standards and Technology, Gaithersburg, MD 20899-3220. Requester should provide name and additional factual data, as appropriate, pursuant to the inquiry provisions of the Department's rules, which appear in [15 CFR part 4](#).

## **RECORD ACCESS PROCEDURES:**

Requests from individuals should be addressed to: Same address as stated in the Notification Section above.

## **CONTESTING RECORD PROCEDURES:**

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in [15 CFR part 4](#). Same address as stated in the Notification Section above.

## **RECORD SOURCE CATEGORIES:**

Subject individual, licensed physician, employees of the NIST Center for Neutron Research, and those authorized by the subject individual to supply information.

## **SYSTEM EXEMPTIONS FROM CERTAIN PROVISIONS OF THE ACT:**

None.

## **FEDERAL REGISTER HISTORY:**

<a href="#"><u>74 FR</u></a>		
<a href="#"><u>50770</u></a>	October 1, 2009	Effective Date Notice
<a href="#"><u>72 FR</u></a>		Notice of Proposed Amendment to Privacy Act
<a href="#"><u>30550</u></a>	June 1, 2007	System of Records