

**From:** Anthony Hsia  
**To:** Ann Beranek; Gilbert Millman; RESDIV  
**Date:** 12/21/01 9:30AM  
**Subject:** draft memo on sensitive info

Please review the draft memo and provide comments to me.

Thanks.

Tony

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MEMORANDUM TO: All RES Employees

FROM: Ashok C. Thadani, Director  
Office of Nuclear Regulatory Research

SUBJECT: RES PROCESS FOR RELEASE OF INFORMATION TO THE PUBLIC

Since the event of September 11, 2001, the NRC has had to re-examine our policy and practice of dissemination of information to the public. In COMSECY-01-0030, the EDO proposed an interim guidance for staff to release information to the public. We are awaiting Commission direction regarding this proposed guidance. On December 5, 2001, the EDO provided an update to the Commission regarding staff actions related to releasing information to the public, including specific criteria for removing and/or redacting information before documents are released to the public. I am attaching this EDO memorandum for your information.

RES has established the following interim process to review information contained in documents, to determine whether there is sensitive information that should be withheld from releasing to the public, and to decide on the treatment of those documents containing sensitive information.

Review of sensitive information

All documents that are intended for public release should be reviewed to determine whether there are sensitive information that may be exploited or misused against NRC regulated facilities and activities. The initiator of the document is responsible for reviewing and identifying any sensitive information that may be contained in the document. This review should be conducted using the criteria in the EDO memorandum dated December 5, 2001. Results of your review should be documented using the attached check list which should be part of the concurrence package. Please make sure to provide your recommendation for release or actions if sensitive information is identified. Approval and release of the documents should be through the normal management chain.

RES has established a temporary "information review group" to assist, as needed, in the staff's review of sensitive information in documents. If RES staff members need assistance in identifying sensitive information, requests and questions should be directed to this group through the e-mail address RES\_INFOREVIEW. The "information review group" currently consists of the following members:

Tom Wolf, DRAA  
Paul Norian, DSARE  
Frank Cherny, DET  
Gil Millman, PMPDAS (group lead)  
(Or anyone assigned by the Division Directors)

The "information review group" has the responsibility to assist RES staff members in reviewing and identifying sensitive information, when requested. This group is the point of contact for RES in interactions with and in responding to questions from OEDO, OGC, and other offices

regarding RES activities in dealing with sensitive information. Once the group receives a request for assistance from RES staff members, recommendations on identifying sensitive information and treatment of the document will be provided to the cognizant Division Director.

Treatment of documents containing sensitive information

Once the RES staff identifies sensitive information in a document designated for external distribution, the following general guidance should be followed.

1. The purpose of this review is to prevent sensitive information from been misused and exploited against NRC regulated facilities and activities.
2. Given the priority to protect sensitive information, we should continue to meet our legal requirement for record keeping and the support of public participation in our regulatory process.

Base on the above guidance, the responsible staff member, the information review group, or RES managers can make discretionary release of documents to the public. This decision ranges from releasing the entire document as is, redacting parts of the document, removal of an entire section or chapter, to withholding the entire document from public access. To forward documents containing sensitive information for peer review or licensee comment, normal process of sending them through NRR project managers should be followed. The document should be clearly marked "sensitive" to peer reviewers and licensees, and depending on the nature of the "sensitive information", to either provide a redacted public domain version or to withhold its entirety from public access. However, the cover letter which does not contain sensitive information should be made publicly available.

The staff should also follow the above guidance in deciding the treatment for RES documents (e.g., NUREGs, Regulatory Guides) ready for final publication.

**CHECKLIST FOR IDENTIFYING SENSITIVE INFORMATION**

Date:

Document:

Name of RES Staff:

Criteria for Identification of Sensitive Information

YES NO

- 1. Longitude/latitude, detailed maps of protected areas
- 2. Detailed facility descriptions
  - For materials facilities - inventories, throughput data, maps, specific locations, SSC design criteria, confinement/containment
  - For reactor facilities - detailed drawings or descriptions of the facility site and buildings, including specific location of components
- 3. For some materials licensees, liquid and solid waste confinement and management
- 4. Accident analyses that could support the selection of key components to initiate and prevent mitigation of an event (e.g., accidents described in licensing bases documents and severe accident information)
- 5. For some materials or waste licensees, transportation information (detailed access point, traffic patterns, accident risk and associated impacts)
- 6. Identified uncorrected weaknesses and vulnerabilities at a facility
- 7. References supporting or including information being redacted to the extent that the reference sets out the same information being redacted or deleted

**Recommendation for public release**

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**If not, recommended actions:**

cc: RES Information review group