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From: Mindy Landay EOO
To: 9/11inforeview
Date: 11/22/02 10:01AM
Subject: Fwd: RESPONSE - Dates of Refueling Outages

For your information... update on sensitive homeland security information.

CC: Raymond Gustave

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From: Michael Weber, *NSIR*
To: Gail Good; NRR_INFOREVIEW.owf4_po.OWFN_DO@nrc.gov; Vonna Ordaz
Date: 11/19/02 5:51PM
Subject: RESPONSE - Dates of Refueling Outages
Place: NRR_INFOREVIEW.owf4_po.OWFN_DO@nrc.gov

Thanks for this assessment and update. We might want to cease referring to Sensitive Homeland Security Information. The current prognosis for formal development and protection of this new category of information is not good. Although OMB was planning to develop guidance and a definition, latest information I have is that the Administration expects the new Homeland Security Legislation (enacted today) will provide a legislative framework to determine the information that needs to be protected. Consequently, no forward motion right now on defining Sensitive Homeland Security Information according to OHS. However, I expect that this issue will resurface after initial efforts are completed and we (US Government) find some sensitive information remains vulnerable to disclosure through a variety of means.

>>> NRR_INFOREVIEW 11/19/02 08:12AM >>>

In regard to your email about plant outage dates, NRR is preparing a RIS to explain the use of "Sensitive Homeland Security Information (SHSI)" to nuclear reactor licensees.

In terms of the specific issue about outage information, the NRR Information Review Team would advise that only the detailed outage schedule with the related risk and compensatory measures identified be treated as SHSI (i.e., the details from the evaluations per NUMARC 91-06 or later guidance). Even here, any constraints put on the control of outage risk information needs to be balanced against the safety benefit of making widely available to the plant staff information about the plant configuration and related risk insights. The question on releasing outage information arose when the agency was making decisions on reposting the plant status sheets on the web site. It was decided (with the Commission weighing in) that, in balancing the benefits of withholding and releasing the information, it was appropriate to continue to release limited outage information. In addition, NRR often has specific interest in placing limited outage information into the public realm due to its importance in our licensing activities. The licensees have traditionally released some refueling outage information since, as you mentioned, the required planning and coordination does not support keeping the information confidential. Note that we generally treat info on unplanned outages or outage extensions as potentially proprietary (i.e., licensees are afforded an opportunity to formally request withholding before we would release).

The limited use of the SHSI classification mentioned here is consistent with our (NRR's) general approach of protecting only special-case or time-sensitive risk information as SHSI. As mentioned in previous discussions between the NRR and NSIR staffs, much of the risk information (IPE and SDP notebook type material) has been withheld since 9/11 - but more recent NRR reviews have determined that an appropriate balance would be to release that type of general or static risk information (need to release because it is increasingly being incorporated into the licensing basis of specific plants or into our generic decisionmaking). Please call Bill Reckley or Margie Kotzalas if you have any questions or if we need to coordinate our use of the SHSI classification.

CC: A. Lynn Silvius; Alan Madison; Beth Wetzel; Catherine Haney; Dennis Gordon; Garrett Smith; Glenn Tracy; John Craig; John Zwolinski; Jon Johnson; Michael Case; Mindy Landau; Philip Brochman; Roy Zimmerman; Wayne Burnside