

From: John Zwolinski *NRR*
 To: ~~R-III~~ Bruce Mallett; Charles Miller; Donald Hassell; Elizabeth Hayden; Ellis Merschoff; Frederick Combs; Hubert J. Miller; Jim Dyer; Jon Johnson; Karen Cyr; Margaret Federline; Mindy Landau; Richard Wessman; Roy Zimmerman; Stephen Burns; Stuart Reiter
 Date: Wed, Oct 24, 2001 9:15 AM
 Subject: Re: Re-send of Draft Criteria for public release of information

NRR Release

I feel we need a bullet on documents which convey risk information as these typically describe key vulnerabilities and the associated consequences should certain event scenarios play out.....Z

EDO

>>> Mindy Landau 10/23/01 05:12PM >>> *EDO*
 I have received comments or concurrence from most of you but since the attached has changed somewhat based on those comments, I wanted to give you each a chance to review it once again. I would like to send this to the staff no later than Friday, so please provide me your comments by COB Wednesday. Thanks.

CC: Carl Paperiello; Patricia Norry

DD-11

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NETWORK ANNOUNCEMENT

Since the events of September 11, we have had to re-examine the types of information we are providing to the public. In the interim, the following criteria have been developed to assist the staff in discretionary release of certain documents to the public, which includes posting them to the web and to the PARS public library in ADAMS.

This guidance is general, and we realize it is subject to multiple interpretations. We will likely use conservative criteria such as this in the near term, but over time may decide to become more flexible. To the extent you are unsure about whether a particular document should be made publicly available, contact your senior office management.

As you know, the external web page has been shut down and we are re-building it incrementally as we make decisions on which material can be posted. Since the web is easily accessible, we should keep posted material at the more conservative level. The criteria gives some guidance in this regard. We are aware that external organizations have material on their web sites that may be considered sensitive, and will be dealing with this on a case-by-case basis. Although information may no longer appear on our web site, we will continue to satisfy our legal obligations to make certain information publicly available.

Public meetings should be conducted as part of the agency's business. However, in the near term, we believe it would be prudent for staff to limit public meetings at licensee sites to avoid availability of site addresses on the public meeting web site. If site meetings are held, limit addresses on the web to city and state. If discussions at the meeting will cover material you believe is sensitive using the following criteria, notify your office management. Each office will make the final decision on whether or not to hold the particular meeting, whether it should be open to the public, and what type of material should be discussed. Offices need to take into consideration the fact that public meeting handouts and minutes are normally made publicly available.

Freedom of Information Act (FOIA) material is handled separately from this guidance and is subject to specific laws and statutes. Guidance on FOIA material will be sent to you separately, pending decisions from the Department of Justice. For now, handle and process all FOIA requests in the same manner as you have before.

NUREGs under development should also be evaluated against the criteria on a case-by-case basis by individual offices. Consider postponing publication of NUREGs which could contain sensitive information.

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CRITERIA TO BE USED WHEN DECIDING TO RELEASE INFORMATION TO THE PUBLIC

In addition to previously restricted categories of information such as classified, proprietary, privacy or safeguards information, you should consider **not** releasing a document if it contains:

- A consolidation or collection of plant-specific information that might be used to exploit site-specific features including equipment and specific facility locations. Examples would include Final Safety Analysis Reports (FSARs), Plant Information Books, Emergency Plans, Individual Plant Examination for External Event (IPEEE) material, Operational Safeguards Response Evaluation material, risk-informed inspection notebooks, and other facility vulnerability information.
- Specific locations of the facility site. For information that is posted to the web, limit these descriptions to city and state. Geospatial coordinates should not be made public through any means. As a practical matter, addresses on licensee correspondence can still be made public via ADAMS. Staff should consider limiting public meetings at licensee sites and avoid posting precise site addresses on the public meeting web site.
- Physical vulnerabilities or weaknesses, or potential weaknesses of nuclear facilities that could be useful to terrorists, such as site security procedures, access controls, or personnel clearance procedures.
- Construction details of specific facilities, such as wall thicknesses or specific barrier dimensions. Detailed diagrams, schematics, or cutaways of plant designs. General descriptions instead of exact numbers (i.e. "several feet, several inches, layers of concrete") should be used for general public information.
- Information which could be useful to defeat or breach barriers at nuclear facilities.