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From: Mindy Landau
To: Carol Ann Reed; Donald Hassell; Francine Goldberg; Gigi Rammling; Gilbert Millman; John Monninger; Lynn Scattolini; Margie Kotzalas; Mark Delligatti; Michael Collins; Patricia Rathbun; Richard Rosano; Susan Frant; Thomas Smith; Walter Oliu; Wayne Davis; William Reckley
Date: 1/9/02 2:27PM
Subject: Guidance on Release of Information to the Public

Although the Commission has issued a Draft SRM on this issue, and we may receive more versions, we need to begin developing elements that need to be considered when we issue a final guidance document. We do not expect that the final SRM will change drastically from the draft version. We may also be able to take some short term actions now. I have reserved a meeting room, O-7B4, on January 16, from 2-4 p.m. to discuss this issue. I have attached some bullets taken from the draft SRM to use as discussion points for the meeting, with the lead offices indicated. Any questions, please give me a call, x8703.

Thanks,

Mindy

CC: Janet Lepre; Patricia Norry

DD-50

DRAFT
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CRITERIA TO BE USED WHEN DECIDING TO MAKE A DISCRETIONARY RELEASE OF INFORMATION TO THE PUBLIC

In addition to withholding information properly determined to be exempt from disclosure, such as classified, proprietary, privacy or safeguards information, you should consider not releasing a document if it contains:

1. Plant-specific information, entirely in NRC's and our licensees' control, that would clearly aid in planning an assault on a facility. An example might be drawings depicting the location of vital equipment within plant buildings. Examples would include portions of Final Safety Analysis Reports (FSARs), Plant Information Books, Individual Plant Examination for External Event (IPEEE) material, risk-informed inspection notebooks, and other risk and facility vulnerability information.
2. Physical vulnerabilities or weaknesses of nuclear facilities which would clearly be useful to terrorists, such as site-specific security measures, access controls, or personnel clearance procedures.
3. Construction details of specific facilities, such as wall thicknesses or specific barrier dimensions, detailed diagrams, schematics, or cutaways of specific plant designs. Where appropriate, general descriptions instead of exact numbers (i.e. "several feet, several inches, layers of concrete") should be used for general public information.
4. Information which clearly would be useful to defeat or breach key barriers at nuclear facilities.
5. Information in any type of document (e.g. plant status report, press release) that provides the current status or configuration of systems and equipment that could be used to determine facility vulnerabilities if used by an adversary.

General categories of information that may now be released:

Performance indicators and inspection findings
Plant status report (minus "reasons and comments" column)
Specific locations of licensed facilities

**Outline for Process and Interim Guidance for the Staff
on Release of Information to the Public**

- Information should present a clear and significant benefit to a terrorist in a potential attack
 - What categories of documents would likely be included under this description? (All)
- Documents are currently widely available
 - What does this constitute (Web, PDR, ADAMS, GPO, etc.?)
 - Should we differentiate pre-9/11 from post-9/11? (All)
- Decisions to withhold information should be balanced with costs and benefits of withholding (NRR, NMSS, RES)
 - What are resource implications (FTE, \$\$)?
 - Is document legally required to be made public? (OGC to provide list, if possible)
 - Would our strategic goals be adversely affected, i.e. public confidence?
- Alternative means provided for release of relevant information on important subjects to the public. Can it be redacted or rewritten? (NRR, NMSS, RES)
- Process instituted that provides for management review of withholding decisions, including designation of final decision maker. (OCIO)
 - What is the current practice in each office?
 - Can we use the management controls similar to those currently used for the web postings?
 - How do we institute quality control?
- Which documents can we restore to the public domain at this time without final Commission decision (which documents comport w/ present version of SRM)
 - OCIO to inform us of which categories of documents have been removed from the web/ADAMS/PDR
 - High priority documents include plant status report, performance indicators (ROP) web pages
 - Documents that may have been deleted because they identified location of specific facilities
- Process for licensees to submit information that may be considered sensitive under the new criteria. What types of documents could be affected? Timing needs to be considered. Need to develop guidance to the staff first on how to handle/control such information. (NRR, NMSS)
- Need to provide point of contacts in each office for staff referral

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