

United States

NUCLEAR REGULATORY COMMISSION



Agency Declassification Compliance Plan
for Executive Order 12958
“Classified National Security Information”
September 30, 1995

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U.S. NUCLEAR REGULATORY COMMISSION**Agency Declassification Compliance Plan****Executive Order 12958
“Classified National Security Information”****A. Scope:**

This Agency Declassification Compliance Plan has been prepared and submitted to meet the requirements of the Executive Order Section, 3.4(e). This section specifically mandates that agencies seek to identify, declassify and release to the public, information which is more than 25 years old.

Because of the age of the Nuclear Regulatory Commission (NRC), which was created by the Energy Reorganization Act (ERA) of 1975, and because of our commitment to open regulation, under the “Government in the Sunshine Act,” the amount of classified information which meets the thresholds established in the Order is relatively limited. In addition to that information, some older classified records from the Atomic Energy Commission (AEC) were functionally transferred to the NRC under the ERA, and were included in the scope of this plan. It is worthy to note that the NRC has not accessioned any classified records to the National Archives, but has identified some AEC Records at the Archives which will be processed in accordance with the provisions of this plan.

B. Oversight:

The Chairman of the NRC has designated the Executive Director for Operations, James M. Taylor as the Senior Agency Official. As such, he is responsible for overseeing and coordinating agency compliance with the requirements of the Order and this plan. His official title and address are as follows:

James M. Taylor
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Telephone (301) 415-1700

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C. Survey Methodology

Enclosure 1 is a table depicting the quantities and locations of the NRC records that may meet the requirements of the Order. This information was compiled by the Information and Records Management Branch of the Office of Information Resources Management (IRM) in conjunction with the Division of Security, Office of Administration. In Order to ensure the accuracy of this information, the IRM staff contacted 26 agency Records Liaison Officers and requested that they specifically identify documents that meet the thresholds established in the Order. In most cases, the offices surveyed have generated listings of the documents which fall within the criteria. The resulting total of approximately 81.6 cubic feet, or 204,015 pages of information were identified. This information will be subject to the required review and release over the next five years, unless it continues to meet the criteria for continued classification, and exemption from the 25 year provisions under Section 3.4(b) of the Executive Order.

The declassification criteria contained in this plan do not pertain to the declassification of Restricted Data or Formerly Restricted Data as defined by the Atomic Energy Act of 1954, as amended. Such information is not subject to the automatic declassification regime specified in the Order. While the totals of documents listed on enclosure 1 do include some Restricted Data Documents, a verification of the fact and segregation of those documents will be performed at the time of review. The possible declassification of these documents will be coordinated with the Department of Energy in conjunction with their ongoing "Openness Initiative."

D. Exempt File Series:

The Nuclear Regulatory Commission does not intends to propose the exemption of an entire file series from the declassification provisions of the Order. However, several sub-series, known in the agency as docket, will be proposed for exemption based on Sections 3.4 (b) (2) and (9) of the Order. The specific information concerning these exemptions is contained in Enclosure 2.

E. Compliance Methodology:

Because the number of NRC documents that meet the age requirements of the Order is relatively small, NRC intends to review each document as appropriate. In order to meet the five year implementation period of the declassification provisions of the Order, the NRC proposes is to review 15% of the identified documents during the first year, 25% per year in the succeeding three years (1997-1999) and the remaining 10% in 2000. Many will contain Restricted Data, and will thus be exempt. A second sizable group of documents will be derivatively classified based on another agency's classified information and will be referred to those agencies. The third group of remaining documents will be reviewed by senior agency declassification authorities (5 are currently designated), who have been selected and appointed because of their programmatic skills, classification experience/expertise, and their broad understanding of past and present agency policy, programs and international proliferation issues.

After review by declassification authorities, the documents, with appropriate recommendations will be forwarded to the Division of Security for a second level review. The Director, Division of Security will resolve any discrepancies, and will forward the recommendations for declassification to the Senior Agency Official for final agency approval and release. Enclosure 3 is a graphic representation of this process.

These declassified documents will be made publicly available through the NRC's Public Document Rooms (PDR). The main PDR facility and its 87 affiliates located throughout the United States provide a wide range of on-line services to include bibliographic searches, full text searches and document ordering. The Headquarters PDR is staffed with Technical Reference Librarians to assist on-site/on-line users, as well as those who call or write with information requests.

F. Database Maintenance:

Since its inception in 1975, the NRC Division of Security, has maintained an automated database which documents each classification and declassification action. This database includes the identity of the classifier for both originally and derivatively classified documents, the date of the document, declassification instructions, and other pertinent information. It also records the results of previous reviews, e.g., under a Freedom of Information Act Request or a Mandatory Review Request.

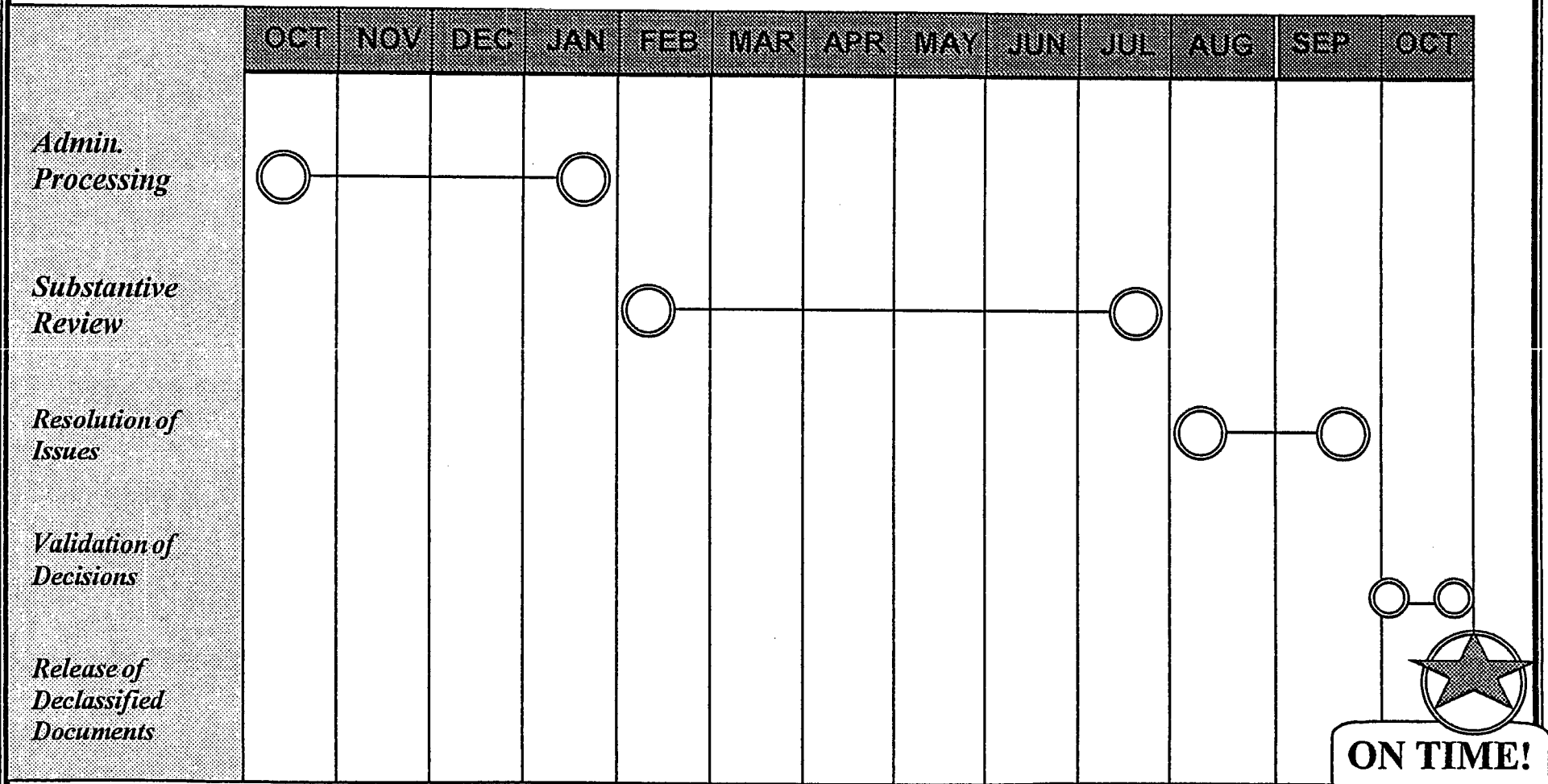
While this database has not been useful in identifying pre-1975 documents, the system will become invaluable after the initial five year implementation period of this plan. It is our intention, and current agency policy dictates, that each document which is reviewed and declassified, or reviewed and extended in accordance with the provisions of this plan, be entered into this database. We are currently modifying the data fields to more accurately portray the information required by the new Order. At such time as the Archivist determines the structure of the Interagency Declassification Database, the NRC will provide appropriate input.

Summary of Classified Holdings 20 Years Old and Older

26 NRC offices were contacted through their Records Liaison Officers and requested to identify all classified records that are currently 20 years old or older. Seven offices reported holding documents that met the criteria, and 19 offices reported holding no such material. The offices listed below have provided lists of the documents.

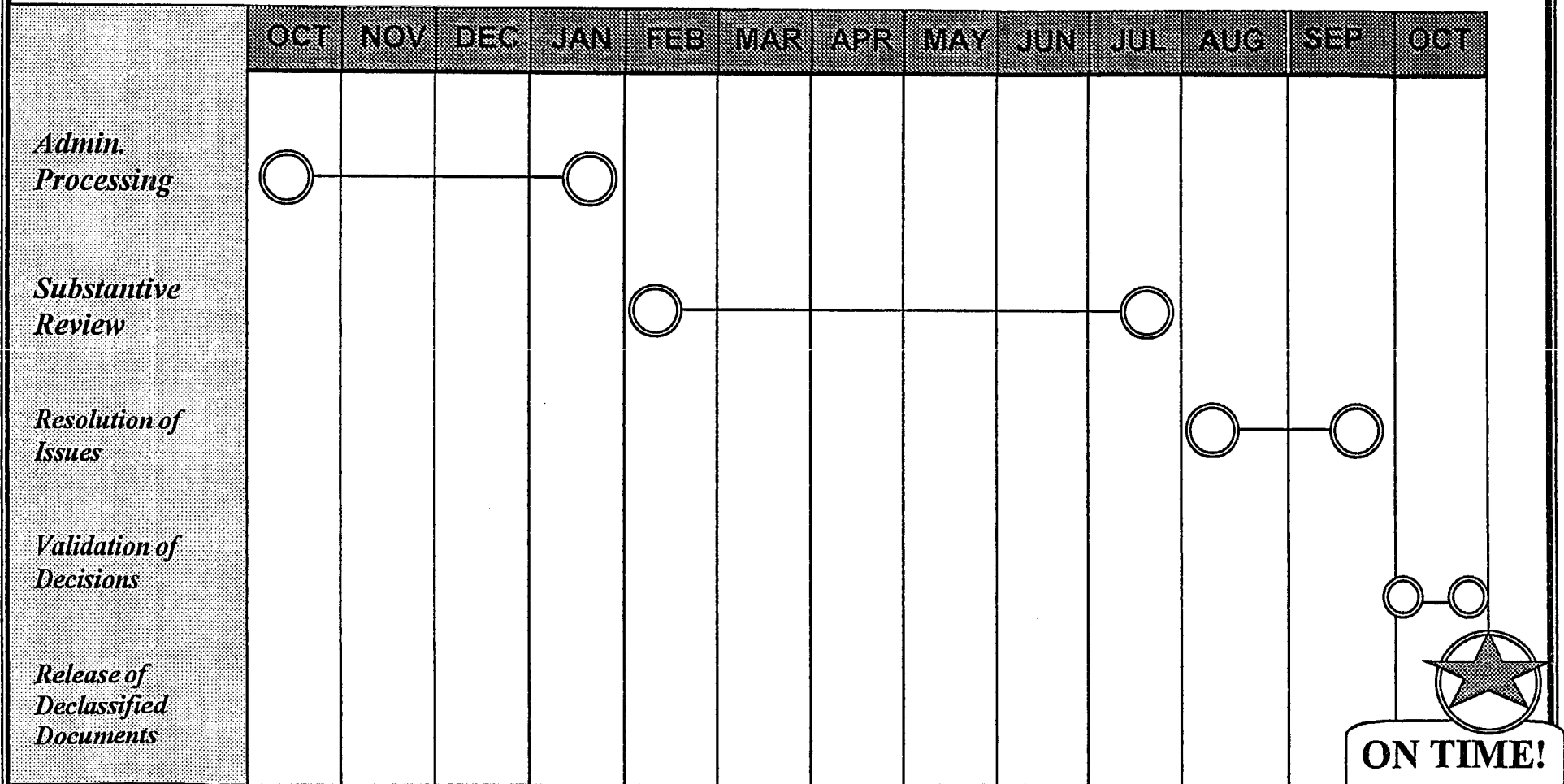
OFFICE	DOCS/FILES	VOLUME (CF)	PAGES	CLASSIFICATION	DESCRIPTION	RECORDS RETENTION SCHEDULE
ACRS	7	1.6	4,000	CNSI, SNSI	• CLASSIFIED DEFENSE INFORMATION	NRCS 2-3.3 (PERMANENT)
AEOD	12	.4	1,000	CNSI, SNSI, CRD, SRD	• TECHNICAL REFERENCE FILES	NRCS 1-1.9 (DISPOSABLE)
IP	14	.3	200	C, S, SNSI	• COUNTRY FILES, INTERNATIONAL ARRANGEMENTS • EXPORT/IMPORT AND INTERNATIONAL SAFEGUARDS RECORDS	NRCS 2-16.2 (PERMANENT) NRCS 2-16.1 (PERMANENT)
IRM/AF	64	9.7	24,250	CNSI, SNSI, CRD	• PROGRAM CORRESPONDENCE • PARTS 30, 40, & 70 • I&E CASE FILE, PART 70	NRCS 1-2.1.A (PERMANENT) NRCS 2-19.4.A (PERMANENT) NRCS 2-24.7.A (PERMANENT)
IRM/VAULT	159	16	40,000	C, CRD, S, SRD	• PART 50 PROJECT FILES	NRCS 2-20.4.A (DISPOSABLE)
IRM/VAULT	473	43.7	109,250	C, CRD, CNSI, S, SRD, SNSI, & OTHERS	• PROGRAM CORRESPONDENCE	NRCS 1-2.2.A (PERMANENT)
NMSS/SFPO	21	4.2	10,500	C, CRD	• PART 71	NRCS 2-19.4.A (PERMANENT)
NMSS/FCSS	5	.06	150	CNSI, SRD	• TECHNICAL REFERENCE FILES	NRCS 1-1.9 (DISPOSABLE)
NMSS/FCSS	3	.2	515	CNSI, SNSI	• SCIENTIFIC AND TECHNICAL REPORTS	NRCS 2-14.8.A (PERMANENT)
NRR	400	1.0	2,500	CNSI, SNSI	• NAVAL REVIEW CORRESPONDENCE	NRCS 1-1.2.A (PERMANENT)
SECY	189	4.8	12,000	CNSI, SNSI, CRD, SRD, & OTHERS	• PROGRAM CORRESPONDENCE • SECY PAPER FILES	NRCS 1-2.2.A (PERMANENT) NRCS 2-25.2.A (PERMANENT)
REGION IV	1	.06	150	C	• TECHNICAL REFERENCE	NRCS 1-1.9 (DISPOSABLE)
TOTAL:	1,348.00	82.02	204,515.00			

Timeline for Declassification Review



Quantities will be: 15% in '96; 25% in '97-'99; and 10% in 2000.

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