

December 29, 2004

J. William Leonard, Director
Information Security Oversight Office
National Archives and Records Administration
700 Pennsylvania Avenue, NW
Washington, DC 20408

Dear Mr. Leonard:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am pleased to provide the enclosed NRC updated "Agency Declassification Compliance Plan," as requested in your letter of November 10, 2004. This plan has been developed to implement the provisions of Section 5.2(b) of Executive Order 12958, as amended, "Classified National Security Information."

In summary, NRC's declassification plan reflects a backlog of approximately 22 cubic feet of historical records that need to be reviewed by December 31, 2006. In this regard, NRC anticipates no issues with respect to complying with full implementation of the automatic declassification provisions by this date.

We greatly appreciate the continued assistance of your office and the professionalism of your staff in implementing the provisions of the Executive Order.

Sincerely,

/RA by D. Dorman for/

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

Enclosure: As stated

A/7

December 29, 2004

**U.S. Nuclear Regulatory Commission
Agency Declassification Plan**

**Executive Order 12958, as amended,
"Classified National Security Information"**

A. Introduction and Background

On March 25, 2003, the President amended Executive Order (EO) 12958 which among other things permits agencies to complete appropriate reviews of the backlog of classified permanent records that are 25 years of age by the end of 2006, and each year thereafter.

Pursuant to the provisions of EO 12958 agencies are required to establish, update, or revise agency declassification compliance plans outlining how each agency will declassify, exempt, or refer NSI that is eligible for review for automatic declassification.

B. Scope

The scope of this task is to update and revise, as appropriate, the existing Agency Declassification Plan to outline NRC's plans to declassify, exempt, refer, or delay all 25 year old NSI permanent historical records by December 31, 2006, and each year thereafter.

If NRC has no change in the information previously reported in the 2003 plan, a "No Change" is indicated.

C. Oversight

No change from 2003 submission.

D. NRC Declassification Authorities

Alexander Adams, Office of Nuclear Reactor Regulation
Richard Savio, Advisory Committee on Reactor Safeguards
Thomas N. Pham, Office of Nuclear Security and Incident Response
Robert C. Pierson, Office of Nuclear Materials Safety and Safeguards
A. Lynn Silvius, Office of Nuclear Security and Incident Response

NRC has appointed no Declassification Authorities external to the agency.

E. Records Review

1. Total number of pages that have been reviewed from Fiscal Year (FY) 1995 through FY 2004 that are subject to the Order: *

* The reported numbers are the actual pages reviewed and declassified or currently under review to date. A recent review by NRC Records Management personnel identified an additional 22.25 cu. ft. (approx. 56,000 pages) of records from the period of 1976-1981 that must be reviewed for declassification by December 31, 2006.

Enclosure

- a. Total number of textual records reviewed for declassification: 125,000 pages
- b. Total number of textual records declassified: 4,200 pages (includes an estimate of 1,500 pages of declassified records for 2004.)
- c. Total number of textual records exempted from declassification: No records maintained through 2003. Records exempted in 2004 are estimates.
- d. Total number of textual records excluded from automatic declassification: 0
- e. Total number of textual records referred for review to other agencies: No records maintained through 2003. Referral records for 2004 are estimates.
- f. Total number of textual records referred to NRC for review: 0
- g. Total number of textual records file series that were file series exempted: No records maintained through 2003. Exemption records for 2004 are estimates.
- h. Total number of special media records reviewed for declassification: 0
- i. Total number of special media records declassified: 0
- j. Total number of special media records exempted from declassification: 0
- k. Total number of special media records excluded from automatic declassification: 0
- l. Total number of special media records referred to other agencies for review for declassification: 0
- m. Total number of special media records referred to NRC for review: 0
- n. Total number of special media records file series that were file series exempted: 0

2. Work completed for FY-2004

- a. Total number of textual records that were reviewed in FY-2004: 11,125 pages (estimated average; records still under review)
- b. Total quantity of textual records declassified in FY-2004: 1,500 pages (est.)
- c. Total number of textual records exempted in FY-2004: 500 pages (est.)
- d. Total number of textual records referred to other agencies in FY-2004: 5,000 pages (est.)
- e. Total number of textual records referred to NRC in FY-2004: 0
- f. Total number of textual documents excluded from automatic declassification in FY-2004: 0
- g. Total number of special media records that were reviewed in FY-2004: 0
- h. Total number of special media records declassified in FY-2004: 0
- i. Total number of special media records exempted in FY-2004: 0
- j. Total number of special media records referred to other agencies in FY-2004: 0
- k. Total number of special media records referred to your agency in FY-2004: 0
- l. Total number of special media records excluded from automatic declassification in FY-2004: 0

3. Estimated quantity of records that are expected to be reviewed in FY-2005.

- a. Estimated quantity of textual records expected to be reviewed in FY-2005: 11,125 (estimated average)
- b. Estimated textual records expected to be declassified in FY-2005: 1,500 pages
- c. Estimated textual records expected to be exempted in FY-2005: 500 pages (est.)
- d. Estimated textual records expected to be referred to other agencies in FY-2005: (5,000 pages estimated)

- e. Estimated textual records expected to be referred to NRC in FY-2005: 0
 - f. Estimated textual records expected to be excluded from automatic declassification in FY-2005: 0
 - g. Estimated quantity of special media expected to be reviewed in FY-2005: 0
 - h. Estimated quantity of special media expected to be declassified in FY-2005: 0
 - i. Estimated quantity of special media expected to be exempted in FY-2005: 0
 - j. Estimated quantity of special media expected to be referred to other agencies in FY-2005: 0
 - k. Estimated quantity of special media expected to be referred to NRC in FY-2005: 0
 - l. Estimated quantity of special media expected to be excluded from automatic declassification in FY-2005: 0
4. Aggregate quantity of records reported in NRC's 2003 declassification compliance plan that were expected to be reviewed by December 31, 2006. ** Include any change in the aggregate quantity of records reported and an explanation for any variance. ***
- a. Estimated quantity of textual records expected to be reviewed by December 31, 2006: 22.25 cu. ft. (55,625 pages)
 - b. Estimated textual records expected to be declassified by December 31, 2006: 7,500
 - c. Estimated textual records expected to be exempted from automatic declassification by December 31, 2006: 2,500 pages
 - d. Estimated textual records expected to be referred to other agencies by December 31, 2006: 25,000 pages
 - e. Estimated textual records expected to be referred to NRC by December 31, 2006: 0
 - d. Estimated textual records expected to be excluded from automatic declassification by December 31, 2006: 0
 - e. Estimated quantity of special media that can be delayed until December 31, 2011: 0
 - f. Estimated quantity of special media expected to be declassified by December 31, 2011: 0
 - f. Estimated quantity of special media expected to be exempted by December 31, 2011: 0
 - g. Estimated quantity of special media expected to be referred to other agencies by December 31, 2011: 0
 - h. Estimated quantity of special media expected to be referred to NRC by December 31, 2016: 0
5. Estimate of quantity of records subject to this provision that are expected to be reviewed in FY-2007.

** Due to the significant effort required to gather the data by records management personnel, NRC did not report in its 2003 declassification plan to ISOO the aggregate quantity of records expected to be reviewed by December 31, 2006. NRC is including the data in this declassification plan at Attachment 1.

*** Figures are slightly disproportional due to additional records that must be reviewed by December 31, 2006.

- a. Estimated quantity of textual records expected to be reviewed in FY-2007: 11,125 pages
- b. Estimated textual records expected to be declassified in FY-2007: 1,500 pages
- c. Estimated textual records expected to be exempted from automatic declassification in FY-2007: 500 pages
- d. Estimated textual records expected to be referred to other agencies in FY-2007: 5,000 pages
- e. Estimated textual records expected to be referred to NRC in FY-2007: 0
- f. Estimated textual records expected to be excluded from automatic declassification in FY-2007: 0
- g. Estimated quantity of special media expected to be reviewed for declassification in FY-2007: 0
- h. Estimated quantity of special media expected to be declassified in FY-2007: 0
- i. Estimated quantity of special media expected to be exempted in FY-2007: 0
- j. Estimated quantity of special media expected to be referred to other agencies in FY-2007: 0
- k. Estimated quantity of special media expected to be referred to NRC in FY-2007: 0
- l. Estimated quantity of special media expected to be excluded from automatic declassification in FY-2007: 0

F. Integral File Block

NRC records managers have not identified records as integral file block.

G. Compliance Methodology

No change from 2003 submission with one exception. For expediency, after review by declassification authorities, documents will be reviewed by management one time before final declassification instead of being reviewed twice as stated in our 2003 submission.

H. Cost of Implementing NRC's Declassification Program

Each year NRC provides to ISOO a Report on Cost Estimates for Security Classification Activities that includes cost estimates for declassification. Those estimates provide the basis for the cost estimates identified in Attachment 2.

I. Declassification Guides and File Series Exemptions

No changes from 2003 submission.

J. Other Factors

1. Describe any interagency cooperative efforts or innovative approaches that will facilitate the declassification, exemption, referral, or appropriate delay, by December 31, 2006, of all 25 year old or older permanent historically valuable classified records in NRC's possession.

No changes from 2003 submission.

2. Provide a description of your agency's plan to delegate declassification authority to other agencies either through the sharing of declassification guides, or through any existing or newly executed procedural agreements between the head of another agency and your agency head.

NRC has no plans to delegate declassification authority to other agencies.

3. Describe any current or planned training initiatives, both internal and external, to aid in the identification of NRC's equities and any other agencies' equities contained in classified records.

No changes from 2003 submission.

4. Describe any external factors that may affect your ability to declassify, exempt, refer, or appropriately delay, by December 31, 2006, all 25 year old or older permanent historically valuable records in NRC's possession.

No changes from 2003 submission.

5. Describe any current or future plans, if any, to re-review records. The description must include volume, reason for re-review, and anticipated results.

NRC has no plans to re-review records.