



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0019

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RESPONSE TYPE INTERIM FINAL

REQUESTER:

Julian Tarver

DATE:

11/04/2016

DESCRIPTION OF REQUESTED RECORDS:

First 100 pages of NUREG/BR-0268

PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

AMOUNT*

\$

*See Comments for details

- You will be billed by NRC for the amount listed.
- None. Minimum fee threshold not met.
- You will receive a refund for the amount listed.
- Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

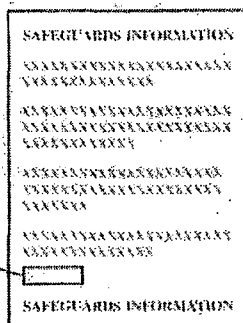
In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that: (1) you have the right to seek assistance from the NRC's FOIA Public Liaison.

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

Stephanie Blaney, Acting

MARKING

Violation of protection requirements for **SAFEGUARDS INFORMATION** subject to **CIVIL** and **CRIMINAL** penalties.

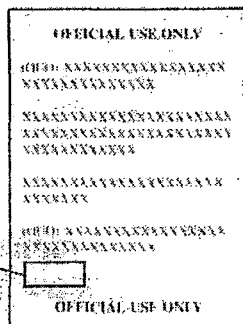


The originator marks all documents (including drafts and worksheets) that contain sensitive unclassified information upon origination. Documents should be marked with the overall marking at the top and bottom of the page as shown in the illustration.

The originator may place a cover sheet on an OOU document in lieu of marking it. If a portion of a document (usually a paragraph) contains sensitive unclassified information, clearly mark the portion that contains this information by placing the appropriate abbreviation (OOU, SGI) at the beginning or the end of the paragraph.

The originator annotates disclaimers in the lower left corner of the face document for both Official Use Only and Safeguards Information documents. For further detail, see MD 12.6.

**LIMITED
INTERNAL
DISTRIBUTION
PERMITTED**



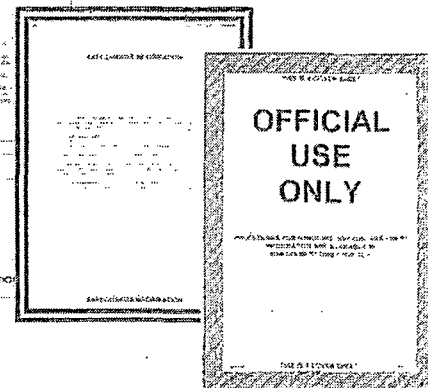
NUREG/BR-0268
December 1999

For further information regarding the handling of Sensitive Unclassified Information, please

- (1) consult MD 12.6, "NRC Sensitive Unclassified Information Security Program,"
- (2) contact the Information Security Branch at 415-2212, or
- (3) visit our website on the NRC Internal Home Page at <http://www.internal.nrc.gov/ADMDFS/dfs.html>.

SENSITIVE UNCLASSIFIED INFORMATION

PROPRIETARY INFORMATION



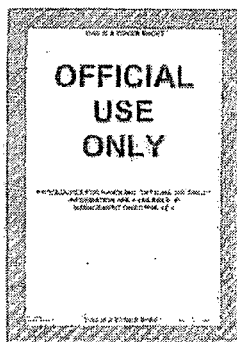
NRC staff handles three types of Sensitive Unclassified Information:

- **Official Use Only (OOU)** concerns agency records, privacy data, and investigative reports, etc.
- **Proprietary Information (PROPIN)** concerns trade secrets, commercial, and financial information.
- **Safeguards Information (SGI)** concerns the physical protection of operating power reactors, spent fuel shipments, or the physical protection of Special Nuclear Material.

OFFICIAL USE ONLY INFORMATION (OUO)

The OUO designation applies to unclassified oral or written information authorized to be withheld from public disclosure under the provisions of the Freedom of Information Act and/or Privacy Act. This information requires special handling to ensure only limited internal distribution and no disclosure to the public.

Examples include information that is pre-decisional, personal or private, attorney-client, and investigative. See Management Directive 12.6, "NRC Sensitive Unclassified Information Security Program," for details.



Some OUO information is time sensitive, that is, the NRC intends to release it publicly after certain conditions have been met such as official approval or signature of the document or a specific time period that must pass before the information is released.

OUO information should be so marked by the originator or have a cover sheet (NRC Form 190B) placed on top.

ACCESS TO OUO

While no security clearance is required for access, the recipient must have an official need-to-know.

TRANSMISSION

OUO documents may be created and transmitted on the NRC LAN within ADAMS. Inside NRC, use a single opaque envelope. Outside NRC, use first class mail.

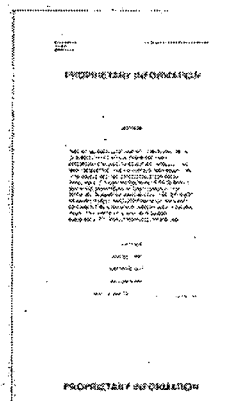
STORAGE

OUO information may be stored openly within NRC facilities protected by electronic entry systems (e.g., key cards) or guards. *NRC managers may specify more protection for unusually sensitive information.*

PROPRIETARY INFORMATION (PROPIN)

The PROPIN designation applies to unclassified information such as trade secrets, privileged or confidential research and commercial or financial information submitted in confidence to NRC. This information is more fully described in 10 CFR 9.5(a)(4). See MD 12.6 for details.

Individuals who have access to the information must be able to recognize that the information requires some unique handling. To facilitate this recognition, the information should be so marked by the originator and have a cover sheet (NRC Form 190) placed on top.



ACCESS TO PROPIN

While no security clearance is required for access, the recipient must have an official need-to-know.

TRANSMISSION

PROPIN documents may be created and transmitted on the NRC LAN within ADAMS. Inside NRC, use a single opaque envelope. Outside NRC, use first class mail.

STORAGE

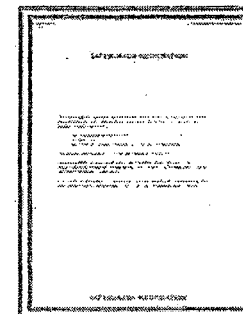
PROPIN information may be stored openly within NRC facilities protected by electronic entry systems (e.g., key cards) or guards. NRC managers may specify more protection for unusually sensitive information.

SAFEGUARDS INFORMATION (SGI)

The SGI designation applies to unclassified information considered to be protected pursuant to Section 147 of the Atomic Energy Act of 1954, as amended, and in accordance with 10 CFR Part 73 and MD 12.6.

While SGI is considered to be Sensitive Unclassified Information, its handling and protection more closely resemble the handling of classified CONFIDENTIAL information than other sensitive unclassified information.

Like other sensitive unclassified information, SGI must be marked in order to facilitate its recognition. This includes portion-marking the document as well as marking the overall document. Use of the Safeguards Cover Sheet (NRC Form 461) permits easy recognition.



ACCESS TO SGI

While no security clearance is required for access, the recipient must have an official need-to-know.

TRANSMISSION

Unlike other Sensitive Unclassified Information, SGI may not be created on the NRC LAN within ADAMS. Specific procedures for processing SGI are in NUREG/BR-0168, Rev. 2. Inside NRC, use a single opaque envelope. Outside NRC, use two opaque envelopes, mark the inner envelope as SGI, and use first class mail.

STORAGE

SGI must be stored, when not in use, in a GSA-approved security container or at a minimum in a file cabinet with locking bar and padlock with a changeable combination.