



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2018-0015

1

RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Julian Tarver

DATE:

12/19/2017

DESCRIPTION OF REQUESTED RECORDS:

"MOU between NRC and NAADC"

PART I. - INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, 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

NO FEES

AMOUNT*

*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.

- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

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 90 calendar days of the date of this response by sending a letter or e-mail 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." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

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

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2017.12.19 14:30:20 -05'00'

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
THE NORTH AMERICAN AEROSPACE DEFENSE COMMAND (NORAD)
THE U.S. NUCLEAR REGULATORY COMMISSION (NRC)
CONCERNING THE
EXCHANGE OF EMERGENCY INFORMATION

A. AUTHORITY and REFERENCES

1. CDRNORAD and Principal Commanders Terms of Reference
2. Executive Order 12472 of April 3, 1984, as amended, "Assignment of National Security and Emergency Preparedness Telecommunications Functions," 3 C.F.R. 193, 1984 Comp.
3. Executive Order 12656, of November 18, 1988, "Assignment of Emergency Preparedness Responsibilities," 53 FR 47491-47512, as amended.
4. NORAD Instruction 10-22, Nuclear Biological Chemical Warning and Reporting System.
5. Federal Civil Defense Act of 1950, as amended, 50 U.S.C. App. 2251 et seq.

B. PURPOSE

The purpose of this MOU is to identify, by agreement, the responsibilities of NORAD and the NRC to ensure timely exchange of critical emergency information.

C. RESPONSIBILITIES

1. It shall be the responsibility of NORAD to:
 - a. Plan for the participation of the NRC in the emergency preparedness of the United States. This should include planned or potential attack, warning assessments, and other critical operational information pertaining to hostilities or terrorism.
 - b. Provide the NRC Operations Center by display and/or other means, information regarding declaration or termination of attacks impacting NRC facilities or resources.
 - c. Provide Chemical, Biological, Radiological, Nuclear, and High-Yield Explosive attack information to the NRC Operations Center by telephone or email.
 - d. Advise the NRC Operations Center of any significant changes in NORAD plans so that the NRC can determine the impact upon national security emergency civil plans and programs, Continuity of Operations (COOP) and/or Continuity of Government (COG).
2. The information listed above in paragraph C. 1. will be passed to:

- a. The NRC Operations Center located in Rockville, Maryland. Other information deemed appropriate will be passed using commercial telephone or email between the Air Warning Center NBC Officer and the Representative at NRC Operations Center or by Regional Officers.
 - b. The Points of Contact (POCs) that will be established to facilitate the exchange of information between the NRC Operations Center, the Regional Officers and the appropriate NORAD Region or Air Defense Sectors (ADS) via commercial communication systems.
3. It shall be the responsibility of the NRC to:
- a. Designate a NRC Operations Center staff member as the NRC Operations Center NORAD Liaison Officer to coordinate activities of mutual concern and to facilitate NRC input.
 - b. Inform the Commander, NORAD and his respective staff of national security emergency plans and programs, emergency preparedness and/or continuity of government concepts, policies, procedures and actions that relate to NORAD.
 - c. Evaluate national security emergency civil plans and programs, civil defense and/or continuity of government problems arising during joint NRC, NORAD exercises and offer recommended solutions.
 - d. Establish POCs to facilitate the exchange of information to the Continental United States NORAD Region (CONR), Alaskan NORAD Region (ANR) or appropriate ADS from the NRC Operations Center, via appropriate communication systems. The exchange of information will be accomplished between NORAD Regions/Sectors and the appropriate NRC Operations Center or Regional Officer in accordance with Executive Orders 12472, 12656 and Federal Civil Defense of 1950.
 - e. Provide HQ NORAD Command Center information regarding reports concerning events involving NRC licensed materials or facilities that result from accidents or incidents.
 - f. Provide HQ NORAD Command Center information regarding international events, which NRC becomes aware of, including location, latitude and longitude, depth, damage, injury information, materials and/or facilities involved.


D. IMPLEMENTATION INSTRUCTIONS

1. This MOU supersedes all previously published documents on the exchange of emergency information signed by CDRNORAD and the Chairman of the NRC.
2. The POCs for the implementation of this MOU are listed below. They are directed to develop and put into effect procedures to ensure the purposes of this MOU are met. They shall also institute administrative procedures to review and update this document as needed.
 - a. Director of Operations, NORAD

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- b. NRC NORAD Liaison Officer, Operations Center, Rockville, MD.
3. All Parties will comply with applicable security requirements.
 4. No costs are associated with this MOU. Information exchanged shall be information compiled through normal operations.
 5. This MOU shall be in effect upon signature by the parties to it and shall continue unless terminated by any of the parties upon sixty day written notice.

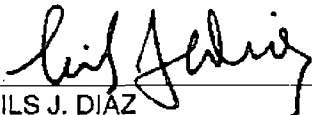
CONCLUDED AND SIGNED IN THREE
ORIGINALS FOR THE NORTH AMERICAN
AEROSPACE DEFENSE COMMAND:



RALPH E. EBERHART
General, USAF
Commander

Date: 5 May 03

CONCLUDED AND SIGNED IN THREE
ORIGINALS FOR THE NUCLEAR
REGULATORY COMMISSION



NILS J. DIAZ
Chairman, NRC

Date: May 1, 2003