



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 19, 1994

The Honorable Joseph I. Lieberman, Chairman
Subcommittee on Clean Air and Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I am pleased to submit the Nuclear Regulatory Commission's report on the nondisclosure of Safeguards Information for the quarter ending March 31, 1994, as required by Section 147 of the Atomic Energy Act of 1954, as amended. The report describes one occasion during this period when the NRC withheld from public disclosure information regarding security at nuclear power plants.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Rathbun", is written over the typed name.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As stated

cc: Senator Alan K. Simpson

cc52/1



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 19, 1994

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am pleased to submit the Nuclear Regulatory Commission's report on the nondisclosure of Safeguards Information for the quarter ending March 31, 1994, as required by Section 147 of the Atomic Energy Act of 1954, as amended. The report describes one occasion during this period when the NRC withheld from public disclosure information regarding security at nuclear power plants.

Sincerely,

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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As stated

cc: Representative Michael Bilirakis



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 19, 1994

The Honorable Richard H. Lehman, Chairman
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am pleased to submit the Nuclear Regulatory Commission's report on the nondisclosure of Safeguards Information for the quarter ending March 31, 1994, as required by Section 147 of the Atomic Energy Act of 1954, as amended. The report describes one occasion during this period when the NRC withheld from public disclosure information regarding security at nuclear power plants.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a large, stylized "X" mark.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As stated

cc: Representative Barbara Vucanovich

NUCLEAR REGULATORY COMMISSION
QUARTERLY REPORT ON NONDISCLOSURE OF SAFEGUARDS INFORMATION

Section 147 of the Atomic Energy Act of 1954, as amended, prohibits the unauthorized disclosure of specific types of Safeguards Information. This section also directs the Nuclear Regulatory Commission to prescribe such regulations as necessary to prohibit the unauthorized disclosure of Safeguards Information. NRC's regulations implementing Section 147 were published in the Federal Register on October 22, 1981 (46 FR 51718).

Section 147 also requires that the NRC report each quarter of the calendar year any Commission application for that quarter of a regulation or an order prescribed or issued under this section.

To comply with this requirement of Section 147, the NRC reports that the following safeguards information was withheld from disclosure under one Freedom of Information Act request during the first quarter, January 1 through March 31, 1994:

Type of Information Withheld

On one occasion, the NRC withheld from public disclosure details of alarm system layouts showing the location of intrusion-detection devices; written physical security orders and procedures for members of the security organization; patrol schedules; details of the on-site communications systems; locations of certain safety-related equipment; and the identity of off-site forces at nuclear power plants.

Unauthorized Disclosure Could Have Adverse Impact

The public disclosure of this type of information could significantly increase the probability of unauthorized entry into the plant, and the information could be of considerable value to a potential saboteur in considering or planning a sabotage attempt.

Assurance That Only the Minimum Amount of Information Was Withheld

The withholding of this type of Safeguards Information does not deny the public basic information concerning the level of protection afforded material at facilities. A line-by-line review of the documents was conducted to ensure that only the minimum amount of information was withheld.

ATTACHMENT IDENTIFYING SPECIFIC TYPES OF INFORMATION
PROTECTED FROM UNAUTHORIZED DISCLOSURE

1. Physical Protection at Fixed Sites

Information not otherwise classified as Restricted Data or National Security Information relating to the protection of facilities that process formula quantities of strategic special nuclear material at power reactors.

Specifically:

- (i) The composite physical security plan for the nuclear facility or site.
- (ii) Site-specific drawings, diagrams, sketches, or maps that substantially represent the final design features of the physical protection system.
- (iii) Details of alarm system layouts showing location of intrusion-detection devices, alarm assessment equipment, alarm system wiring, emergency power sources, and duress alarms.
- (iv) Written physical security orders and procedures for members of the security organization, duress codes, and patrol schedules.
- (v) Details of the onsite and offsite communications systems that are used for security purposes.
- (vi) Lock combinations and mechanical key design.
- (vii) Documents and other matter that contain lists or locations of certain safety-related equipment explicitly identified in the documents as vital for purposes of physical protection, as contained in physical security plans, safeguards contingency plans, or plant-specific safeguards analyses for production or utilization facilities.
- (viii) The composite safeguards contingency plan for the facility or site.
- (ix) Those portions of the facility guard qualification and training plan which disclose features of the physical security system or response procedures.

- (x) Response plans to specific threats detailing size, disposition, response time, and armament of responding forces.
- (xi) Size, armament, and disposition of onsite reserve forces.
- (xii) Size, identity, armament, and arrival times of offsite forces committed to respond to safeguards emergencies.

2. Physical Protection in Transit

Information not otherwise classified as Restricted Data or National Security Information relative to the protection of shipments of formula quantities of strategic special nuclear material and spent fuel.

Specifically:

- (i) The composite transportation physical security plan.
- (ii) Schedules and itineraries for specific shipments. (Routes and quantities for shipments of spent fuel are not withheld from public disclosure. Schedules for spent fuel shipments may be released 10 days after the last shipment of a current series.)
- (iii) Details of vehicle immobilization features, intrusion alarm devices, and communication systems.
- (iv) Arrangements with and capabilities of local police response forces, and locations of safe havens.
- (v) Details regarding limitations of radio-telephone communications.
- (vi) Procedures for response to safeguards emergencies.

3. Inspections, Audits, and Evaluations

Information not otherwise classified as Restricted Data or National Security Information relating to safeguards inspection and reports.

Specifically:

Portions of safeguards inspection reports, evaluations, audits, or investigations that contain details of a licensee's or applicant's physical security system or that disclose uncorrected defects, weaknesses, or vulnerabilities in the system. Information regarding defects, weaknesses, or vulnerabilities may be released after corrections have been made. Reports of investigations may be released after the investigation has been completed, unless withheld pursuant to other authorities; for example, the Freedom of Information Act (5 U.S.C. 552).

May 19, 1994

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Subcommittee on Clean Air and Nuclear Regulation
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Sincerely,

Original signed by/

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As stated

cc: Senator Alan K. Simpson

DISTRIBUTION: DFIPS subj; ADM rdg; EDO rdg;
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Identical letters to: The Honorable Philip R. Sharp - cc: Rep. Michael Bilirakis
The Honorable Richard H. Lehman - cc: Rep. Barbara Vucanovich

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DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Att to Sen Lieberman
2. TYPE OF DOCUMENT ☒ Correspondence ☐ Hearings (Qs/As)
3. DOCUMENT CONTROL ☐ Sensitive (NRC Only) ☒ Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

Congressional Committee

Subcommittee
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