



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 21, 1996

The Honorable Lauch Faircloth
Chairman, Subcommittee on Clean Air, Wetlands,
Private Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I am submitting the U.S. Nuclear Regulatory Commission's report on the nondisclosure of safeguards information for the quarter beginning April 1, 1996, and extending through June 30, 1996, 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 safeguards information regarding security at a nuclear power plant.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As stated

cc: Senator Bob Graham

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The Honorable Dan Schaefer
Chairman, Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am submitting the U.S. Nuclear Regulatory Commission's report on the nondisclosure of safeguards information for the quarter beginning April 1, 1996, and extending through June 30, 1996, 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 safeguards information regarding security at a nuclear power plant.

Sincerely,

A handwritten signature in cursive script, reading "Dennis K. Rathbun", is positioned above the typed name and title.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: As Stated

cc: Representative Frank Pallone

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 second quarter, April 1 through June 30, 1996.

Type of Information Withheld

On one occasion, the NRC withheld from public disclosure a portion of the physical security plan of a nuclear power plant.

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.

Attachment:

Specific Types of Information
Protected from Unauthorized Disclosure

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.
- (xiii) Information required by the Commission pursuant to 10 CFR 73.55 (c) (8) and (9).

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).