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Protecting People and the Environment

Safeguards Information

Office of Nuclear Security and Incident Response

Materials Security Branch

U.S. Nuclear Regulatory Commission

Atomic Energy Act

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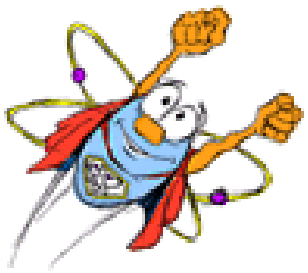
- Describes Safeguards Information as a special category of sensitive unclassified information authorized by Section 147 of the Atomic Energy Act, of 1954, as amended to be protected



Definition

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Information that is not National Security Information or Restricted Data that specifically identifies a licensee's detailed:

1) security measures for the physical protection of special nuclear material;

2) security measures for the physical protection of source, byproduct or designated quantities of special nuclear material,

3) security measures for the physical protection and location of certain plant equipment vital to the safety of production or utilization facilities

Why so Important?

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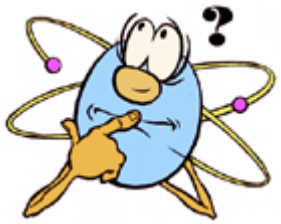
Information the disclosure of which, could reasonably be expected to have a significant adverse effect on the health and safety of the public or the common defense and security by significantly increasing the likelihood of theft, diversion, or sabotage of materials or facilities subject to NRC jurisdiction



NRC Requirements

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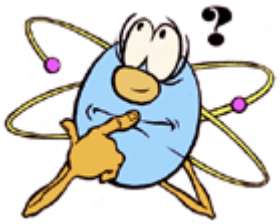
- The criteria for designating security measures for source, byproduct or special nuclear material, and power reactor information as Safeguards Information, restricting access to it and the protections for it are codified in Part 73 of Title 10 of the *Code of Federal Regulations* (10 CFR 73.21, 73.22 and 73.23)

- NRC employees, contractors and consultants must follow the safekeeping and storage requirements of Management Directive 12-7

Who is covered by the Act?

- Any person, whether or not a licensee of the NRC, who produces, receives, or acquires Safeguards Information is subject to the requirements (and sanctions) of the Atomic Energy Act of 1954, as amended



Penalties for Disclosure

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- Inadequate protection of Safeguards Information, including inadvertent release or unauthorized disclosure, may result in civil and/or criminal penalties (The Act)

Penalties for Disclosure

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- Furthermore, willful violation of any regulation or order governing Safeguards Information is a felony subject to criminal penalties in the form of fines or imprisonment, or both

Examples of Safeguards Information

1) The composite physical security plan for the facility or site;

Examples of Safeguards Information

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2) Site-specific drawings, diagrams, sketches, or map hat substantially represent the final design features of the physical security system not easily discernible by members of the public;

Examples of Safeguards Information

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3) Alarm system layouts showing the location of intrusion detection devices, alarm assessment equipment, alarm system wiring, emergency power sources for security equipment, and duress alarms not easily discernible by members of the public;

Examples of Safeguards Information

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4) Physical security orders and procedures issued by the licensee for member of the security organization detailing duress codes, patrol routes and schedules, or responses to security contingency events;

Examples of Safeguards Information

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5) Site-specific design features of plant security communications systems;

6) Lock combinations, mechanical key design, or passwords integral to the physical security system:

Examples of Safeguards Information

7) Documents and other matter that contain lists or locations of certain safety-related equipment explicitly identified in the documents or other matter as vital for purposes of physical protection, as contained in security plans, contingency measures, or plant specific safeguards analyses;

Examples of Safeguards Information

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8) The composite safeguards contingency plan/materials for the facility or site;

9) The composite facility guard qualification and training plan/measures disclosing features of the physical security system or response procedures;

Examples of Safeguards Information

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10) Information relating to on-site or off-site response forces, including size, armament of response forces, and arrival times of such forces committed to respond to security contingency events;

Examples of Safeguards Information

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11) The adversary characteristics documents and related information, including implementing guidance associated with the Design Basis Threat in 10 CFR 73.1(a)(1) or (a)(2);

Examples of Safeguards Information

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12) Engineering and safety analyses, security-related procedures or scenarios, and other information revealing site-specific details of the facility or materials if the unauthorized disclosure of such analyses, procedures, scenarios, or other information could reasonably be expected to have a significant adverse effect on the health and safety of the public or common defense and security by significantly increasing the likelihood of theft, diversion, or sabotage of source, byproduct, or special nuclear material

Examples of Safeguards Information Include

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- Design Basis Threat;
- Vulnerability Assessments
- Training and Qualifications

Conditions for Access

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- Access to SGI requires both Need-to-Know and a determination that the intended recipient is trustworthy and reliable. This is normally accomplished through a FBI fingerprint criminal history records check and a background check.

- Background check examines
  - Employment History
  - Education
  - Personal References

Need-to-Know

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- Determination by a person having responsibility for protecting SGI that an intended recipient's access is necessary for the performance of official, contractual, or licensee duties of employment

No Comment Policy

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- Occasionally, sensitive information appears in the public domain without authorization

  Your response to questions raised about the accuracy, designation, technical merit of such information should be “no comment”

SGI Protection Requirements

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While in Use

- Under the control of an authorized individual
- Requirement is satisfied if the SGI is attended by an authorized individual even though the information is, in fact, not constantly being used (Cover Sheet must be used)

Protection Requirements

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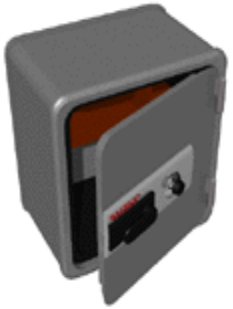
While in Storage

- Stored in an approved security storage container
- Knowledge of lock combinations or access to keys protecting SGI limited to a minimum number of authorized personnel with "Need-To-Know"
- Access to lock combinations or keys strictly controlled to prevent unauthorized disclosure of information



Transportation of Documents and Other Matter

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Outside of facility

- When transported outside an authorized place of use or storage-enclosed in two sealed envelopes or wrappers

- Inner envelope or wrapper contains the name and address of the intended recipient, marked both sides, top and bottom with the words "**Safeguards Information**"

Transportation of Documents and Other Matter

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- Outer envelope or wrapper addressed to the intended recipient, address of the sender, not bear any markings or indication that the document contains SGI
- Transported by commercial delivery company providing nation-wide overnight service with computer tracking features, US first class, registered, express, or certified mail, or by any individual authorized access
- Electronic media containing SGI that is transmitted, must be encrypted by a method approved by the NRC

Transportation of Documents and Other Matter

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Within a facility

- Transported using a single opaque envelope
  - **Note**: May also be transported without a single wrapper (opaque envelope) provided adequate measures are taken to protect against unauthorized disclosure

Preparation and Marking of Documents

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- Mark "**Safeguards Information**" in a conspicuous manner on the top and bottom of each page to indicate the presence of protected information
- First page of SGI Document also contains
  - (i) the name, title, and organization of the individual authorized to make a SGI determination, and who determined the document contains SGI;
  - (ii) the date the document was originated or the determination made;
  - (iii) an indication that unauthorized disclosure subject to civil and criminal sanctions

Preparation and Marking of Documents (continued)

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- Transmittal letters or memoranda which do not contain SGI are marked to indicate that attachments or enclosures contain SGI but that the transmittal document does not (e.g., "When separated from SGI enclosure(s), this document is decontrolled")
- Portion marking is only required for correspondence to and from the NRC (i.e., cover letters, but not attachments) that contains Safeguards Information

Removal from SGI Category

- Removed from SGI category (decontrolled) only after a determination is made that the information no longer meets the SGI criteria
- Licensees have authority to make determinations on specific documents they created which no longer contain SGI information
- Authority to determine document/information removal exercised by the NRC, with the NRC approval, or in consultation with the individual (or organization) making original SGI determination
  - Indicate name and organization of individual removing document from SGI category and date of removal
  - Reasonable effort should be made to notify other persons who have the document in their possession, that the document has been downgraded

Reproduction of Matter Containing SGI

- Reproduced to the minimum extent necessary consistent with need without permission of the originator
- Reproduction equipment must be evaluated to ensure that unauthorized persons cannot access the SGI through retained memory or network connectivity

Destruction of Matter Containing SGI

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Destroyed by means approved for classified information or by tearing into small pieces, burning, shredding or any other method that precludes reconstruction by means available to the public at large (piece sizes no wider than one quarter (1/4) inch composed of several pages or documents and thoroughly mixed would be considered completely destroyed)

Use of Automatic Data Processing (ADP) Systems

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- Processed or produced on ADP system provided system is self-contained within the licensee's or contractor's facility
- SGI files labeled "**Safeguards Information**" and saved to removable media that is stored in approved security storage container

Use of Automatic Data Processing (ADP) Systems

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- If SGI is produced on a typewriter, the ribbon must be removed and stored in the same manner as other SGI information (i.e. marked and placed in an approved storage container)
- SGI files may be transmitted over a network if the file is encrypted by method approved by NRC
  - Encryption standard: (Federal Information Processing tandards (FIPS) 140-2 or later.)

Telecommunications

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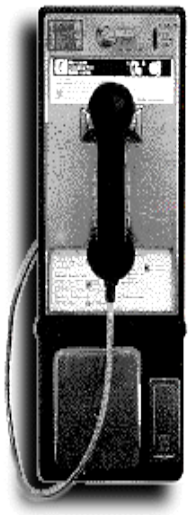
- Infrequent or non-repetitive telephone conversations regarding a physical security plan or program are permitted provided discussion is general in nature
- Individuals should use care when discussing SGI at meetings or in the presence of others to ensure that information is not compromised



SGI Work Space

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- SGI work space certification is not required
  - Authorized users have an obligation to ensure that SGI remain under the direct control of an authorized user to preclude physical, audio, and visual access by person not authorized access to SGI or who are otherwise without a Need-To-Know

NRC Intent

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- Strike a balance between the public's right to information so they can meaningfully participate in regulatory processes and the need to protect sensitive security information from inadvertent release or unauthorized disclosure
- Continue to evaluate its requirements, policies and guidance concerning the protection and unauthorized disclosure of Safeguards Information

Questions?

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