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Description of document: Department of Energy (DOE) Report on the Implementation of Section 148 of the Atomic Energy Act of 1954 for the Quarter from April 1, 2012, through June 30, 2012

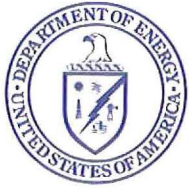
Requested date: November 2014

Released date: 08-April-2015

Posted date: 28-December-2015

Source of document: Department of Energy
FOIA Requester Service Center
1000 Independence Avenue, SW
Mail Stop MA-90
Washington, DC 20585
Fax: (202) 586-0575
[Online DOE Headquarters FOIA Request Form](#)

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Department of Energy
Washington, DC 20585

April 8, 2015

Via email

Re: HQ-2015-00236-F

This is in final response to the request for information that you submitted to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You requested the following:

A copy of the most recent Report on the Implementation of Section 148 of the Atomic Energy Act of 1954 for the Quarter (UCNI).

Your request was assigned to the DOE's Office of Environment, Health, Safety and Security (AU) to conduct a search of its files for responsive records. AU began its search for responsive documents on January 22, 2015, which is the cutoff date for responsive records, and located one (1) document responsive to your request. Please note that DOE is no longer required to submit this report. Therefore, the report covering the timeframe April 1, 2012, through June 30, 2012, is the most recent report. The report is being released to you in its entirety as described in the accompanying index.

The adequacy of the search, may be appealed within 30 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-1, L'Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

The FOIA provides for the assessment of fees for the processing of requests. *See* 5 U.S.C. § 552(a)(4)(A)(i); *see also* 10 C.F.R. § 1004.9(a). In our November 25, 2014, letter, you were advised that your request was placed in the "other" category for fee purposes, which provides for



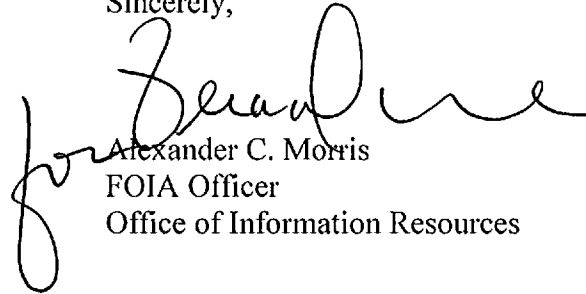
two (2) free hours of search time and 100 free pages. Since search time did not exceed two (2) hours, no fees will be charged for processing this request.

If you have any questions about the processing of your request, or this letter, you may contact Mr. Aykut Ozger or me at:

MA-90/ Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20585
(202) 586-5955

I appreciate the opportunity to assist you with this matter.

Sincerely,



Alexander C. Morris
FOIA Officer
Office of Information Resources

Enclosure

Report on the Implementation of
Section 148 of the Atomic Energy Act of 1954 for the
Quarter from April 1, 2012, through June 30, 2012

I. Introduction.

Section 148 (42 United States Code 2168) of the Atomic Energy Act (AEA) of 1954 requires the Department of Energy (DOE) to prohibit the unauthorized dissemination of certain unclassified but sensitive information concerning nuclear weapons, nuclear material, and related security measures. Final regulations, 10 Code of Federal Regulations (C.F.R.), Part 1017, *Identification and Protection of Unclassified Controlled Nuclear Information*, specify policy and procedures concerning information to be controlled under section 148 of the AEA, such information being designated as Unclassified Controlled Nuclear Information (UCNI). DOE Order (O) 471.1B, *Identification and Protection of Unclassified Controlled Nuclear Information*, dated March 1, 2010, establishes policy and procedures for identifying UCNI and for reviewing and marking documents and material containing UCNI. Section 148e of the AEA, 10 C.F.R. 1017.13, and DOE O 471.1B, paragraph 5.c (13), require the preparation of a report to identify and justify precedent-setting UCNI determinations made during the quarter.

II. Requirements.

The Office of Classification provides a quarterly report that identifies those new types of information determined during the quarter to be UCNI (10 C.F.R. 1017.13). These control determinations are incorporated into general guidelines (10 C.F.R. 1017.6(c) and DOE O 471.1B). Such general guidelines are precedent-setting because they are the basis for other determinations as to whether or not specific documents contain UCNI. Therefore, this report describes and justifies the issuances and revisions of UCNI general guidelines made during the quarter.

In addition, the status of topical and internal guidelines that are under development or review is included. Topical and internal guidelines are more detailed guidelines based on and consistent with general guidelines. Topical guidelines usually address one or several closely related subject areas while internal guidelines consolidate and amplify those general and internal guidelines of interest to the issuing organization.

III. Types of Information Determined to be UCNI.

No new type of UCNI information was identified during the quarter ending June 30, 2012.

IV. Guidelines Issued or Revised During the Quarter.

A. General Guidelines.

None.

B. Topical Guidelines.

1. Under Development.

- a. CG-IND-2, *DOE Classification Guide for Improvised Nuclear Devices*: The draft guide is being prepared for program review.
- b. TG-NNP-2, *DOE Unclassified Controlled Nuclear Information Topical Guideline for Nuclear Nonproliferation Program*: The draft guideline is being prepared for field review.

2. Under Review.

- a. CG-TSS-4, *Transportation System Classification and Unclassified Controlled Nuclear Information Guide*: The draft guide is being prepared for concurrence.
- b. CG-TSS-4A, *Annex to Transportation System Classification and Unclassified Controlled Nuclear Information Guide*: The draft guide is being prepared for concurrence.
- c. CG-OST-1, *Office of Secure Transportation Classification and Unclassified Controlled Nuclear Information Guide*: The draft guide is being prepared for concurrence.
- d. CG-SST-1, *Safe Secure Trailer Classification and Unclassified Controlled Nuclear Information Guide*: The draft guide is being prepared for concurrence.
- e. CG-ICF-6, *DOE Classification Guide for Inertial Confinement Fusion*: The draft guide is in final coordination.

3. Approved and Issued.

- a. CG-PX-PII-1, *Classification and UCNI Guide for Pit Storage and Inventory at Pantex Plant*: The updated classification guide has been signed.

4. Cancelled.

- a. None.

C. Internal Guidelines.

1. Under Development.

a. None.

2. Under Review.

- a. IG-LANL-FSSS-1, *Unclassified Controlled Nuclear Information Internal Guideline - Los Alamos Fixed-Site Safeguards and Security*: The draft guideline is being reviewed by the field.
- b. IG-INL-COMP-1, *Unclassified Controlled Nuclear Information and Identification of Official Use Only and Privacy Act Information Internal Guideline for Idaho National Laboratory*: The draft guideline is being prepared for concurrence.

3. Approved and Issued.

- a. IG-SRS-COMP-1, *Unclassified Controlled Nuclear Information Internal Guideline Savannah River Site*: The guideline has been signed.

4. Cancelled.

a. None.



Andrew P. Weston-Dawkes

Director

Office of Classification

Office of Health, Safety and Security