



## Department of Energy

Washington, DC 20585

FEB 27 2003

MEMORANDUM FOR THE RECORD

FROM:

JOAN G. HAWTHORNE, DIRECTOR  
INFORMATION CLASSIFICATION AND CONTROL POLICY  
SECURITY POLICY STAFF  
OFFICE OF SECURITY

A handwritten signature in black ink, appearing to read "J. Hawthorne", written over a horizontal line.

SUBJECT:

Calendar Year 2002 Annual Report Concerning  
Accountability for Restricted Data or Formerly  
Restricted Data Classification and Declassification  
Determinations

As required by 10 CFR 1045.19(b), attached is the annual report for calendar year 2002 that provides the justification for Restricted Data or Formerly Restricted Data classification and declassification determinations that depart from the presumptions contained in 10 CFR 1045.15(d) and (e), respectively.

Attachment



ANNUAL REPORT FOR CALENDAR YEAR 2002  
REQUIRED BY 10 CFR 1045.19(b)



JUSTIFICATION FOR  
RESTRICTED DATA OR FORMERLY RESTRICTED DATA  
CLASSIFICATION OR DECLASSIFICATION DECISIONS

**Information Classification and Control Policy  
Security Policy Staff  
Office of Security**

February 20, 2003

**JUSTIFICATION FOR  
RESTRICTED DATA OR FORMERLY RESTRICTED DATA  
CLASSIFICATION OR DECLASSIFICATION DETERMINATIONS  
MADE DURING CALENDAR YEAR 2002**

February 20, 2003

As required by 10 CFR 1045.19(a), the Department of Energy (DOE) must be able to justify Restricted Data (RD) or Formerly Restricted Data (FRD) classification or declassification determinations that depart from the presumptions contained in 10 CFR 1045.15(d) and (e), respectively. This report provides the justification for any such determinations.

1. Classification Determinations. During calendar year 2002, no RD or FRD classification determinations departed from the presumptions.
2. Declassification Determinations. During calendar year 2002, two RD or FRD declassification determinations departed from the presumptions. The justification for these determinations is as follows:

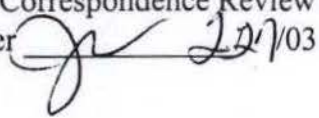
<b>Information Declassified</b>	<b>Justification</b>
<p><i>Certain [commercial] light water reactor (LWR) tritium target performance information in the following areas:</i></p> <ul style="list-style-type: none"> <li><i>– Overall target tritium retention performance objectives and parameters under any conditions;</i></li> <li><i>– Data relating to tritium retention in, or release from, the target;</i></li> <li><i>– Permeation barrier performance objectives and parameters under any conditions;</i></li> <li><i>– Data relating to hydrogen ingress into the target;</i></li> <li><i>– Gross tritium partial pressure in the target;</i></li> <li><i>– Gross axial distribution of tritium in the target (getter loading) and the aspects of getter cleaning during fabrication that are protected so as not to reveal performance;</i></li> <li><i>– Design and calculation methods for analyzing target rod performance;</i></li> <li><i>– Design and calculation methods for analyzing permeation barrier performance.</i></li> </ul>	<p>Since commercial LWRs operate under license from the Nuclear Regulatory Commission, certain safety-related information must be made available to the public. Because of these regulatory requirements, certain tritium target performance data cannot practically be protected.</p>

<b>Information Declassified</b>	<b>Justification</b>
<ol style="list-style-type: none"><li data-bbox="191 184 799 466">1. <i>The existence of uranium in the secondary of a specified weapon, assay unspecified, provided the fact of thermonuclear (TN) is unclassified and that the location within the secondary, use, and specific assay are not revealed:</i></li><li data-bbox="191 474 799 697">2. <i>The existence of uranium enriched to 20 percent or greater in the secondary of a specified weapon, provided the fact of TN is unclassified and that the location within the secondary, use, and specific assay are not revealed.</i></li></ol>	<p data-bbox="824 184 1412 394">The national security reasons for protecting this information are no longer valid; therefore, continued classification would cast doubt on the credibility of the classification program.</p>

SO-121:LBrightwell:dd:3-5454:2/20/03  
(D:\Userdata\Wpdata\LDB\Transmittal of 2002 report.wpd)

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J. Carter  2/27/03

Concurrence

P. Laplante, SO-121



2/24/03

A. Weston-Dawkes, SO-122



2/17/03

J. Hawthorne, SO-12



2/27/03