

**DETERMINATION OF THE DIRECTOR OF ADMINISTRATION AND
MANAGEMENT**

Under the authority delegated to me by the Secretary of Defense, I have determined that the following information is exempt from disclosure under Exemption 3 of the Freedom of Information Act (5 U.S.C. § 552(b)(3)) because it meets the requirements for exemption under 10 U.S.C. § 130e:

Department of Defense information concerning physical
vulnerabilities of critical infrastructure and explosives
vulnerabilities at Naval Base Kitsap, Bangor, WA.

The statement of the basis for this determination is at Tab A.

Date: 7.26.2013



Michael L. Rhodes
Director of Administration and Management

**STATEMENT OF THE BASIS FOR THE DETERMINATION BY
THE DIRECTOR OF ADMINISTRATION AND MANAGEMENT**

In accordance with 10 U.S.C. § 130e, I reviewed the information provided to me by the Department of the Navy concerning physical vulnerabilities of critical infrastructure and explosives vulnerabilities at Naval Base Kitsap, Bangor, WA, and determined that it qualifies as Department of Defense (DoD) critical infrastructure security information (CISI). As defined by 10 U.S.C. § 130e, CISI includes:

“...sensitive but unclassified information that, if disclosed, would reveal vulnerabilities in Department of Defense critical infrastructure that, if exploited, would likely result in the significant disruption, destruction, or damage of or to Department of Defense operations, property, or facilities, including information regarding the securing and safeguarding of explosives, hazardous chemicals, or pipelines, related to critical infrastructure or protected systems owned or operated by or on behalf of the Department of Defense, including vulnerability assessments prepared by or on behalf of the Department of Defense, explosives safety information (including storage and handling), and other site-specific information on or relating to installation security.”

This information meets this definition of CISI because it concerns physical vulnerabilities of critical infrastructure and explosives vulnerabilities at the explosives handling wharfs (EHWs) and related facilities at Strategic Weapons Facility, Pacific (SWFPAC). If disclosed, it would reveal these vulnerabilities that, if exploited, would likely endanger public health and safety and would likely result in significant disruption, destruction, or damage of or to DoD operations, property, or facilities.

Examples of the physical vulnerabilities of EHWs and related facilities include the composition of support pilings, the state of degradation of support pilings for the existing explosives handling wharf, and design components, such as the location of utility connections and ventilation. If exploited, this information could provide potential attackers with information that would allow them to determine how and where to most effectively execute an attack, thereby creating a threat to national security, the health and safety of DoD personnel, and the health and safety of the public in the surrounding community.

Explosives safety information includes information such as explosives safety quantity distance arcs (ESQDs) and the Navy’s explosives safety standards. ESQDs show the areas within which certain consequences would be experienced if an explosion occurred. With this information, a potential attacker could easily determine aspects of explosives handling operations at SWFPAC, including: (1) the precise location of ordnance magazines, (2) the types of explosives stored in them, (3) which locations to target for maximum damage and possible detonation of explosives, (4) the mission capability of the installation, (5) SWFPAC’s capabilities and operational sustainability, (6) the location of personnel, and (7) the quantities of materials stored in a given location. Navy explosives safety standards include information such as technical data and formulas used to calculate EQSDs. If these formulas became publicly

available, by compilation with other publicly available information, they would reveal information that would qualify as CISI. ESQDs and Explosives safety standards are designed to provide the inhabitants of local communities, DoD personnel, and adjacent property owners reasonable safety from serious injury or destruction from fires or explosions and to minimize the loss of valuable ammunition stores through fires or explosions. However, the release of explosives safety information at SWFPAC could be used to threaten the health and safety of DoD personnel, the security of Naval Base Kitsap, and the health and safety of the public in the surrounding community. Providing the public with this information would enable potential adversaries to determine where weapons would be most vulnerable by highlighting terrorist-type targets of opportunity, resulting in significant disruption, destruction, or damage to critical strategic assets and impacting strategic response capabilities. While all weapons storage and handling locations are positioned to minimize risk, insight into operational procedures and constraints would provide an outside force leverage in maximizing disruption in spite of established safety parameters. The release of explosives safety information at SWFPAC would be counter-productive to its purpose and intent.

In making this determination, I have weighed this harm against the public interest in the disclosure of this information. Specifically, I have reviewed the May 14, 2013, letter from Mr. Glen Milner to the Defense Freedom of Information Policy Office addressing the public interest in the release of information responsive to his May 18, 2012, Freedom of Information Act (FOIA) request to the Department of the Navy.

The public interest in the disclosure is not insignificant in this instance; however, the harm that would likely result from disclosure is very serious and much more significant. Therefore, the public interest consideration in the disclosure of this information does not outweigh preventing the disclosure of the information.

This determination applies to information described above contained in documents that are at issue in *Ground Zero Center for Nonviolent Action*, *Washington Physicians for Social Responsibility*, and *Glen S. Milner v. The Department of the Navy*, to the extent that the information has not been released to the public by the Department of Defense. In addition to the previously mentioned May 18, 2012, FOIA request from Mr. Milner, this information is within documents responsive to a July 11, 2012, FOIA request from Mr. Milner to the Office of the Secretary of Defense.