

**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:

United States Navy explosives safety exemptions, secretarial explosives safety certifications, and related analytical information associated with explosives safety deviations.

Date:

September 19, 2023



Jennifer C. Walsh

Director of Administration and Management

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

In accordance with 10 U.S.C. § 130e, I reviewed the information provided to me by the Department of the Navy (DON) regarding United States (U.S.) Navy explosives safety exemptions, secretarial certifications, and related analytical information associated with explosives safety deviations, including installation infrastructure deficiencies, explosives plans, locations, operations, safety standards and explosives safety quantity distance (ESQD) arcs, and risk and damage assessments. I have determined all U.S. Navy explosives safety exemptions, secretarial explosives safety certifications, and related analytical information associated with explosives safety deviations qualifies as Department of Defense (DoD) critical infrastructure security information (DCRIT/CISI). As defined by 10 U.S.C. § 130e, DCRIT/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 the definition of DCRIT/CISI because it contains critical information regarding the securing and safeguarding of explosives and explosives safety information related to DoD critical infrastructure. Specifically, explosives safety exemptions and secretarial certifications are authorizations to deviate from U.S. Navy explosives safety standards, which are granted only for significant and potentially permanent deficiencies in DON installation infrastructure supporting explosives operations, storage, and/or handling. Disclosure of the existence of such documents alone identifies locations with potentially substantial amounts of explosives and long-term conditions not in compliance with explosives safety standards. The release of such information, individually and in the aggregate, would enable adversaries to identify substantial vulnerabilities in installation infrastructure and explosives operations onboard Naval installations – DON critical infrastructure – that, if exploited by adversaries, would likely result in the significant disruption, destruction, or damage of or to DoD operational missions, assets, facilities, and personnel.

Additionally, related analytical information associated with explosives safety deviations meets the DCRIT/CISI definition. The locations and descriptions of installation infrastructure deficiencies creating the need for explosives safety standard deviations is information regarding the securing and safeguarding of explosives, which identifies explosives safety criteria are not being met in these areas and conditions. Release of information regarding these vulnerabilities risks damage or destruction to DoD critical infrastructure, including pertinent areas of installations, surrounding buildings and structures, and DoD assets, as it would provide potential attackers with information that would allow them to determine how and where to most effectively execute an attack.

Similarly, plans and maps detailing explosives locations, explosives operations, explosives storage and carriage capacity of assets, and safety precautions utilized are information regarding the securing and safeguarding of explosives. If disclosed, this information would provide insight into operational procedures and constraints, offering an outside force leverage in maximizing disruption in these locations despite established safety parameters. Providing the public with this information would enable potential adversaries to determine where explosives would be most vulnerable by highlighting targets of opportunity, resulting in significant disruption, destruction, or damage to DON critical strategic assets and impacting strategic response capabilities. This would create a threat to national security and the health and safety of DoD personnel and members of surrounding communities. Therefore, release of this information regarding safeguarding of explosives would be counter-productive to its purpose and intent.

Further, U.S. Navy explosives safety standards and ESQD arcs constitute explosives safety information. ESQD arcs indicate 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 DON installations, including: (1) the precise locations of explosives; (2) the types of explosives authorized there; (3) which locations to target for maximum damage and possible detonation of explosives; (4) the mission capability of the installation; (5) installation, tenant command, and other capabilities and operational sustainability; (6) the location of personnel; and (7) quantities of materials stored in a given location. Navy explosives standards also include information such as technical data and formulas used to calculate ESQDs. If these ESQD formulas became publicly available, by compilation with other publicly available information, they would reveal information that would qualify as DCRIT/CISI because they would permit a potential attacker to easily determine aspects of explosives handling operations. Disclosure of U.S. Navy explosives safety standards and ESQD arcs therefore would likely result in significant disruption, destruction, and damage of or to DoD operations, property, or facilities at DON installations.

Finally, risk and damage assessments in explosives safety deviations, including exemptions and secretarial certifications, constitute both explosives safety information and vulnerability assessments. These assessments identify missions of individual buildings and structures onboard installations and their proximity to explosion sites, as well as explicitly state the level of anticipated damage to DoD operations, property, facilities, and personnel should an explosion occur. Again, the release of this information would allow potential adversaries to exploit the vulnerabilities disclosed and strategically target explosives to maximize damage to and destruction of DoD operations, property facilities, and personnel.

In making this determination, I have weighed this harm against the general public interest in the disclosure of this information. The public interest in the disclosure, to include awareness of whether areas adjacent to military installations may be impacted by explosives safety exemptions, secretarial certifications, or other deviations, may not be insignificant; 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.