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DEPARTMENT OF DEFENSE
OFFICE OF FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

OCT 28 2009

Ref:09-F-1263

Mr. John Greenewald
[REDACTED]

Dear Mr. Greenewald:

This responds to your Freedom of Information Act request of June 22, 2009 (copy enclosed). It was received in this Office on June 22, 2009. Your request was for a copy of Department of Defense Instruction 7730.12, Notification Procedures for Accidents and Significant Incidents Involving Nuclear Weapons, Reactors and Radioactive Materials, dated August 1, 1976. The Office of the Secretary of Defense has completed its review and the enclosed document is provided to you without excision. As this completes the processing of your request in this Office, we are closing your case. There are no fees associated with this response in this instance.

Sincerely,

A handwritten signature in dark ink, reading "Paul J. Jacobsmeyer".

Paul J. Jacobsmeyer
Chief

Enclosures:
As stated



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NUMBER 7730.12

DATE August 1, 1976

Department of Defense Instruction *ATSD(AE)*
Col White
x 5/0977

SUBJECT

Notification Procedures for Accidents and Significant
Incidents Involving Nuclear Weapons, Reactors,
and Radioactive Materials

- Refs.:
- (a) DoD Instruction 7730.12, subject as above, March 17, 1972 (hereby cancelled)
 - (b) DoD Instruction 5230.16, "Nuclear Accident and Incident Public Affairs Guidance," August 8, 1967
 - (c) Joint Department of Defense and Energy Research and Development Administration Agreement in Response to Accidents and Incidents Involving Radioactive Material and Nuclear Weapons (under revision)
 - (d) Joint Chiefs of Staff Publication 6, Volume II, Part 2, "Operational Status Reports," June 1970

I. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) to provide reporting guidance for use in the event of an accident or significant incident involving nuclear weapons, nuclear components, nuclear reactors, or radioactive materials in the custody of, or under the physical control of the Department of Defense. Reference (a) and Report Control Symbol DD-SD (AR) 1168 are hereby superseded and cancelled.

II. APPLICABILITY

The provisions of this Instruction apply to the Military Departments, the Joint Chiefs of Staff, and the Defense Nuclear Agency (DNA) (hereinafter referred to as "DoD Components").

III. DEFINITIONS

A. Nuclear Weapon Accident. An unexpected event involving nuclear weapons or nuclear components which results in any of the following:

- 1. Accident or unauthorized launching, firing, or use, by U.S. forces or U.S. supported Allied forces, of a

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nuclear capable weapon(s) system which could create the risk of outbreak of war.

2. Nuclear detonation.
3. Nonnuclear detonation/burning of a nuclear weapon.
4. Radioactive contamination.
5. Seizure, theft or loss of a nuclear weapon or nuclear component, including jettisoning.
6. Public hazard, actual or implied.

B. Nuclear Weapon Significant Incident. An unexpected event involving nuclear weapons or nuclear components which does not fall in the nuclear weapon accident category but:

1. Results in evident damage to a nuclear weapon or nuclear component to the extent that major rework, complete replacement, or examination or recertification by the Energy Research and Development Administration (ERDA) is required; or
2. Requires immediate action in the interest of safety or nuclear weapons security or which may result in adverse public reaction (national or international) or premature release of information; or
3. Could lead to events listed in subsection III. A., above, and warrants the informational interest or action of the officials or agencies listed in subsection V. B.

C. Nuclear Reactor Accident. An uncontrolled reactor criticality resulting in damage to the reactor core or release of fission products from the reactor core to the atmosphere or surrounding environment.

D. Radiological Accident

1. A loss of control of radioactive material which presents or could present a hazard to life, health, or property or

which may result in any member of the general population exceeding recognized limits for exposure to ionizing radiation.

2. Any unexpected event involving radioactive materials or radiation exposure which prudence dictates to be of such consequence to warrant the informational interest of the addressees listed in subsection V. B. Included in this category are those events having domestic or international implications and those that would be of significant interest to the public.

IV. POLICY

It is the policy of the Department of Defense that the occurrence of an accident or significant incident as defined in section III involving nuclear weapons, nuclear reactors, radioisotope systems or other radioactive material is of such consequence as to warrant immediate notification of appropriate officials of the Government through the National Military Command Center (NMCC).

V. REPORTING PROCEDURES

- A. Nuclear Weapon accidents will be reported immediately using the most expeditious means available.
 1. Where possible, accidents will be reported directly to the NMCC and to the cognizant Military Department utilizing the facilities of the World-Wide Military Command and Control System (WWMCCS). The reporting formats are specified by the Joint Chiefs of Staff and included in Chapter 4 of Joint Chiefs of Staff Publication 6 (reference (d)).
 2. Those nuclear weapon accidents involving accidental or unauthorized launch/execution, by U.S. forces or U.S. supported Allied forces, of a nuclear capable weapon system or any other event which could create a risk of war shall be reported directly to the National Command Authority (NCA) by the on-duty Deputy Director for

Operations, NMCC, using procedures established by the Joint Chiefs of Staff, reviewed by the Secretary of Defense, and approved by the President.

3. Such procedures will be consistent with United States obligations under the Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War Between the United States of America and the Union of Soviet Socialist Republics.
4. In addition, for all nuclear weapon accidents, the NMCC will notify the following offices and officials or their designated representatives:
 - a. Secretary of Defense.
 - b. White House Situation Room.
 - c. Deputy Secretaries of Defense.
 - d. Joint Chiefs of Staff.
 - e. Assistant to the Secretary of Defense (Atomic Energy).
 - f. Assistant Secretary of Defense (International Security Affairs).
 - g. Assistant Secretary of Defense (Public Affairs).
 - h. Deputy Assistant Secretary of Defense (Security Policy) (where security is involved).
 - i. Other Military Departments.
 - j. Joint Nuclear Accident Coordinating Center (DoD/ERDA Agreement (reference (c))).
 - k. Director, Defense Nuclear Agency.
 - l. Energy Research and Development Administration.

- m. Defense Civil Preparedness Agency.
- n. Defense Intelligence Agency.
- o. The Federal Bureau of Investigation.
- p. The Department of State.
- q. Others designated by the Joint Chiefs of Staff.

B. Nuclear weapon significant incidents and nuclear reactor and radiological accidents will be reported promptly to the cognizant Military Department. Subsequent reporting will be by:

- 1. Military Department of the Joint Chiefs of Staff (National Military Command Center) (in the format specified in Chapter 4 of JCS Publication 6 (reference (d))).
- 2. Joint Chiefs of Staff (National Military Command Center) to:
 - a. Assistant to the Secretary of Defense (Atomic Energy).
 - b. Assistant Secretary of Defense (International Security Affairs).
 - c. Assistant Secretary of Defense (Public Affairs).
 - d. Deputy Assistant Secretary of Defense (Security Policy) (where security is involved).
 - e. Other Military Departments (as appropriate).
 - f. Joint Nuclear Accident Coordinating Center.
 - g. Director, Defense Nuclear Agency.
 - h. Energy Research and Development Administration.
 - i. Defense Civil Preparedness Agency.
 - j. Defense Intelligence Agency.

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k. Other Addressees at JCS discretion.

C. The purpose of prompt reports is to provide the NCA, and cognizant offices within the DoD, with accurate and timely information so that appropriate National responses can be made. In addition, a final written report will be forwarded to the Joint Chiefs of Staff and the Secretary of Defense by the cognizant Military Department after completion of required investigations of the accident or significant incident. A copy of this report will also be forwarded to the Joint Nuclear Accident Coordinating Center.

VI. PUBLIC INFORMATION RELEASES

Public information releases, including those from the scene of the accident or incident, will be made in accordance with DoD Instruction 5230.16 (reference (b)).

VII. REPORTS CONTROL SYMBOL

The reporting requirements of section V. have been assigned Report Control Symbol DD-AE (AR) 1168.

VIII. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Two copies of implementing instructions shall be forwarded to the Assistant to the Secretary of Defense (Atomic Energy) within 60 days.

for *William S. Mayson*
D. R. Cotter
Assistant to the Secretary
of Defense (Atomic Energy)

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