



Department of Energy
Savannah River Operations Office
P.O. Box A
Aiken, South Carolina 29802

APR 16 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tom Clements
Savannah River Site Watch
1112 Florence Street
Columbia, SC 29201

Dear Mr. Clements:

SUBJECT: Freedom of Information Act (FOIA) Request Savannah River Operations Office SRO-2019-00667-F

This letter constitutes our final response to your March 18, 2019 FOIA request for copies of (1) Any modification to the original Work for Others (WFO) agreement between DOE/Savannah River Nuclear Solutions and Jülicher Entsorgungsgesellschaft für Nuklearanlagen (JEN) - located at the Forschungszentrum Jülich (FZJ) in Germany - and the Savannah River Site, Savannah River Nuclear Solutions, and/or the Savannah River National Laboratory after March of calendar year 2018 or at any point in calendar year 2019. Modification Number 4 to the Work for Others agreement terminated on February 28, 2019, so this request covers and "modification" subsequent to Modification Number 4. The requested modification(s) may be called Modification Number 5 (and higher); (2) Any documentation on import of irradiated or unirradiated graphite fuel "pebbles" from Germany to SRS. (At the time of this filing, it is believed that JEN obtained initial permission to export 33 fuel pebbles, but final permission had not been obtained from Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA) - the Office of Economics and Export Control.); and (3) Any reports from any SRS entity has provided to Germany under the most recent modified Work for Others agreement.

Modification Number 5 to the Work for Others agreement Number WFO-13-021 between Savannah River Nuclear Solutions, LLC and Jülicher Entsorgungsgesellschaft für Nuklearanlagen mbH (JEN) is attached. DOE-SR does not possess any documents responsive to numbers 2 and 3 of your request, listed above.

If you wish to challenge the adequacy of the search or the information withheld, you must submit a written appeal within 90 calendar days after receipt of this letter denying in part and granting in part the requested information. Written appeals should be submitted to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, L'Enfant Plaza Building, Washington, DC 20585, under 10 CFR § 1004.8, which sets forth the required elements of such appeals. Thereafter, judicial review will be available within the district in which a requester resides, has a principal place of business, in the place in which the records are situated, or in the District of Columbia. You may also submit your appeal by e-mail to OHA.filings@hq.doe.gov, including the phrase "FOIA Appeal" in the subject line.

You may contact me, DOE Savannah River Operations Office's (SR's) FOIA Public Liaison, at (803) 952-7618 or by mail at PO Box A, Aiken, SC, 29802 for any further assistance or to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA

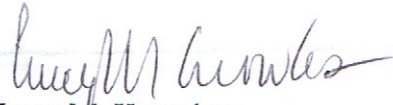
Mr. Clements

2

mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.

As Chief Counsel, DOE-SR, I am the authorizing and denying official for the documents responsive to your request. If you have any questions, please contact Ms. Jennifer Farmer at (803) 952-7813 or jennifer.farmer@srs.gov.

Sincerely,



Lucy M. Knowles
Authorizing Official

OCC: LMK:anv

WORK FOR OTHERS AGREEMENT NO. WFO-13-021

BETWEEN

SAVANNAH RIVER NUCLEAR SOLUTIONS, LLC

OPERATING UNDER PRIME CONTRACT NO. DE-AC09-08SR22470
FOR THE
U.S. DEPARTMENT OF ENERGY

AND

JEN Jülicher Entsorgungsgesellschaft für Nuklearanlagen mbH
(formerly AVR GmbH / FORSCHUNGSZENTRUM JÜLICH GmbH)

MODIFICATION NO. 5

THIS AGREEMENT MODIFICATION, entered into this the 8th day of February 2019, by and between SAVANNAH RIVER NUCLEAR SOLUTIONS, LLC, a company duly organized and existing under the laws of the State of South Carolina, and having a principal office in Aiken, South Carolina 29808 (hereinafter called "SRNS"), acting under Contract No. DE-AC09-08SR22470 with the UNITED STATES OF AMERICA (hereinafter called the "Government"), as represented by the DEPARTMENT OF ENERGY (hereinafter called "DOE"), and JEN Jülicher Entsorgungsgesellschaft für Nuklearanlagen mbH (JEN) formerly AVR GmbH / Forschungszentrum Jülich GmbH, having a principal office in Jülich, Germany. JEN will hereinafter be called the "Sponsor":

BACKGROUND

SRNS and the Sponsor have agreed that the services provided under Work for Others Agreement WFO-13-021 have created a beneficial relationship for both parties. It has been determined that it will be necessary to extend the period of performance for this Agreement in order for SRNS to complete the WFO deliverables requested by the Sponsor.

This Modification No. 5 to Work for Others Agreement WFO-13-021 is entered into and by SRNS and the Sponsor for the purpose of extending the period of performance. Specifically, Modification 5 changes the following articles as noted below:

ARTICLE II. TERM OF THE AGREEMENT

The estimated period of performance for completion of the Statement of Work (hereinafter "SOW") is sixty-two (62) months. This Agreement shall be effective as of the last date on which it is signed by all Parties hereto and shall remain in effect until 8/30/2019.

All other terms, conditions and provisions of WFO-13-021 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement Modification as of the day, month, and year first above written.

FOR UNITED STATES DEPARTMENT OF ENERGY:

Signature:



Name:

Samuel Stewart

Title:

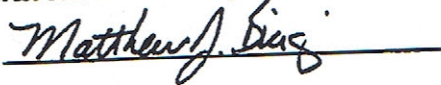
Contracting Officer for DOE-Savannah River

Date:

2-25-19

FOR SAVANNAH RIVER NUCLEAR SOLUTIONS, LLC:

Signature:



Name:

Matthew J. Biasiny

Title:

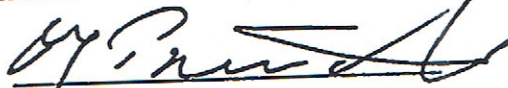
Manager, Contracts and Technology Partnerships

Date:

February 20, 2019

FOR JEN JÜLICHER ENTSORGUNGSGESELLSCHAFT FÜR NUKLEARANLAGEN mbH:

Signature:



Name:

Dipl.-Ing. Rudolf Printz

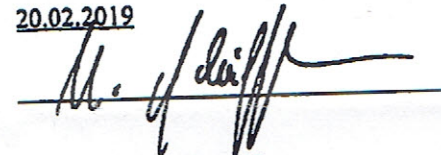
Title:

Technical Director

Date:

20.02.2019

Signature:



Name:

Ass. jur. Ulrich Schäffler

Title:

Commercial Director

Date:

20.02.2019