



July 20, 2021

Freedom of Information Officer  
NNSA Service Center  
Office of Public Affairs  
P.O. Box 5400  
Albuquerque, NM 87185-5400

**FOIA Request for Plutonium Fuel (MOX) Project "Lessons-Learned" Reviews**

To Whom it Concerns:

This is a request filed under the Freedom of Information Act, as amended. Per applicable law and Department of Energy regulations, I anticipate a response to this request within 20 days. If the requested documents are not provided within 20 days please provide the reason why and give a date by which they will be provided to me.

This request is being filed on behalf of Savannah River Site Watch (SRS Watch), a corporation duly registered with the State of South Carolina and a registered 501(c)(3) non-profit organization. In addition to many FOIAs filed on behalf of SRS Watch, I have filed many FOIA requests with DOE on behalf of other non-profit organizations, including Friends of the Earth, the Alliance for Nuclear Accountability, Greenpeace and the Nuclear Control Institute.

I request that any fees that may be associated with this request be waived. The information obtained in response to this request will be used solely for non-profit purposes in South Carolina and the United States. The information will contribute to the public's understanding of the manner in which DOE's National Nuclear Security Administration (NNSA) conducts its business and will specifically be used to inform the public and elected officials about what NNSA may have learned from the failed construction of the Mixed Oxide Fuel Fabrication Facility (MFFF) at the Savannah River Site. Over the years, I have demonstrated an ability to use information gathered via FOIA requests in a manner so as to educate the public about DOE and issues it is addressing. I request that the fee-waiver standard that has been applied to my requests in the past be applied to this request.

If any claim is made that any portion of any located documents are sensitive in nature or meet FOIA exclusions, I request that redacted copies of such documents be provided to me and that a full explanation be provided as to the reasons for any redactions. I request that documents

be provided to me as they become available to DOE staff and that the documents not be withheld until all pertinent documents are obtained.

I note that NNSA's Fiscal Year 2022 budget request states the following about close-out of the MOX project, which is about all the public knows about the final status of the MOX project: "NNSA continues transition of the stewardship and disposition of the MOX project's property, plant, equipment and records by the Management and Operating (M&O) contractor. The Department reached a global settlement agreement with MOX Services to resolve all outstanding issues before the United States Court of Federal Claims (COFC), the Court of Appeals for the Federal Circuit, and final termination of the MOX Services contract. The settlement amount was \$186 million and completed closeout nearly two years ahead of projections. The comprehensive settlement agreement resolved all legal issues with the exception of potential claims under the False Claims Act, or for any civil or criminal fraud. Final physical project termination and asset disposition remains on schedule to completed by FY 2021. Close out activities (contractual and financial) will be completed in FY 2022 with available prior year balances." (page 569)

Given that a huge amount of money was wasted on construction of the MOX building, finally halted in 2018, and that there were widespread reports of planning and construction problems since the inception of construction in 2007, it is essential that the public know what level of analysis has been conducted by DOE or NNSA concerning "lessons learned" from the failed MOX project. Such a lessons-learned report would likely review both DOE/NNSA management and contractor performance. If the requested "lessons-learned report" or something similar to it does not exist the public needs to be made aware of this, especially if such a report does not exist before NNSA attempts to convert the partially finished MOX building shell into a plutonium pit production facility for nuclear weapons.

This request applies to the US Department of Energy, DOE's National Nuclear Security Administration and any contractor that may have worked on the requested documents.

**I hereby request:**

**Any "lessons-learned report(s)" or review(s) analyzing what happened with the bungled MOX project and what can be avoid a similar boondoggle in the future;**

**Any attachments to any MOX "lessons-learned report(s)."**

Please get in touch if you have questions about this request. Please use this email for communication with me: srswatch@gmail.com. I thank you for your prompt response.

Sincerely,

Tom Clements