



September 23, 2021

Freedom of Information Officer
U.S. Nuclear Regulatory Commission
Mail Stop TWFN-6 A60M
Washington, DC 20555-0001

**FOIA Request for NRC's "Lessons Learned" Review of Regulation of
DOE's Failed Plutonium Fuel (MOX) Project**

Dear NRC Freedom of Information Act and Privacy Act (FOIA/PA) Officer,

This is a request filed under the Freedom of Information Act, as amended. Per applicable law and U.S. Nuclear Regulatory Commission 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 the U.S. Department of Energy on behalf of other non-profit organizations, including Friends of the Earth, the Alliance for Nuclear Accountability, Greenpeace and the Nuclear Control Institute. I have filed a few requests with the NRC and have never been charged for them.

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 the NRC regulated the 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 matters being regulated by the NRC. 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 NRC staff and that the documents not be withheld until all pertinent documents are obtained.

This request applies to NRC effort related to inspection and oversight of the construction of the Mixed Oxide Fuel Fabrication Facility at the U.S. Department of Energy's Savannah River Site. The MOX facility construction, which began in 2007, was authorized by the NRC and its construction was subject to NRC inspection. The MOX project was terminated by DOE in 2017 and that decision was upheld by the courts in 2018. The construction authorization to CB&I Areva MOX Services for the project was terminated by the NRC in 2019.

I note that in July 12, 2021 memo from the NRC's Division of Reactor Oversight, Office of Nuclear Reactor Regulation that was entitled "10 CFR Part 52 Lessons-Learned with Construction at Vogtle 3 & 4 and V.C. Summer 2 & 3" that a working group was established to review lessons learned by the NRC's inspection of the failed reactor construction projects at the Vogtle site in Georgia and the V.C. Summer site in South Carolina. It is unknown if a similar process was pursued to review the NRC's inspection of the MOX project.

This request applies to all NRC offices, including the "Fuel Manufacturing Branch Division of Fuel Cycle Safety, Safeguards, and Environmental Review, Office of Nuclear Material Safety and Safeguards" and the Construction Inspection Branch 2, Division of Construction Oversight in Region II in Atlanta, Georgia.

I hereby request:

- **Any "lessons-learned" review or analysis related to the NRC's inspection of the Mixed Oxide Fuel Fabrication Facility at DOE's Savannah River Site;**
- **Any charter for establishment of a working group that may have been set up to review the NRC's inspection of the MOX project;**
- **Any attachments to any MOX lessons-learned report or analysis.**

If you have any questions about this request don't hesitate to get in touch. I look forward to a timely response to this request.

Sincerely,



Tom Clements
Director, Savannah River Site Watch
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