



October 4, 2022

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

FOIA Request for Three Plutonium Fuel (MOX) Project "Lessons-Learned" Documents

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 an estimated date by which they will be provided to me.

The Freedom of Information Act states that "[e]ach agency, upon any request for records made under paragraph . . . (3) . . . shall determine within 20 [working] days . . . whether to comply with such request and shall immediately notify the person making such request of . . . such determination and the reasons therefor." 5 U.S.C. § 552(a)(6)(A)(i). "[I]n order to make a determination," an agency must, inter alia, "determine and communicate the scope of the documents it intends to produce and withhold, and the reasons for withholding any documents." *Citizens for Responsibility and Ethics in Washington v. Fed. Election Comm'n*, 711 F.3d 180, 188 (D.C. Cir. 2013).

In "unusual circumstances," an agency may extend FOIA's 20 working-day deadline by up to ten additional working days, but the agency must also provide written notice to the requester including "the date on which a determination is expected to be dispatched." 5 U.S.C. § 552(a)(6)(B)(i). Similarly, FOIA requires agencies to "provide[] information about the status of a request," "including . . . an estimated date on which the agency will complete action on the request." *Id.* § 552(a)(7)(B). DOE's regulations recognize these requirements. See 10 C.F.R. § 1004.5(d)(1) (stating that DOE will act "within 20 days of a request for DOE records being received"); *id.* § 1004.5(d)(1)(iii) (recognizing that if DOE invokes "unusual circumstances" it may "take an extension not to exceed ten days" and must provide "the date on which a determination is expected to be dispatched").



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.

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

I hereby request the following documents:

1. NNSA, APM Lessons Learned Report, 2021.

In the *Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) Project Closure Report*, November 30, 2021, on page 38 - see Attachment A for cover of this document and page 38 - the following document is mentioned as being part of Lessons Learned for the MOX project: **NNSA, APM Lessons Learned Report, 2021**. This documents is also listed at the end of the MOX Closure Report in "references," on page 60 (also attached).

2. Lessons Learned report by the "MOX-T" project (as identified below):

On the top of page 39 of the MOX Closure Report named above, it is stated that "**The MOX-T project will submit a Lessons Learned document by December 31, 2021** in accordance with the milestone listed in the statement of work document, *DNN Construction FY 2022 Implementation Plan*, Rev 0.0 dated 8/31/2021." See Attachment A for page 39.

3. **Lessons Learned document** (as identified below; this could possibly be the same item as requested in #2 above):

In another NNSA document, also entitled *Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) Project Closure Report*, with cover letter dated November 20, 2021, it is stated on the last page of that document, page 7 of 7, that: "**A complete Lessons Learned document is in development and will be provided under separate cover.**" See Attachment B for document cover and page 7.

Please get in touch if you have questions about this request. Please use this email for communication with me: tomclements329@cs.com and telephone 803-834-3084. I thank you for your prompt response.

Sincerely,

A handwritten signature in cursive script that reads "Tom Clements". The signature is written in black ink and is positioned below the word "Sincerely,".

Tom Clements



Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) Project Closure Report

September 23, 2021

**U.S. Department of Energy (DOE)
National Nuclear Security Administration (NNSA)
Savannah River Site
Aiken, South Carolina**

5.9 LESSONS LEARNED

The MOX Termination Project employed a Lessons Learned program that was procedurally implemented and executed in accordance with DOE Order 210.2A, DOE Corporate Operating Experience Program and DOE O 413.3B, Program and Project Management for the Acquisition of Capital Assets. The procedure defined the processes by which Lessons Learned were received, identified, documented, validated, and disseminated. Various sources and projects were systematically reviewed and Lessons Learned were determined applicable to the project based on the nature of the work, hazards, organizational complexities, similar projects, and trends. Some of the Lesson Learned Items are below:

- 7/23/2019: Site-wide communication was distributed regarding a construction lifting accident at Los Alamos National Laboratory that resulted in serious injuries to a subcontract employee. As a result, pre-job briefings and tailgates review of the principal safety devices, equipment and controls that are necessary to keep activities safe and enable the equipment and machinery that is used to complete tasks to perform their intended safety function. Management, workers, and oversight must then be continually mindful of, and monitoring for, the correct installation and use of the necessary safety devices, equipment and controls.
- 2/11/2020: A Special Information Notice titled "Security Reminder from an Incident of Security Concerns" was distributed to MOX-T personnel. This notice was regarding the unauthorized transmission of sensitive information. An employee failed to check the document markings in a timely manner before transmission occurred on an unclassified system. As a result, efforts were taken to ensure the employees were trained to the Classified Matter Protection and Control procedure.
- 11/13/2020: Thomas Jefferson National Accelerator Facility received suspected counterfeit N95 masks from a registered vendor. This incident was shared across SRS through the Early Warning system, Lessons Learned Program, and the Infectious Disease Response Team.
- 3/22/2021: MOX-T personnel were alerted of various Lessons Learned from the Environmental Impact Statement. The main objective of defining and describing lessons learned in the preparation of the Environmental Impact Statement for the Plutonium Pit Production at the Savannah River Site in South Carolina is to identify how to sustain strengths and improve weaknesses on future National Environmental Policy Act projects.
- 5/20/2021: Tritium Finishing Facility drafted a lessons learned document, which was distributed to MOX-T. The document discusses successes and challenges experienced during the project. Pre-job briefings and walkdowns were noted as successes, while ensuring subcontractors use and understand contract requirements for native files was noted as a challenge.

Since the inception of the MOX Services MFFF project there were 3 documents created describing the Lessons Learned. They are as follows:

- *Plutonium Disposition Program, 2014*
- *Plutonium Disposition: Observations on DOE and Army Corps Assessments of the Mixed Oxide Fuel Fabrication Facility, 2017*
- *NNSA, APM Lessons Learned Report, 2021*] ← FOIA request item # 1

MOX MFFF Closure Report

The MOX-T project will submit a Lessons Learned document by December 31, 2021 in accordance with the milestone listed in the statement of work document, *DNN Construction FY 2022 Implementation Plan*, Rev 0.0 dated 8/31/2021

FOIA request item #2

5.10 PROCUREMENT

The only active subcontracts remaining after September 30, 2021 will be for MOXnet. The listing for those subcontracts can be found in SRNS-F2000-2021-00143. All other subcontracts will be closed to material and labor. The Purchase Orders for these accounts will be financially closed in FY22 to ensure there are no more charges outstanding.

5.11 SURVEILLANCE & MAINTENANCE OF FACILITIES

The SRNS Operations & Maintenance (O&M) organization has played a key role in enhancing the facilities across the MOX complex as seen in the three activities below.

Installation of Ionizing Device to help stop the Spread of Covid-19

SRS developed a COVID-19 Response Plan, using guidance from the Centers for Disease Control (CDC) and Occupational Safety and Health Administration (OSHA), to ensure employees were protected.

It was discovered that building 706-3F had many COVID-19 symptomatic cases clustered in a single area of the 2nd floor. An investigation by the Infectious Disease Response Team (IDRT) determined that the individual air conditioning units arranged in zones had created an environment conducive to the spread of COVID-19 by recirculating the inside air. The building is equipped with over 100 of these A/C units. All occupants of the building were relocated or directed to telework until the issue was resolved. The unique autonomous set-up of the ventilation system presented an uncommon situation compared to other buildings across the site.

Management and Engineering met to determine a path to correct the issue. A work package was developed to install an ionizing device and extra filtration. The ionizing device uses an electronic charge to create a plasma field filled with a high concentration of positive and negative ions. As these ions travel with the air stream, they attach to particles, pathogens, and gases. The ions help to agglomerate fine sub-micron particles, making them filterable and eliminate pathogens by robbing them of life-sustaining hydrogen. The ions break down harmful VOCs within Electron Volt Potential under twelve (eV<12) into harmless compounds like O2, CO2, N2, and H2O. The ions produced travel within the air stream into the occupied spaces, cleaning the air everywhere the ions travel and causes the particulates to fall out of the breathing zone. This device along with an 8 MERV filter were installed in each individual A/C unit and tested to ensure the device would serve the intended purpose of allowing the return of the building occupants. This method of modifying these type units serves as a benchmark for the entire site and a significant accomplishment to combat the COVID-19 virus.

MOX MFFF Closure Report

6.0 REFERENCES

2019-NCR-39-0001, *Missing 706-3F Fire Damper and Incorrect 2hr Fire/Smoke Barrier Configuration*, dated 05/04/2019

2019-SA-004143 – *MOX Transition Emergency Preparedness Programmatic Assessment*, May 2, 2020

2020-NCR-39-0001, *Building 226-2F roof purlins code*, dated 06/02/2020

2020-NCR-39-0002, *Misc. Fire Barriers and Barrier Penetration Seals Inadequate For 2hr Fire/Smoke Barrier Configuration*, dated 12/07/2020

2021-NCR-39-0001, *Missing Fire Barrier Penetration Seals in 706-4F and 706-5F*, dated 04/27/2021

3B Property and Materials Management Manual, Procedure 5-1, Management of Government Property at Savannah River Site, Rev 8, dated May 11, 2021

41 CFR, Part 109, *DOE Property Management Regulation*

C-RPT-F-00047, *Non 226-F Facilities Technical Baseline Report*, dated October 2020

DOE G 413.3-16A, *Project Completion/Closeout Guide*, dated October 26, 2011

Email, Lance p. Nyman to Maria Gauthier-Love, *Work Authorization DN 234 19 41003-01 – MOXnet*, June 20, 2019

Manual E7, Procedure Number 1.05, *Technical Baseline Identification*, dated September 13, 2018, Rev. 11

MFFF-PLN-004, *MO Project Property Screening Plan*, March 21019

MOX Procurement Guide 98-17, *Sale of MOX Surplus Government Property*

NA-APM-21-0012, Stewart to Johnson, *Contract No. DE-AC09-08SR22470, National Nuclear Security Administration (NNSA) Direction to Maintain MOXNet Through Fiscal Year (FY) 2022*, dated July 21, 2021

NA-APM-19-0022, Cannon to MacVean, *Work Authorization No. DN 234 19 410003-00; MOX Fuel Fabrication Facility Project Termination and Transition Planning*, November 21, 2018

NA-APM-19-0094, *Transfer of MOX Project Assets to SRNS; Due Diligence Review of Contract Compliance Issues and Request for Contractual Relief*, SRNS-F2000-2019-00074, dated March 19, 2019, March 29, 2019

NA-APM-19-0100, *Contract DE-AC09-08SR22470, Work Authorization DN 234 19 41003-01, SRNS Contract Relief*, dated April 11, 2019

[NNSA, APM Lessons Learned Report, 2021] – FOIA request item #1
Plutonium Disposition Program, 2014



**National Nuclear Security Administration (NNSA)
Savannah River
Acquisition and Project Management Office (SRS APMO)**

**Mixed Oxide (MOX)
Fuel Fabrication Facility (MFF) Project Closure Report**

NNSA-MOXT-22-0001

**Cindy Brizes, FPD, MOXT
NNSA SRS APMO, NA-APM-1.4**

**Cynthia S.
Brizes**

Digitally signed by
Cynthia S. Brizes
Date: 2021.11.08
09:48:42 -0500

**Robert Leugemors, Deputy Director
NNSA SRS APMO, NA-APM-1.4**

**Robert K.
Leugemors**

Digitally signed by Robert
K. Leugemors
Date: 2021.11.08
09:54:45 -0500

**Scott C. Cannon, Director and FPD
NNSA SRS APMO, NA-APM-1.4**

The successful transition and termination of the MFFF Project is predominantly attributed to the following key facets of the project:

- Utilization of the appropriate level of project management principles in managing the work scope and a tailored approach for project closeout submittals.
- Requiring SRNS to develop and manage to an executable schedule.
- Utilizing cost benefit analysis for “first time” materials disposition strategies.
- “Thinking outside the box” vs. following nonapplicable M&O procedures.
- Establishing a teaming and collaborative environment through the Property Screening Working Group with the DOE complex, DOE OPMO, NNSA and SRNS throughout the materials disposition process.

On September 30, 2021, evidence of completion details and photographs were submitted to DOE/HQ via NNSA-APM-21-0013. Those details will be maintained as backup support and evidence of closure. Attached for additional MOXT closure reference is the MOX MFFF Project Closure Report (SRNS-RP-2021-04894).

[A complete Lessons Learned document is in development and will be provided under separate cover.]
FOIA request item #3

Attachment:
SRNS-RP-2021-04894, Revision A, Mixed Oxide Fuel
Fabrication Facility Project Closure Report, September 23, 2021