



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
P. O. Box 5400
Albuquerque, NM 87185



October 5, 2020

Mr. Tom Clements
Savannah River Site Watch
1114 Florence Street
Columbia, SC 29201
Tomclements329@cs.com

RECEIPT OF FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Clements :

This letter acknowledges the receipt of your Freedom of Information Act (FOIA) request, dated September 24, 2020 for a copy of the following:

1. Any environmental analysis, including an Environmental Assessment or Environmental Impact Statement, concerning the disposal of fresh MOX fuel at LANL in WIPP;
2. Any non-proliferation Impact assessment and security assessment prepared about disposal in WIPP or fresh MOX stored at LANL and containing weapon-grade plutonium.

Your request was received in this office on October 1, 2020.

It is the practice of the National Nuclear Security Administration, in accordance with Departmental policy, to process FOIA requests in the approximate order of the date received by this office. Your request is out for a search for responsive records. A number of requests received prior to yours are pending, and your request will be processed in turn. Please note that for fee purposes, "unusual circumstances" as defined in the Open Government Act of 2007 occur, as there is a need to search for or collect records from facilities geographically separated from this office. We will make every effort to respond to your request as quickly as possible. However, we estimate that we will not be able to provide a response in 20 working days, as we need more time to complete the search, review the record(s) for release, and prepare the response to you, as some requests, depending on the volume of records, the complexity of the search, and/or the sensitivity of the subject matter, require additional time to complete.

Due to the current events surrounding COVID-19, the agency is working with an extremely limited staff. Field offices, laboratories, and other program offices are performing mission critical work on an extremely reduced workforce. Furthermore, many of our records are located off site and require in person handling. Therefore, our FOIA process will be severely delayed and you may experience a longer delay in the processing of your request.

We thank you for your patience during these unprecedented times.

With respect to your request for a fee waiver, pursuant to 10 CFR § 1004.9 (a)(6), fees are not charged where they would amount to \$15.00 or less. We have not determined, at this time, the costs of processing your request; however, your request for a waiver will be considered if it is later determined that costs would exceed \$15.00.

If you have questions concerning the processing of your request, please contact me by email donna.delrio@nnsa.doe.gov, or write to the address above and reference Control Number FOIA 21-00001-DD

You may also contact NNSA's FOIA Public Liaison, Pamela Arias-Ortega, Office of the General Counsel, at 1-866-747-5994, or by mail at Department of Energy, National Nuclear Security Administration, Office of the General Counsel, PO Box 5400, Albuquerque, NM 87185 for further assistance and 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 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 20704, e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.

Sincerely,

Donna Del Rio

Donna Del Rio
Government Information Specialist