Friends of the Earth

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Freedom of Information Act/Privacy Act
Office of the Chief Counsel
DOE Savannah River Site

July 11, 2009

SR-09-628

Savannah River Operations Office
FOIA Requester Service Center
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Aiken, SC 29801

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Freedom of Information Act (FOIA) Request for Documents Related to Shipment of Surplus Weapons-Grade Plutonium from Hanford to Savannah River Site

To Whom it Concerns:

This is a request being filed under the Freedom of Information Act (FOIA), as amended. I am hereby filing this pursuant to the new Department of Energy (DOE) FOIA guidelines as addressed in the June 5 memo by Secretary of Energy Chu and appreciate your response to this request within 20 days.

I am filing this request as a duly authorized employee of Friends of the Earth, a legally registered non-profit environmental organization, with which I hold the title Southeastern Nuclear Campaign Coordinator. All information gathered under this request will be used for non-profit, public education purposes only, both in South Carolina and nation-wide.

I request that all fees with this request be waived given the non-profit educational and scientific use of the information. My organization and I will disseminate the information obtained under this request to the benefit of public understanding of the DOE and the plutonium disposition program and thus request the fee waiver. I and my organization have a long-demonstrated ability to analyze and disseminate information to the public and which is solely for non-profit, public interest use.

I am filing this FOIA request as the DOE has not made public the information requested. I requested confirmation from the Savannah River Site's Office of External Affairs concerning shipment of plutonium from Hanford to SRS and on July 8 received a brief e-mail message stating that shipments of non-pit plutonium "have been completed." Other than this, nothing further has been publicly released at this time, thus the need to file a FOIA request on this matter important o South Carolina and DOE's plutonium disposition program.

This request applies to the Department of Energy, the National Nuclear Security Administration (NNSA) both at SRS and in Washington, DC, the Office of Environmental Management both at SRS and in Washington, DC and to other entities at DOE's Savannah River Site. This request applies to all contractors which work under contract with DOE, NNSA, EM or SRS.

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As the plutonium shipments in question came from DOE's Hanford site, this request also applies to DOE's Richland Operations Office at Hanford and relevant contractors. I sent an e-mail request on July 10 asking for confirmation of the Richland Operations Office's public affairs office that the last shipment from Hanford had been made but have not yet received a response. Thank you for coordinating this request with the Richland Operations Office.

If any document is marked with any type of security classification, I request that public versions of such documents be released. I request table of contents and indexes of all documents if partially withheld. If DOE claims any type of national defense exemption, I request that a full explanation of such denial be made, with full citation of DOE regulations allowing such exemption.

If DOE claims to withhold documents as they are in draft form, I request a full explanation as to why such documents are not being finalized and how such withholding complies with DOE regulations. I request that any document withheld as it is in draft form be finalized and released. I request that pertinent documents from DOE to any contractor be provided and request that if there is any claim that such information is deemed to be privileged or confidential commercial information that a full explanation and documentation per DOE regulations of such withholding be made and that non-confidential versions of such documents be released. As the information being sought is strictly related to a program being administered, controlled and owned by DOE any claim of commercial information must be fully explained and justified.

The use of the term "information" in this request refers to all documents and reports in digital or written form, e-mails and attachments, recorded observations, work orders, logs and notes of phone calls, internal communication in written or electronic form, processing forms, shipping and receipt forms, examination forms and reports, scientific analysis reports, laboratory procedure forms, forms and documentation related to measurements of radioactivity, or any other method of recording data and observations per DOE regulation or instruction by supervisory personnel or investigators.

The requested information which exists in hard copy form can be provided in printed form or via a CD or DVD. I request that photos be provided in electronic form. I acknowledge that all information obtained under this request becomes part of the public record.

I request that the information be provided as it becomes available and that you do not wait until all the information is accumulated to provide it to me.

I realize that certain information requested may be of a sensitive nature, including the amount of plutonium stored in a single container. I do not regard the release of information related to the amount of plutonium shipped to be of a sensitive nature given that the last shipment has now been completed.

I maintain the right to appeal any aspect of your decisions regarding this request.

I hereby request the following information:

1. Documents related to the last shipment of U.S. non-pit surplus weapons-grade plutonium from DOE's Hanford site in Washington State to the Savannah River Site.

2. Documents related to the arrival and storage at SRS of the last shipment of non-pit plutonium from Hanford.

3. Documents reflecting the quantity of the overall amount and number of containers of non-pit plutonium shipped from Hanford and received at SRS, including the amount in this last shipment and the number of containers.

4. Documents on the shipment from Hanford and receipt at SRS of the first shipment of Fast Flux Test Facility (FTF) unirradiated fuel. This request covers any nonconformance reports (NCRs) and any "Authorization to Ship Request forms."

5. A representative sample of photos, in electronic form, of: a) the truck(s) involved in the shipment of the non-pit plutonium, b) non-pit plutonium shipping containers and storage in K-Area of those containers and c) photos of the FFTF cask(s) and transport vehicle(s).

Thank you very much for your timely attention to this FOIA request.

If you have further questions or want to discuss this request, please contact me at your convenience via telephone at 803-834-3084 or via e-mail at tomclements329@cs.com.

Sincerely,

Tom Clements

Tom Clements

cc: Robert Guild, Esq.

Morris, Alexander

From: pauline.conner@srs.gov
Sent: Wednesday, July 15, 2009 3:22 PM
To: Morris, Alexander; dorothy_c_riehle@rl.gov; Becknell, Carolyn
Subject: FOIA Request from Tom Clements, Friends of the Earth
Attachments: SR-09-028.pdf

Tom Clements asked that I forward his FOIA request to your office for processing. Based on his justification for a fee waiver, DOE-SRS plans to waive all allowable fees associated with the processing of his request.

Thanks -- Pauline