



**Savannah River Site Watch**  
**For Immediate Release**  
**July 1, 2015**

**DOE Document Confirms that German Spent Fuel Planned to be Imported to SRS Poses No Nuclear Proliferation Risk in Germany; Document Obtained Via FOIA Deals Another Blow to Import Proposal**

[DOE memo of August 1, 2013 affirming that German AVR gas-cooled reactor spent fuel poses no proliferation risk if it remains in Germany](#)

**Columbia, SC** – A key U.S. Department of Energy (DOE) memo kept secret from the public for almost two years affirms that highly radioactive spent fuel proposed to be imported from Germany to the Savannah River Site (SRS) “is not of a proliferation concern.” The memo contradicts unsubstantiated DOE claims to the public over the past year that the material posed a nuclear proliferation risk in Germany and must be brought to SRS for “disposal.”

The August 1, 2013 memo entitled “Proliferation Attractiveness of Juelich Graphite Spheres” was obtained by the public Interest group Savannah River Site Watch (SRS Watch) under a Freedom of Information Act (FOIA) request dated October 13, 2013. That it took DOE over a year and a half to provide the documents reveals that DOE’s FOIA response is poor and needs great improvement.

The memo concludes that “the material is not attractive to sub-state/terrorist entities in its current state.” This admission may well confirm, as SRS Watch has claimed, that the real proliferation risk with the proposal is the current development of a technically sophisticated reprocessing technique by Savannah River National Lab (SRNL) to remove uranium from the graphite fuel.

As DOE has attempted to sell the import proposal as being part of a key U.S. nuclear non-proliferation initiative, the August 2013 document obtained by Savannah River Site Watch (SRS Watch) under a Freedom of Information Act (FOIA) request (dated October 13, 2013) reveals that the public has been misled about the reasons for the import of the radioactive waste. The memo confirms that DOE has believed that the German material is of the lowest level of “attractiveness” for theft and diversion for clandestine nuclear explosive-related uses but has kept this information from the public.

“This memo should be the death knell for the proposal import and dump German spent fuel at SRS,” according to Tom Clements of SRS Watch. “A host of reasons not to import the spent fuel have become clear over time and DOE must do the right thing, as we have already requested, and cancel the scheme to dump this highly radioactive German waste at SRS.” SRS Watch has not received any response to letters to DOE officials, including to Jack Craig, the new SRS manager, requesting that the proposal be canceled.

Further, the memo states that the material merits the lowest security protection. The memo states that its shipment to the US is being considered due to the weak argument that DOE “does have an unofficial responsibility to assure that the material is adequately dispositioned.” DOE supplied some of

the highly enriched uranium originally in the AVR fresh fuel but has supplied far greater amounts of low-enriched uranium for nuclear fuel worldwide, none of which the US is trying to take back to the US.

Disposal of the material in Germany was the plan until 2011, when, it appears, US officials raised the idea of taking it to SRS so long as Germany paid and SRS profited. SRS Watch will continue to oppose the import to SRS but supports DOE assistance concerning methods to store and dispose of the material in Germany.

The material in question consists of about 300,000 irradiated graphite fuel balls now stored at a research facility at Juelich, Germany in 152 large storage casks. The Juelich Research Center (Forschungszentrum Juelich, FZJ) and SRS have entered into an agreement paid for by the Germans to review the importation to SRS of the difficult-to-manage waste material, used in the AVR experimental gas-cooled reactor that produced electricity from 1967-1988. DOE has proposed taking the problematic waste off German hands and bringing it to SRS, where it might undergo reprocessing (chemical separation) to remove uranium.

Though SRS is not a disposal site for such high-level radioactive waste (HLW), which is required to be sent to a geologic repository under US law, the waste or various constituents of it could be dumped into the SRS high-level waste tanks, complicating and prolonging the urgent HLW tank closure program.

The memo is yet another blow to efforts by a few Office of Environmental Management officials to bring the waste from Germany to SRS. SRS Watch earlier learned that DOE has not prepared a legal analysis of the export of the spent fuel from Germany, which is illegal under German law, nor has it prepared a “nuclear non-proliferation impact assessment” on the new reprocessing technique being developed by SRNL.

“I remain deeply concerned that DOE refuses to analyze the proliferation risk of the development of a new reprocessing technique given that it poses the greatest proliferation risk in the German spent fuel proposal,” said Tom Clements of SRS Watch. “Such inaction undermines the international nuclear nonproliferation regime.”

Preparation by DOE of a “draft environmental assessment” on the import and reprocessing of the graphite spent fuel, with waste to be left in the US, has been chronically delayed. DOE now claims that the document, originally planned to be released in December 2014, will be released in July 14. SRS Watch believe that release of the document or anytime soon is totally unrealistic given that the proposal now faces legal challenge by Greenpeace Germany before the European Union. “As long as a legal cloud hangs over the deal it won’t go forward and no draft environmental assessment will be released,” according to Tom Clements of SRS Watch.

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#### **Notes:**

**1. DOE memo of August 1, 2013 affirming that German AVR gas-cooled reactor spent fuel poses no proliferation risk if it remains in Germany**

[http://www.srswatch.org/uploads/2/7/5/8/27584045/doe\\_memo\\_on\\_no\\_proliferation\\_risk\\_of\\_avr\\_spent\\_fuel\\_august\\_1\\_2013.pdf](http://www.srswatch.org/uploads/2/7/5/8/27584045/doe_memo_on_no_proliferation_risk_of_avr_spent_fuel_august_1_2013.pdf)

**2. DOE FOIA response cover letter of June 19, 2015, on German spent fuel import issue**

[http://www.srswatch.org/uploads/2/7/5/8/27584045/foia\\_doc\\_from\\_nnsa\\_on\\_no\\_risk\\_june\\_19\\_2015.pdf](http://www.srswatch.org/uploads/2/7/5/8/27584045/foia_doc_from_nnsa_on_no_risk_june_19_2015.pdf)

**3. SRS letter to German Bundestag member Sylvia Kotting-Uhl on German spent fuel issue, with "summer 2015" target date for release of draft environmental assessment**

[http://www.srswatch.org/uploads/2/7/5/8/27584045/srs\\_letter\\_june\\_22\\_2015.pdf](http://www.srswatch.org/uploads/2/7/5/8/27584045/srs_letter_june_22_2015.pdf)

**4. DOE memo affirming that German AVR gas-cooled reactor spent fuel poses no proliferation risk if it remains in Germany**

[http://www.srswatch.org/uploads/2/7/5/8/27584045/doe\\_memo\\_on\\_no\\_proliferation\\_risk\\_of\\_avr\\_spent\\_fuel\\_august\\_1\\_2013.pdf](http://www.srswatch.org/uploads/2/7/5/8/27584045/doe_memo_on_no_proliferation_risk_of_avr_spent_fuel_august_1_2013.pdf)

**5. DOE FOIA response letter to SRS Watch, May 7, 2015, affirming that no legal analysis has been prepared on German spent fuel import to SRS**

[http://www.srswatch.org/uploads/2/7/5/8/27584045/foia\\_letter\\_no\\_doe\\_legal\\_analysis\\_may\\_7\\_2015.pdf](http://www.srswatch.org/uploads/2/7/5/8/27584045/foia_letter_no_doe_legal_analysis_may_7_2015.pdf)

**6. DOE "Nuclear Material Control and Accountability" manual, 2006, with information about material "attractiveness" and security levels**

<http://nnsa.energy.gov/sites/default/files/nnsa/inlinefiles/m4704-6c1.pdf>

**7. DOE schedule of release of environmental documents, June 15 – with the draft environmental assessment on the German import listed as being released in July 2015 - see page 22**

[http://energy.gov/sites/prod/files/2015/06/f23/StatusChart\\_June2015.pdf](http://energy.gov/sites/prod/files/2015/06/f23/StatusChart_June2015.pdf)

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