

Timothy Johnson

From: Kennedy, Albert E (GE Infra, Energy) [albertE.kennedy@ge.com] - GE
Sent: Thursday, May 07, 2009 6:54 AM
To: Brian Smith; Timothy Johnson
Cc: julie.olivier@ge.com
Subject: NDAs for ANL Subs on GLE ER Review
Attachments: Amendment_No_1_GLE+ANL_NDA_DraftA.doc

Tim/Brian,

Attached is the NDA approved by our counsel for the ANL contractors working for Christianne on our ER review. Julie has discussed the need for these with Christianne.

Please provide these to her for the ANL folks. We will need them executed prior to their arrival. If there are any issues please contact me, as Julie is out of the office until the middle of next week.

Al Kennedy
EHS Manager
GE-Hitachi Global Laser Enrichment

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Amendment Number 1
to the
Proprietary Information, Classified
Information, and Export Assurance
Agreement
between
GE-Hitachi Global Laser Enrichment LLC
and
UChicago Argonne, LLC

The parties to this Amendment are GE-Hitachi Global Laser Enrichment LLC ("**GLE**"), a limited liability company organized and existing in accordance with the laws of the State of Delaware, USA, having an office and place of business in Wilmington, NC, and UChicago Argonne, LLC, Operator of Argonne National Laboratory, acting under Prime Contract No. DE-AC02-06CH11357 with the U.S. Government ("**Recipient**"), a limited liability company organized and existing in accordance with the laws of the State of Illinois, USA, having an office and place of business in Argonne, Illinois, either or both of which shall also be hereinafter referred to as the "**Party**" or "**Parties**", respectively.

WHEREAS, GLE and Recipient entered into the Proprietary Information, Classified Information, and Export Assurance Agreement dated October 28, 2008 ("**PIA**"); and

WHEREAS, the Parties now desire to make certain changes in the definition of the Purpose of the PIA.

NOW THEREFORE, the Parties hereby agree to amend the PIA as follows:

1. The following new **WHEREAS** clause containing a revised definition of the "Purpose" shall replace the first "**WHEREAS**" clause in the PIA:

"WHEREAS, for the mutual benefit of both Parties, GLE wishes to disclose to Recipient and Recipient wishes to receive from GLE directly or indirectly via an authorized third party certain information for the limited

purposes of: (1) consulting with the U.S. Department of Energy ("DOE"), the U.S. Nuclear Regulatory Commission ("NRC"), and GLE regarding assuring compliance with International Atomic Energy Agency safeguards and protection of GLE's sensitive nuclear technology and classified information associated with the GLE-SILEX laser uranium enrichment process and (2) assisting the NRC in the review of GLE's application to the NRC for a license for the construction and operation of a full-scale uranium enrichment facility (the "**Purpose**"); and"

2. The following sentence containing a revised description of the location of the list of Recipient's employees to whom GLE's Classified Information may be disclosed shall replace the third sentence of the first paragraph of Section 6 in the PIA:

"In the case of Classified Information which GLE may disclose to individual employees of Recipient as identified by name and signature below or similarly with amendments hereto, such employees of Recipient to whom such information is disclosed shall not disclose such information to any other employee, subcontractor, or consultant of Recipient without the prior written consent of GLE and the prior execution by such other employee, subcontractor, or consultant of Recipient of an appropriate written confidentiality agreement that is at least as restrictive as the terms and conditions contained in this Agreement and is approved in writing by GLE."

Except for the foregoing amendment, all other provisions of the PIA remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this Amendment Number 1 to the PIA to be executed by its duly authorized representatives as of the last date written below.

**GE-HITACHI GLOBAL LASER
ENRICHMENT LLC**

UCHICAGO ARGONNE, LLC

By: _____

By: _____

Name: Albert E. Kennedy

Name: _____

Title: Manager, EHS

Title: _____

Date: _____

Date: _____

Employee(s) of **UChicago Argonne, LLC** to whom information will be disclosed under the PIA as amended:

Signatures below indicate only that signers have read and understand the requirements of the PIA and this Amendment Number 1 to the PIA.

Read
&
Under-
stood: _____

Name: Russell E. Nietert

Title: Nuclear Engineer

Date: _____

Read
&
Under-
stood: _____

Name: _____

Title: _____

Date: _____

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