

Kate S. Keane

PHONE: (202) 434-1641

EMAIL: KSKeane@perkinscoie.com

April 28, 2008

VIA U.S. MAIL

Kevin Hagerty  
Director, FOIA/PA Division, ME-73  
Department of Energy  
1000 Independence Ave., SW  
Washington, DC 20585

Re: Freedom of Information Act Request

Dear Mr. Hagerty:

I am writing to request records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs, pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, et seq. Specifically, I am requesting (any records) (including correspondence) (related to former Governor Mark Warner.) I ask that you construe this request broadly.

Please search responsive records regardless of format, medium, or physical characteristics. Where possible, please produce records electronically, in PDF or TIF format on a CD-ROM.

If it is your position that any portion of the requested records is exempt from disclosure, I request that you provide an index of those documents as required under Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1972). As you are aware, a Vaughn index must describe each document claimed as exempt with sufficient specificity "to permit a reasoned judgment as to whether the material is actually exempt under FOIA." Founding Church of Scientology v. Bell, 603 F.2d 945, 949 (D.C. Cir. 1979). Moreover, the Vaughn index must "describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of supplying the sought-after information." King v. U.S. Dep't of Justice, 830 F.2d 210, 223-24 (D.C. Cir. 1987) (emphasis added). Further, "the withholding agency must

<sup>1</sup>Mark Warner served as Governor of the State of Virginia from January 12, 2002 to January 14, 2006. He also served as managing director of Columbia Capital Corporation, and co-founder of Nextel Communications.

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FOIA-2008-000277

*Joan*

April 28, 2008

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supply 'a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.'" Id. at 224 (citing Mead Data Central v. U.S. Dep't of the Air Force, 566 F.2d 242, 251 (D.C. Cir. 1977)).

In the event that some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. Mead Data Central, 566 F.2d at 261. Claims of nonsegregability must be made with the same degree of detail as required for claims of exemptions in a Vaughn index. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

If any requested records are located or originated in another facility or office, please refer this request to the appropriate facility or office. In the event that this request is forwarded to another office, please inform me of the identity of the office, and the address and phone number of the office to whom you forward my request.

We are willing to pay all reasonable costs incurred in locating and duplicating these materials. Please note that we do not seek this information for any commercial use. See 5 U.S.C. § 552(a)(4)(A)(ii)(III). Also, please contact me to approve any fees in excess of \$1,000.

Please respond to this request in writing within twenty (20) working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, please provide all requested records or portions of records which are available within that time period.

If you have any questions about this request or foresee any problems in releasing fully the requested records within the twenty-day period, please contact me at (202) 434-1641. Please send the requested documents to me at 607 14th Street N.W., Suite 800, Washington, DC 20005.

Very truly yours,

  
Kate S. Keane

Rich Smith

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April 29, 2008

Department of Energy  
Director, FOIA/PA Division, ME-73  
1000 Independence Avenue, SW  
Washington, DC 20585

**FOIA REQUEST**

**Fee waiver requested**

Dear FOI Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of Supposed classified information on the discovery of huge oil reserves discovered in the early 1970's on Gull Island near Prudhoe Bay , Alaska. Supposedly our government capped the well and declared it classified information. This information is provided by Rev. Lindsey Williams who wrote a book and has several videos out discussing this issue. I want to verify what he said is true, if not I want to know what is true!

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. I am a American citizen I want to know the truth!

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

*Rich Smith*

FOIA-2008-000278

*Brenda*

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Cell :

The Chief Freedom of Information Officer  
U S Department of Energy  
1000 Independence Avenue, SW  
Room 1G-051  
Washington, DC 20585

April 28, 2008

Dear DOE,

(1) Under the freedom of Information Act I am requesting the Notes from the Criticality Engineering Department on Rocky Flats, Building 702 outside the X Y Retriever in the overhead (on) approximately five times that we had to call them in to determine as to weather I could start work on (repairing the conveyor line between Modules without causing a Criticality) and killed us all because of a wrong move. I want under the FOI Act the amount of Radiation (Neutron) that was determined to be not close enough to Criticality that I could do my work of repairing the conveyor line, which was a long process. I want the amount of Radiation emitted onto the Criticality Engineer's Ludlum Instrument on all the times they were called to perform this task for me to begin to work. I also want to know what amount of Radiation they calculated as coming through the glass to go through the worker, Me, that I was subjected to during the long hours repairing this conveyor line in the hall overhead just outside the X Y Retriever passed the X Y Shuttle. This amount of figures is what I am looking for with the FOI Act. Thank you for expediting this request with the utmost speed.

(2) Under the FOI Act I want the calculations for the amount of Plutonium that was recovered from the Duct work In Building 881 that was found at the beginning of that building tear down that was in the Duct Work from the 50's to the reclamation of the material. Being that this material was not protected from us or us from it the amount of exposure each and every one of us that worked in that building from the inception to the reclamation of the Plutonium and all the calculations for an Individual assigned to that building during 60+ years. Under the FOI Act I request this post hast also seeing that you have had many years to do these calculations. I will contact you in the near future for more information along these lines under the FOI Act but will give you a short time for you to reply to these two issues. Thank you for replying to me in a timely manner. In case you get lost my tracking # 7458 is here for your benefit for a second time. I am expecting notification from you all within 10 day's.

Sincerely,

CC: Lamar Alexander, Bob Corker, Terrie Berrie, others in Colorado

FOIA-2008-000279



**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 08, 2008 12:23 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name ( Sue Visser )

Organization: Stratus Consulting

Address:

1881 9th Street, Suite 201  
Boulder CO 80302

Phone: 3033818260

FAX:

Email: svisser@stratusconsulting.com

Record Description:

I am looking for the following paper:

Cummings, R.G. et al. 1996. [ The Value of the Global Environment: A Cross-Cultural Analysis Employing the Contingent Valuation Methodology in Support of Integrated Policy Analysis. A Final Report to the Global Climate Change Research Program, Office of Energy Research, U.S. Department of Energy. ]

Preferred Form or Format: .pdf if possible

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 30.00

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000280

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**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 07, 2008 7:35 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: ^

Organization:

Address:

Phone:

FAX:

Email:

Record Description:

Re: (Employment at Oak Ridge Reservation Sites, Oak Ridge, TN)

Employee:

DOB:

SSN:

Badge: -

Location	Employment Dates
Y-12	6-20-1979 to 9-20-1979
X-10, K-25 and Y-12	9-6-1989 to 3-31-1997

Records Needed:

All buildings where I had offices or spent significant amounts of time during these periods of employment.

Current copy of the list of all buildings at X-10, Y-12, and K-25 in Oak Ridge, TN that are known to be contaminated by the following toxic substances:

lead and lead compounds, mercury, arsenic, lead arsenate, arsenic, ionizing radiation, asbestos (pipe wrap, asbestos board), uranium, depleted uranium, silica (sand blasting, masonry, concrete), mold, fiberglass/glass wool/mineral fibers

All information gathered by the relevant US Government Departments for the purpose of assessing my EEOICPA Subtitle B and E claims including all of my related dosimeter readings

I ask that my request receive expedited processing because it has been over seven years since the EEOICPA entitlement provisions were overwhelmingly approved by the members of Congress on October 30, 2000. An amendment — Public Law 108-375 — was approved by the members of Congress in October 2004. My health continues to deteriorate.

I am disabled receiving only Social Security Disability Income. I am prepared to pay normal search and copying fees up to \$50.00. If fees exceed \$50.00, please advise.

However I am requesting a waiver of all fees relative to my discovery requests under 5 U.S.C. Section 552(a)(4)(A)(iii) and 10 CFR 1004.9(a)(8), which state that you may waive

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fees " if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." My request clearly meets these requirements. I further ask, in the event that fees are not waived, that you inform me of the specific basis for such a decision.

I appreciate your help in obtaining this information. Should you need further information concerning my employment or this request, I would appreciate your immediate attempts to contact me in order to expedite this request. I look forward to hearing from you within the 20 working days stipulated by law.

Preferred Form or Format: pdf

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

Subject involves operations and activities of the government

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

Information disclosed is likely to contribute to the understanding of DOE

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

Information will be provided to the Dept. of Labor.

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

Information will likely contribute significantly to the public understanding of government operations or activities.

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

I am disabled receiving Social Security Disability Income and have NO commercial interests.

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

The disclosed information is NOT in my commercial interest.

Expedited Processing:

Specific Justification for Expedited Processing:

I am requesting a waiver of all fees relative to my discovery requests under 5 U.S.C. Section 552(a)(4)(A)(iii) and 10 CFR 1004.9(a)(8), which state that you may waive fees " if disclosure of the information is in the public interest because it is likely to

contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." My request clearly meets these requirements. I further ask, in the event that fees are not waived, that you inform me of the specific basis for such a decision.



**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 08, 2008 6:10 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name (alfred de falco jr.)

Organization: first western resources inc.

Address:

5025 n. central ave. #563 phoenix, az. 85012

Phone: 8179132552

FAX: 6026500976

Email: .

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Record Description:

(doe-rmb 2084 diamond drilling, sierra ancha mountains, gila county, arizona; general session#8ns-070-96-0026 file#04.21.175 box 4)

Preferred Form or Format: any

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay all applicable fees.

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000282

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**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 08, 2008 5:16 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: ainsley perrien  
Organization: personal  
Address:

Phone:  
FAX:  
Email:

**Record Description:**

Please provide for me any and all materials but not limited to documents, speeches and other materials the agency may have in it's possession relating to the May 21-22 1998 Conference held at the Renaissance Hotel in Washington DC given by the US Azerbaijan Chamber of Commerce

Preferred Form or Format: hard copy and any recordings or video tapes

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 200.00

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000283

*Filed*

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**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 07, 2008 12:45 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (James A Behanna )

Organization: ANTECH Corporation

Address:

9050 Marshall Court  
Westminster, CO. 80031

Phone: 3034308184

FAX: 3034308215

Email: behanna.jim@antechcorp.com

Record Description:

I am reseaching a set of (chemistry standards developed by the Chemistry Standards Laboratory at the Rocky Flats Environmental Technology Site.) I am seeking (any archived data or paperwork regarding) these standards from the laboratory to check certification and physical description. I have the list of standards that needs the research, I will also require directions on obtaining or using the archives.

Please contact me at behanna.jim@antechcorp.com <mailto:behanna.jim@antechcorp.com> , I would appreciate the any information that will help my reseach.

James Behanna  
ANTECH Corporation  
9050 Marshall Court  
Westminster, Co. 80031  
Phone No.: 303-430-8184  
Fax No.: 303-430-8215

Preferred Form or Format: html

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

DOE project in Oak Ridge, TN

Expedited Processing:

Specific Justification for Expedited Processing:

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FOIA-2008-000284

**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 07, 2008 3:05 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: Mrs. Rajitha Uppalli

Organization: FedSources, Inc.

Address:

8400 Westpark Dr, 4th floor, McLean, VA 22102

Phone: 7036108745

FAX:

Email: uppallir@fedsources.com

Record Description:

I would like to request all clearly releasable copy of [contract # DE-AD52-05NA27099] including statement of work.

The POC is Dorothy Black at NNSA.

Preferred Form or Format: Electronic Format

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 75

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000285

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**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Friday, May 09, 2008 5:21 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: [Russ Kick]

Organization: The Memory Hole

Address:

Russ Kick

Phone:

FAX:

Email:

Record Description:

Under the Freedom of Information Act, I request [electronic copies (PDF format) of the following documents listed on this page of the DOE Website]:

[ "FOIA Reading Room Document Listing" ]  
[www.management.energy.gov/FOIA/952.htm]

Under section a(3)(B) of the FOIA, an agency must provide records in electronic format, particularly if the records already exist in that format.

Preferred Form or Format: PDF

Type of Requester (if provided):

A representative of the news media affiliated with The Memory Hole and the request is made as part of news gathering and not for commercial use.

Type of Media (if provided):

Other: Website

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

Based on the titles, all of these documents relate directly to the DOE's activities.

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

As these documents were selected to be in the DOE's own reading room, they likely are highly informative.

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the

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SCIENTIFIC/EDUCATIONAL NEWS MEDIA  
-100 FREE PAGES

information to the public in a form that can further understanding of the subject matter.

I will be posting all of these documents on my Website, highlighting certain ones and providing excerpts from some. It seems that these documents should already be posted on the DOE's Website, as many others are, so a private individual posting these is a public service.

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

Making these DOE-selected documents easily available would de facto increase public understanding of the DOE's activities.

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

I have no commercial interest. The documents will be made available for free on my Website. The only money my Website garners is donations from individual readers.

Expedited Processing:

Specific Justification for Expedited Processing:

**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Monday, May 12, 2008 11:30 AM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name (David Fitch)

Organization:

Address:

Phone: :

FAX:

Email:

Record Description:

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(Drawings showing external dimensions and Photographs) (Color or Black & White) (showing external views of assembled unit, and exterior surface details) (Bolts, Rivets, Weld Lines, Panels, etc.) (of the Standard Firing / De-Spin Unit, as used on the SANDIA) (THIOKOL) (TE-416 TOMAHAWK Sounding Rocket) specifically units similar to the Standard Firing / De-Spin Unit, as used on Nike-Tomahawk 18.26 IA, launched from Wallops Island, VA on September 7, 1966. THOKOL Chemical Corporation drawing # R-01707 is useful as a clarification point for the data being requested. This data is being requested to facilitate construction of a precision scale model, showing external details only, of the unit in question.

Preferred Form or Format: printed or electronic

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 50.00

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000287

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**Morris, Alexander**

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**From:** CIO WEBMASTER  
**Sent:** Friday, May 09, 2008 10:47 AM  
**To:** Morris, Alexander  
**Subject:** FW: document search

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"COMMERCIAL" SEARCH, REVIEW & REPRODUCTION

Would this be a FOIA?

Suzanne

p.s. have you tested the form? It was a network problem - they changed switches and the server hosting the form got left off the new directional listing. It's fixed now. :)

-----Original Message-----

**From:** Tara Parker [mailto:tparker@wrassoc.com]  
**Sent:** Friday, May 09, 2008 10:16 AM  
**To:** CIO WEBMASTER  
**Subject:** document search

I am trying to find a document that was filed with the Department of Energy, it is an Interconnection Agreement between the Michigan Companies (Consumers Power Company/The Detroit Edison Company) and Ontario Hydro, dated 01-29-1975. It was also amended and filed w/you on 2-22-1991. I can't find any database on your site to search for this. Does such a place exist? If not, how can I get these documents?

(Tara K. Parker-Johnson)

Whitfield Russell Associates

4232 King Street

Alexandria, VA 22302

Phone-703-894-2200

Fax- 703-894-2207

Chri

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This e-mail message is confidential, intended only for the named recipient(s) above and may contain information that is privileged or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender at (703) 894-2200 and delete this e-mail message from your computer. Thank you.  
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FOIA-2008-000288



**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Monday, May 12, 2008 8:37 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

MAY 13 2008 03

Name: Tim Evans

Organization: Fisher Scientific

Address:

2000 Park Lane  
Pittsburgh, PA 15275

Phone: 4124903372

FAX:

Email: tim.e.evans@thermofisher.com

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Record Description:

Please provide Total Spend by vendor for all Laboratory Products (consumables, equipment, instruments, chemicals)

If possible please provide a breakdown of spend by each National Lab.

Preferred Form or Format: Excel

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay all applicable fees.

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-000289



**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Tuesday, May 13, 2008 2:51 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name (Dennis Patterson)

Organization:

Address:

Phone:

FAX:

Email:

Record Description:

DOE Office of Hearings and Appeals issued a Report of Investigation on a 708 complaint filed by . The report was issued approximately April 2002. My name was called out in the report: I respectfully request a copy of the Report of Investigation.

Preferred Form or Format: word document or pdf file

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I agree to pay all applicable fees.

Expedited Processing:

Specific Justification for Expedited Processing:

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FOIA-2008-000290

Chmi



# Project On Government Oversight



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MAY 14 2008 02

May 13, 2008

FOIA Officer  
U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, DC 20585  
[FOIA-CENTRAL@hq.doe.gov](mailto:FOIA-CENTRAL@hq.doe.gov)  
phone: 202-586-5955

Re: Freedom of Information Act Request

To Whom It May Concern:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552. Please provide the following, incrementally, and as documents become available:

1. The (final draft of the contract closeout of the University of California Contract with the U.S Department of Energy for the management oversight of the Los Alamos National Laboratory (W7405ENG36).)
2. The results of the settlement for the suspension of work at Los Alamos National Laboratory, and the costs of that stand-down, that was directed on July 16, 2004.
3. Results of all DOE IG cost-incurred audits that were performed in conjunction with the settlement for the July 16, 2004 suspension of work.
4. Results of all DOE IG cost-incurred audits for 2003-2006.
5. Any questionable and unallowable costs that the University of California would have to reimburse to the U.S Department of Energy for the management oversight of the Los Alamos National Laboratory:
  - a. by year for 2003-2006; and
  - b. if it is the result of a DOE OIG Cost Incurred Audit.

I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records will further the "public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest" of the requester, the Project On Government Oversight (POGO).

Specifically, POGO intends to use the requested records in its ongoing research into U.S. nuclear weapons sites. There have been numerous media accounts and Inspector Generals' reports on cost overruns and security concerns within the U.S. nuclear complex. POGO seeks to find out what exactly has been done by the DOE to resolve these matters. POGO will publish these findings in a report. POGO provides a valuable public service by taking an independent look at

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how the government spends taxpayer dollars and what can be done to make the system more effective, efficient, accountable, and honest.

All POGO reports include government reports, documents, and other resources to allow the public better understand how the federal government operates. POGO has established a niche in informing the general public, either through its own publications and web site or through media outlets. The insights gained from this request will be available to the public so that they can see how the government is meeting its mission to provide essential services to the American public and thereby substantially increase the public's knowledge of the operations or activities of the government.

Founded in 1981, POGO is an independent nonprofit that investigates and exposes corruption in order to achieve a more accountable federal government. POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives 125,000 visitors (of which 32,000 are first time visitors) and 280,000 page views per month. The information provided by the agency will be used for the following activities: publication by email and on our website; publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to educate Congress, the Executive Branch, and other policymakers in Washington, DC; or investigational projects conducted in conjunction with the news media.

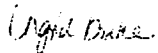
If this request is denied in full or in part, please cite the exemptions pursuant to 5 U.S.C. § 552(b) that justify the denial. If an exemption applies, however, please consider exercising the agency's discretionary release powers to disclose the records.

Additionally, please release all reasonably segregable portions of the records that do not meet an exemption. Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this subsection as stated in 5 USC 552(b) under (9): "The amount of information deleted, *and the exemption under which the deletion is made*, shall be indicated on the released portion of the record, unless including that indication would harm an interest protected by the exemption in this subsection under which the deletion is made. If technically feasible, the amount of the information deleted, *and the exemption under which the deletion is made*, shall be indicated at the place in the record where such deletion is made."

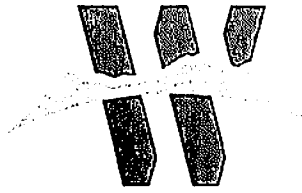
I can receive these materials digitally and/or paper copies at the following addresses: [idrake@pogo.org](mailto:idrake@pogo.org), or by mail Ingrid Drake at the Project On Government Oversight, 666 11<sup>th</sup> St. NW, #900, Washington, DC 20001.

Thank you for your cooperation in this matter.

Sincerely,



Ingrid Drake  
Fellow



Northwest  
Eugene, Oregon

Southwest  
Taos, New Mexico

Northern Rockies  
Helena, Montana

Southern Rockies  
Durango, Colorado

Defending the West

www.westernlaw.org

## Western Environmental Law Center

MAY 14 2008 03

*Sent Via Email and Certified Mail*

**OTHER - 2 HOURS SEARCH FREE, 100 FREE PAGES**

May 9, 2008

Carolyn Becknell  
Freedom of Information Act Officer  
Albuquerque Service Center  
U.S. Department of Energy  
P. O. Box 5400  
Albuquerque, NM 87185-5400  
[cbecknell@doeal.gov](mailto:cbecknell@doeal.gov)

Freedom of Information Act Officer  
United States Department of Energy,  
1000 Independence Avenue, SW  
Washington, DC 20585

### Re: AMIGOS BRAVOS FREEDOM OF INFORMATION ACT REQUEST

Dear Ms. Becknell and Freedom of Information Act Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and relevant Department of Energy ("DOE") regulations set forth in 10 C.F.R. part 1004, Amigos Bravos (via counsel), hereby requests the following information relating to DOE activities at Los Alamos National Laboratory ("LANL"):

1. Federal Facility Compliance Agreement ("FFCA")<sup>1</sup> Quarterly Reports for 2005, 2006, 2007, and 2008, as well as any reports, memoranda, and/or correspondence (including electronic mail messages) relating to those reports. )
2. Any and all reports that show water screening action level ("wSAL") exceedances in 2006, 2007 and 2008, as well as any memoranda, and/or correspondence (including electronic mail messages) relating to those reports.

<sup>1</sup> Federal Facility Compliance Agreement entered into by DOE and the Environmental Protection Agency on February 3, 2005.

FOIA-2008-000298

## **FEE WAIVER REQUEST**

Amigos Bravos requests a fee waiver for this FOIA request. Public interest fee waivers are mandatory; that is, they “shall be furnished” upon a showing that disclosure furthers the “public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor.” 5 U.S.C. § 552(a)(4)(A)(iii). This *prima facie* showing is not intended to be a difficult one to satisfy; a requester meets this burden in situations in which “[t]hey identified why they wanted the administrative record, what they intended to do with it, to whom they planned on distributing it...” *Friends of the Coast Fork v. BLM*, 110 F.3d 53, 55 (9th Cir. 1997). Amigos Bravos’ request satisfies this test, and therefore Amigos Bravos qualifies for a fee waiver under FOIA.

### **A. Amigos Bravos’ request will contribute significantly to public understanding of Los Alamos National Laboratory’s discharges to the canyons around LANL and the Rio Grande.**

Pursuant to 10 C.F.R. section 1004.9(a)(8), the Department of Energy (“DOE”), like many other federal agencies, employs a four part test to determine whether the requested information is likely “to contribute significantly to public understanding.” Recent case law suggests that the public interest exception should be viewed in an expansive manner. *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1315 (D.C. Cir. 2003). Amigos Bravos herein addresses each of the factors listed under section 1004.9(a)(8). As shown below, Amigos Bravos should be granted a fee waiver.

#### ***1. The subject of the request. Components should analyze whether the subject matter of the request involves issues which will significantly contribute to the public understanding of the operations or activities of the Government.***

Amigos Bravos request will contribute significantly to the public understanding of DOE activities at Los Alamos National Laboratory (“LANL”). In particular, Amigos Bravos is seeking information regarding DOE’s clean up of decades of pollution at LANL. The New Mexico Environment Department (“NMED”) estimates that approximately 2,093 dump sites have been created since the Lab began operating in the early 1940s. While some of these sites have been cleaned up or are in the process of being cleaned up by LANL, many continue to discharge contaminated storm water. Amigos Bravos seeks information about this pollution and any discharges to waters in and around LANL. In particular, Amigos Bravos would like information regarding any exceedances of water quality standards, monitoring reports, and information regarding methods DOE, and/or its contractors, uses to monitor such discharges. This information will contribute significantly to public understanding of DOE’s efforts, or lack thereof, to control pollution at LANL.

#### ***2. The informative value of the information to be disclosed: whether the disclosure is “likely to contribute” to an understanding of government operations or activities.***

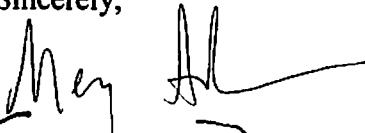
As explained above, the information Amigos Bravos requests will help Amigos Bravos, and the public, to understand what DOE is doing to control pollution at LANL, and whether those efforts

extent that DOE can do so, that Amigos Bravos be furnished with electronic copies of the above documents in addition to paper copies.

Pursuant to 5 U.S.C. section 552(a)(4)(A)(iii) and 10 C.F.R. section 1004.9, Amigos Bravos hereby requests a fee waiver for all copying costs, mailing costs, and other costs related to locating and tendering the documents, in accordance with the attached fee waiver request.

Please contact me with any questions about this request at (575) 751-0351 or [anderson@westernlaw.org](mailto:anderson@westernlaw.org). Thank you for your prompt attention to this matter.

Sincerely,



Megan Anderson

3. Any and all monitoring reports issued pursuant to FFCA paragraphs 10, 13-16, and 18-23, including both monitoring at a watershed basis, and sampling near specific sites on a rotating basis. If this monitoring has been modified by a subsequent Storm Water Pollution Prevention Plan ("SWPPP"), Storm Water Monitoring Plan ("SWMP"), or other document, please provide reference to the applicable provision of the document modifying these monitoring requirements.
4. The SWPPPs and/or annual or other updates to the SWPPPs for 2006, 2007, and, if available, for 2008. If the SWPPP for 2008 is not yet available, please provide it when it is available.
5. The SWMPs and/or annual or other updates to the SWMP for 2006, 2007, and, if available, for 2008. If the SWMP and/or annual update to the SWMP for 2008 is not yet available, please provide it when it is available.
6. Any and all information regarding the monitoring equipment, including but not limited to collection mechanisms, sampling containers, and quality assurance and quality control (QA/OC) procedures for that equipment, that DOE and/or its contractors have used and/or use at LANL to collect and test water samples at LANL and discharging from LANL, and as well as any reports, memoranda, and/or correspondence (including electronic mail messages) relating to that equipment and any changes to that equipment.
7. Any and all maps which include the 1300-plus Storm Water Management Units ("SWMUs"), Areas of Concern ("AOCs"), and Site Monitoring Areas ("SMAs"), gage stations, with all drainages and wastewater outfalls marked. In particular, we have been told there is a map which labels all SWMUs, AOCs and SMAs so that it is clear which sites are included in LANL's individual NPDES permit application and which are not.
8. Any and all requests for modification to the requirements of the FFCA and any and all responses from EPA regarding such requests.
9. LANL's most recent Notice of Intent to be covered by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
10. Any and all reports about spills or releases of contaminants at LANL in 2006, 2007 and 2008, as well as any memoranda, and/or correspondence (including electronic mail messages) relating to those reports.
11. Any and all Discharge Monitoring Reports ("DMRs") completed pursuant to the MSGP in years 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008.

Pursuant to DOE regulations, 10 C.F.R. section 1004.5, DOE is to identify documents responsive to this request and prepare a written response granting or denying this request within ten working days from the date DOE receives this request. We request that to the



are successful. In particular, the monitoring reports will show whether DOE's present operations are controlling pollution at LANL or whether that pollution is continuing to escape the site into the surrounding watersheds. Information regarding DOE's collection and testing methods will allow Amigos Bravos to see if DOE is using the most up-to-date scientific methods to record contaminants in discharges from the site. Any maps will help Amigos Bravos and the public understand where the various sites are located in relation to collection stations and watersheds. The information is therefore likely to contribute to an understanding of DOE's operations or activities to control and eliminate pollution at and around LANL.

*3. The contribution to an understanding by the general public of the subject likely to result from disclosure.*

This request is made by Amigos Bravos, a 501(c)(3) river conservation organization dedicated to protecting the Rio Grande Watershed and its tributary watersheds, including the many tributaries at and around LANL. Amigos Bravos works intensively with community groups, landowners, organizations, and individual activists to protect New Mexico's shared natural and cultural heritage by, *inter alia*, creating grassroots networks, providing technical, policy, and organizational assistance, and serving as a clearinghouse of information for organizations and individuals concerned with the Rio Grande Watershed.

To this end, Amigos Bravos manages a website – [www.amigosbravos.org](http://www.amigosbravos.org) – and publishes a newsletter that is distributed to Amigos Bravos' approximately 1,600 members. Amigos Bravos also integrates its advocacy work with media efforts, actively working with the press through press releases and other forums to bring the public's attention to water quality issues throughout the Rio Grande Watershed. Amigos Bravos also produces, in coordination with Cultural Energy, a monthly radio show, Radio Rio, broadcast throughout New Mexico and southern Colorado on KRZA and KUNM. Amigos Bravos complements this effort with substantive fact sheets, action alerts, and press releases that are publicly disseminated through physical (hard copy) distribution, electronically (via email lists), through outreach and education events, and through Amigos Bravos' aforementioned website ([www.amigosbravos.org](http://www.amigosbravos.org)).

Specifically pertaining to Los Alamos National Laboratory: Amigos Bravos has helped to organize educational meetings about pollution at LANL; published numerous articles about the Clean Water Act permitting process and contaminants in discharges from LANL in Amigos Bravos' newsletter; created and disseminated fact sheets about contamination at LANL; presented at several conferences; produced three radio shows focused entirely on LANL issues; sent action alerts to our membership with information about public meetings and draft permits; and hosted several press conferences on permitting and contamination at LANL.

Once the requested records are disclosed, Amigos Bravos intends to review and analyze the records and infuse the results of this review and analysis into its above-described advocacy efforts. This will assist Amigos Bravos' efforts to illuminate long-standing water quality and watershed issues implicated by DOE's operations at LANL. Amigos Bravos also intends to ensure that DOE is complying with its legal obligations to assess and address water quality and watershed concerns arising from decades of pollution at LANL. Once reviewed and analyzed, the disclosed agency records will be retained in Amigos Bravos' publicly-accessible library housed in its Taos Office.

Amigos Bravos' advocacy efforts demonstrate that disclosure of the requested agency records – which pertain to the operations and activities of a public agency, DOE – will serve the public interest. As discussed, these advocacy efforts run the gamut from organizing, to research, to media, to education, to litigation. In fact, these efforts, consistent with Amigos Bravos' status as a 501(c)(3), are expressly designed to serve the public interest. These efforts, as clearly demonstrated above, are not conducted in a vacuum but, instead, intentionally and actively conducted hand-in-hand with the broader public. Whether by creating and participating in grassroots networks around water quality and watershed issues; using technical, policy, and organizational research and assistance with allied organizations; developing collaborative projects with state and federal agencies; serving as a clearinghouse of information; engaging in media efforts, including press releases, websites, newsletter articles, and Radio Rio; or conducting outreach and education efforts will result in the dissemination of information and knowledge to the broader public.

*4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.*

Amigos Bravos' demonstrated capacity to address water quality and watershed issues in New Mexico is exemplified by its instrumental role in organizing and leading watershed restoration activities in the Upper Red River Watershed, the designation of the waters of the Valle Vidal as an Outstanding National Resource Water, the similar designation of the Rio Santa Barbara, previous litigation against the Forest Service to assess and protect several rivers within the Valle Vidal to preserve their potential inclusion into our Nation's Wild and Scenic River System, the protection of the Valle Vidal Unit from the threat of coalbed methane leasing and development, ongoing efforts to hold Molycorp accountable for water quality and watershed degradation, and a host of other successful efforts. Many of these efforts – in particular the Valle Vidal advocacy efforts – would have been compromised but for Amigos Bravos' ability to obtain agency records through FOIA.

Amigos Bravos intends to use this demonstrated capacity to further address water quality and watershed issues in the Rio Grande watershed. This work will therefore contribute significantly to the public's understanding of water quality and watershed issues in the Rio Grande. Once obtained any and all records will be reviewed and analyzed and the results of that review and analysis will be disseminated to local communities, environmental organizations, and other interested persons and organizations working on issues relevant to DOE's management of LANL and, more broadly, how that management impacts the Rio Grande watershed, ecosystems, and communities.

**B. Amigos Bravos' request is not in the commercial interest of the requestor.**

In addition to showing that the requested records will contribute significantly to the public understanding of government operations, Amigos Bravos must show that the request is "not primarily in the commercial interest of the requestor." To do so, Amigos Bravos must demonstrate (1) whether the requestor has a commercial interest that would be furthered by the requested disclosure, and (2) the primary interest in disclosure: whether the magnitude of the identified commercial interest of the requestor is sufficiently large, in comparison with the public

interest in disclosure, that disclosure is “primarily in the commercial interest of the requester.” As explained below, Amigos Bravos does not seek the requested information for any commercial interest, and thus qualifies for a fee waiver.

*1. Whether the requester has a commercial interest that would be furthered by the requested disclosure.*

Amigos Bravos has no commercial interest that would be furthered by the requested disclosure. Amigos Bravos, as stated, is 501(c)(3) nonprofit organization. Amigos Bravos’ interest in obtaining this information is based solely on its interest in furthering the public interest and informing the public-at-large about DOE management of LANL and the impacts of that management to the Rio Grande watershed, ecosystems, and communities.

*2. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is “primarily in the commercial interest of the requester.”*

Because Amigos Bravos has no commercial interest in disclosure, and rather has only a significant public interest in the information, as detailed above, the disclosure cannot possibly be in the commercial interest of the requester.

In sum, Amigos Bravos is entitled to a fee waiver pursuant to DOE regulations and FOIA.

**Morris, Alexander**

---

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 15, 2008 8:08 AM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (John Hobbs)

Organization: United States Enrichment Corporation

Address:

5600 Hobbs Road  
Paducah, KY 42002

Phone: 2704416603

FAX: 2704416024

Email: hobbsjr@pgdp.usec.com

Record Description:

(OAS-L-05-08, June 2005, Department of Energy's Implementation of its Chronic Beryllium Disease Prevention Program)

Preferred Form or Format: Electronic (pdf)

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

DOE Implementation of 10 CFR 850

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

Understanding of DOE intentions

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

Internal use only

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

Low significance

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

FOIA-2008-000294<sup>1</sup>

Sheel

MAY 15 2008 01  
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Potentially significant commercial interest

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

Primarily commercial interest

Expedited Processing:

Specific Justification for Expedited Processing:

**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 14, 2008 3:26 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: [Joel Ray ]

Organization:

Address:

Phone:

FAX:

Email: .

Record Description:

I simply want to know the yearly award fee totals paid to WSRC partner companies at SRS for 2005, 2006, and 2007.]

I have inquired thru WSRC with no results.

They obviously do not want to publicize this info. As a taxpayer, I have a right to know.

Preferred Form or Format: email is fine

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

yes

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

yes

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

yes

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

yes

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FOIA-2008-000295

Joel

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so  
none

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

personal only

Expedited Processing:

Specific Justification for Expedited Processing:

**Marriott**  
HOTELS & RESORTS

May 6, 2008

Dept. of Energy

1707 H St. NW

Rm. 100

Washington, DC 20585

MAY 15 2008 03  
"COMMERCIAL" SEARCH, REVIEW & REPRODUCTION

Dear Sir or Madam:

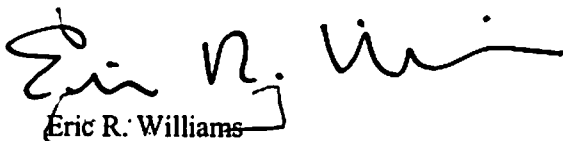
I am seeking copies of any purchase order(s) and/or contract(s) which exist between Dept. of Energy and any lodging facility in Los Angeles County, California between the dates of January 1, 2003 and April 30, 2008.

I am seeking these records to assist me in determining the individuals and departments within each agency who are involved and influential in planning meetings and/or making travel arrangements. As an Account Executive responsible for our government sales, I believe that by identifying those personnel involved with meeting planning and travel I will be able to minimize my contact with your busy employees who are not involved with this process.

I understand that I will be charged for the research and copies of these documents.

Thank you for your time and attention. Should you have any questions, I can be reached at (424) 228-5065 or at [eric.r.williams@marriott.com](mailto:eric.r.williams@marriott.com)

Sincerely,



Eric R. Williams  
Senior Account Executive  
Marriott Los Angeles Market Sales

FOIA-2008-000296

Torrance Marriott  
3635 Fashion Way, Torrance, CA 90503  
Telephone (310) 316 3636 Facsimile (310) 543 6076  
[Marriott.com/LAXTR](http://Marriott.com/LAXTR)





**Morris, Alexander**

---

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 15, 2008 1:21 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: Kerianne R. Steele

Organization: Weinberg, Roger & Rosenfeld

Address:

1001 Marina Village Parkway, Suite 200  
Alameda, CA 94501

Phone: 5103371001

FAX: 5103371023

Email: ksteele@unioncounsel.net

Record Description:

Any Proxy Agreement(s), and any legally binding amendment(s) thereto, entered into by The Wackenhut Corporation for the purpose of insulating Wackenhut Services, Inc. from foreign ownership, control or influence (FOCI), which may include a "Proxy Agreement With Respect to Capital Stock of Wackenhut Services, Inc." executed in May 2002 (and possibly signed by a representative from the U.S. Department of Energy's Office of Security).

Preferred Form or Format: .pdf (electronic)

Type of Requester (if provided):

A representative of the news media affiliated with n/a and the request is made as part of news gathering and not for commercial use.

Type of Media (if provided):

Other: n/a

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 200.00

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

n/a

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

n/a

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

n/a

4. The significance of the contribution to public understanding: Whether the disclosure is

*[Handwritten signature]*

MAY 15 2008 04  
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likely to contribute "significantly" to public understanding of government operations or activities.

n/a

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

n/a

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

n/a

Expedited Processing:

Specific Justification for Expedited Processing:

n/a

**Morris, Alexander**

---

**From:** Martin, Adrienne  
**Sent:** Thursday, May 15, 2008 3:19 PM  
**To:** Morris, Alexander  
**Subject:** FW: FOIA request, Penn State complaint

Hi Chris,

A new FOIA request for the OIG. Please log in.

Thanks,

Adrienne D. Martin  
FOIA/Privacy Act Officer  
Office of Inspector General  
202/586-1653

MAY 15 2008 05  
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-----Original Message-----

From: Patenter@aol.com [mailto:Patenter@aol.com]  
Sent: Thursday, May 15, 2008 3:15 PM  
To: Martin, Adrienne  
Cc: akrichards@gmail.com  
Subject: FOIA request, Penn State complaint

Dear Ms. Martin -

As we discussed by phone, I hereby request a copy of a complaint filed by Penn State University (or any agent or affiliate thereof, including the Penn State Research Foundation, or the McQuaide Blasko law firm), against Alan Richards and/or GTL Technologies Inc.

Based on a filing by Penn State in a patent proceeding, it is my understanding that the complaint is identified as follows:

[DOE Case No./IG Hotline Predication No. P07HL368]

I am the attorney for Alan Richards and GTL Technologies, and my clients have a right to see the accusations made against them. Therefore, there are no Privacy Act issues that will need to be considered.

This matter is urgent, both because of the technology involved, and because of active proceedings before the Patent Office and in federal court. Therefore, if a response to this request can be expedited, that would be greatly appreciated.

Please feel free to send any information via mail, fax, or e-mail. If you have any questions, please call me directly, and if there is any charge for the information, I hereby guarantee prompt payment.

[Patrick D. Kelly]  
Patent Attorney  
11939 Manchester #403  
St. Louis, MO 63131

V: 314-822-8558  
F: 314-822-8998

FOIA-2008-000298

Chris

\*\*\*\*\*Wondering what's for Dinner Tonight? Get new twists on family favorites at AOL Food.  
(<http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001>)

# ALSTON & BIRD LLP

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3424

404-881-7000  
Fax: 404-881-7777  
www.alston.com

Lydia Ann Jones

Direct Dial: 404-881-4779

E-mail: lydia.jones@alston.com

May 14, 2008

MAY 16 2008 OJ

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*Via Facsimile and U.S. Mail Return Receipt Requested*

<p>Anna Martinez-Barnish Freedom of Information Officer Golden Field Office, U.S. Department of Energy 1617 Cole Boulevard Golden, Colorado 80401-3393 Phone: 303-275-4927 Fax: 303-275-4790</p>	<p>Abel Lopez Freedom of Information Act Officer Headquarters, U.S. Department of Energy FOIA/Privacy Act Group 1000 Independence Avenue, SW Washington, D.C. 20585 Phone: 202-586-5955 Fax: 202-586-0575</p>
--	---

**Re: Request for Information under the Freedom of Information Act**

Dear FOIA Information Officer:

Pursuant to the Federal Freedom of Information Action, 5 U.S.C. § 552, I hereby request access to and copies of all files, records, and other documents in your possession that refer, reflect, or relate to:

**Alico, Inc. and Alico Energy, LLC**

- a) ~~Any~~ agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the U.S. Department of Energy ("DOE") to the agribusiness company Alico, Inc. of Labelle, Florida ("Alico") and/or Alico's affiliate Alico Energy, LLC ("Alico Energy") related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- b) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to Alico and/or Alico Energy involving the commercialization of technologies developed by Bioengineering Resources, Inc. ("BRJ") of Fayetteville, Arkansas;

*Brenda*

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May 14, 2008

Page 2

- c) Any bid proposal, grant application or loan application submitted to the DOE within the past five years by Alico and/or Alico Energy related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- d) Any meeting note, memorandum, press release, electronic message, or any other document describing or involving Alico and/or Alico Energy's (including their subsidiaries, subcontractors and/or subconsultants) obligations under its agreements with or awards from the DOE related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- e) All correspondence between or involving Alico and/or Alico Energy (including their subsidiaries, subcontractors and/or its subconsultants) and/or DOE related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- f) All correspondence between or involving Alico and/or Alico Energy (including their subsidiaries, subcontractors and/or its subconsultants) and/or DOE related to the commercialization of technologies developed by BRI;
- g) Records of payments to Alico and/or Alico Energy (including their subsidiaries, subcontractors and/or subconsultants) by DOE for its performance under any agreement, federal contract, grant, loan, or cooperative agreement related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- h) Any other documents or records of any kind maintained by the DOE which relate to Alico and/or Alico Energy's production of ethanol and electricity from carbon-based feedstocks and wastes or the commercialization of technologies developed by BRI;
- i) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to Alico, Inc. ("Alico") and/or its affiliate Alico Energy, LLC ("Alico Energy") within the past five years;
- j) Any bid proposal, grant application or loan application submitted to the DOE within the past five years by Alico and/or Alico Energy which resulted in an award of a contract, grant, loan, or cooperative agreement;
- k) Any correspondence, meeting notes, memoranda, press releases, electronic messages, or any other document describing Alico and/or Alico Energy's obligations under any agreement with or award from the DOE in the past five years.

May 14, 2008

Page 3

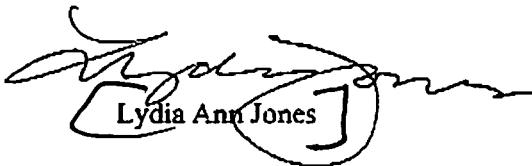
For purposes of this request, the term "record" refers to, without limitation, the original and all copies and drafts of such documents: (a) whether written, recorded, or graphic; (b) however produced or reproduced; (c) whether handwritten, typed, xerographically reproduced, photocopied, printed, duplicated or otherwise reproduced (including reproduction by magnetic impulses of a mechanical or electrical transcript); (d) whether such documents contain, reflect, record or evidence, in whole or in part, any information (including, without limitation, any correspondence, communication, discussion, conclusion, report, recordation or notation) arising out of or concerning the subject matter of each request (including, without limitation, all interim as well as final drafts, reports, pictures, drawings, sketches, diagrams, handwritten notes or other recorded material of any kind or nature); including, but not limited to letters, emails, telegraphs, correspondence, reports, memoranda, agreements, contracts, contract modifications, memorials of telephone conversations, meeting minutes, conference minutes, interagency and intra-agency communications, work papers, checks, drafts, statements, telexes, audio or video recordings, or other written material of any nature whatsoever.

If this information is maintained in electronic format, or it would otherwise expedite the receipt of the requested information, I would like to receive the information in electronic format.

If any record responsive to this request is claimed to be exempt from production under the FOIA, please provide sufficient identifying information with respect to each such record (or portion thereof) to allow me to assess the propriety of the claimed exemption<sup>1</sup> and the merits of an appeal. Also, any reasonably segregable portion of a responsive record must be provided after appropriate redaction of any allegedly exempt material or information.<sup>2</sup>

Recognizing the breadth of my request, I will assume payment of applicable fees incurred that are required to respond to my request in an amount not to exceed \$1,000.00. If the anticipated fees exceed that amount, please contact me for additional guarantee of payment, rather than reject this request.

If you have any questions, please feel free to contact me at (404) 881-4779. Thank you for your assistance.



Lydia Ann Jones

LAJ:laj

<sup>1</sup> See Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

<sup>2</sup> See 5 U.S.C. § 552(b).

# ALSTON & BIRD LLP

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1201 West Peachtree Street  
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MAY 16 2008 02  
COMMERCIAL \* SEARCH, REVIEW & REPRODUCTION

Lydia Ann Jones

Direct Dial: 404-881-4779

E-mail: lydia.jones@alston.com

May 14, 2008

*Via Facsimile and U.S. Mail Return Receipt Requested*

<p>Anna Martinez-Barnish Freedom of Information Officer Golden Field Office, U.S. Department of Energy 1617 Cole Boulevard Golden, Colorado 80401-3393 Phone: 303-275-4927 Fax: 303-275-4790</p>	<p>Abel Lopez Freedom of Information Act Officer Headquarters, U.S. Department of Energy FOIA/Privacy Act Group 1000 Independence Avenue, SW Washington, D.C. 20585 Phone: 202-586-5955 Fax: 202-586-0575</p>
--	---

**Re: Request for Information under the Freedom of Information Act**

Dear FOIA Information Officer:

Pursuant to the Federal Freedom of Information Action, 5 U.S.C. § 552, I hereby request access to and copies of all files, records, and other documents in your possession that refer, reflect, or relate to:

**New Planet Energy, LLC**

- a) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the Department of Energy ("DOE") to New Planet Energy] LLC ("NPE") related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- b) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to NPE involving the commercialization of technologies developed by Bioengineering Resources, Inc. ("BRI");
- c) Any contract, subcontract or other agreement maintained or in the possession of the DOE which is between Alico, Inc. ("Alico") or its affiliate Alico Energy, LLC ("Alico Energy") and NPE;

FOIA-2008-000300

*Brunh*



May 14, 2008

Page 2

- d) Any bid proposal, grant application or loan application submitted to the DOE within the past five years by NPE which resulted in an award of a contract, grant, loan, or cooperative agreement;
- e) Any correspondence, meeting notes, memoranda, press releases, electronic messages, or any other document describing NPE's obligations under its agreement with or award from the DOE;
- f) All correspondence between or involving NPE (including its subsidiaries, subcontractors and/or its subconsultants) and/or DOE related to the production of ethanol and electricity from carbon-based feedstocks and wastes and/or to the commercialization of technologies developed by BRI;
- g) Records of payments to NPE (including its subsidiaries, subcontractors and/or subconsultants) by DOE for its performance under any agreement, federal contract, grant, loan, or cooperative agreement related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- h) Any other documents or records of any kind maintained by the DOE which relate to NPE's involvement in Alico and/or Alico Energy's production of ethanol and electricity from carbon-based feedstocks and wastes or the commercialization of technologies developed by BRI;
- i) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to New Planet Energy, LLC ("NPE") within the past five years;
- j) Any bid proposal, grant application or loan application submitted to the DOE within the past five years by NPE which resulted in an award of a contract, grant, loan, or cooperative agreement;
- k) Any correspondence, meeting notes, memoranda, press releases, electronic messages, or any other document describing NPE's obligations under any agreement with or award from the DOE in the past five years.

For purposes of this request, the term "record" refers to, without limitation, the original and all copies and drafts of such documents: (a) whether written, recorded, or graphic; (b) however produced or reproduced; (c) whether handwritten, typed, xerographically reproduced, photocopied, printed, duplicated or otherwise reproduced (including reproduction by magnetic impulses of a mechanical or electrical transcript); (d) whether such documents contain, reflect, record or evidence, in whole or in part, any information (including, without limitation, any correspondence, communication, discussion, conclusion, report, recordation or notation) arising out of or concerning the subject matter of each request (including, without limitation, all interim as well as final drafts, reports, pictures, drawings, sketches, diagrams, handwritten notes or other

May 14, 2008

Page 3

recorded material of any kind or nature); including, but not limited to letters, emails, telegraphs, correspondence, reports, memoranda, agreements, contracts, contract modifications, memorials of telephone conversations, meeting minutes, conference minutes, interagency and intra-agency communications, work papers, checks, drafts, statements, telexes, audio or video recordings, or other written material of any nature whatsoever.

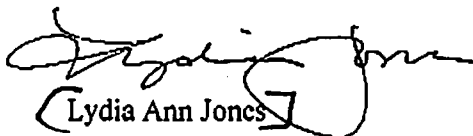
If this information is maintained in electronic format, or it would otherwise expedite the receipt of the requested information, I would like to receive the information in electronic format.

If any record responsive to this request is claimed to be exempt from production under the FOIA, please provide sufficient identifying information with respect to each such record (or portion thereof) to allow me to assess the propriety of the claimed exemption<sup>1</sup> and the merits of an appeal. Also, any reasonably segregable portion of a responsive record must be provided after appropriate redaction of any allegedly exempt material or information.<sup>2</sup>

Recognizing the breadth of my request, I will assume payment of applicable fees incurred that are required to respond to my request in an amount not to exceed \$1,000.00. If the anticipated fees exceed that amount, please contact me for additional guarantee of payment, rather than reject this request.

If you have any questions, please feel free to contact me at (404) 881-4779. Thank you for your assistance.

Sincerely,



Lydia Ann Jones

LAJ:laj

<sup>1</sup> See Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

<sup>2</sup> See 5 U.S.C. § 552(b).

# ALSTON & BIRD LLP

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MAY 16 2008 03

COMMERCIAL SEARCH, REVIEW & REPRODUCTION

Lydia Ann Jones

Direct Dial: 404-881-4779

E-mail: lydia.jones@alston.com

May 14, 2008

*Via Facsimile and U.S. Mail Return Receipt Requested*

<p>Anna Martinez-Barnish Freedom of Information Officer Golden Field Office, U.S. Department of Energy 1617 Cole Boulevard Golden, Colorado 80401-3393 Phone: 303-275-4927 Fax: 303-275-4790</p>	<p>Abel Lopez Freedom of Information Act Officer Headquarters, U.S. Department of Energy FOIA/Privacy Act Group 1000 Independence Avenue, SW Washington, D.C. 20585 Phone: 202-586-5955 Fax: 202-586-0575</p>
--	---

**Re: Request for Information under the Freedom of Information Act**

Dear FOIA Information Officer:

Pursuant to the Federal Freedom of Information Action, 5 U.S.C. § 552, I hereby request access to and copies of all files, records, and other documents in your possession that refer, reflect, or relate to:

**Washington Group International**

- a) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to Washington Group International ("WGI") related to the production of ethanol and electricity from carbon-based feedstocks and wastes;
- b) Any agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to WGI involving the commercialization of technologies developed by Bioengineering Resources, Inc. of Fayetteville, Arkansas;

FOIA-2008-000301

*Brenh*

May 14, 2008

Page 2

- c) Any other agreement, federal contract, grant, loan, or cooperative agreement together with any related amendments, modifications, and/or extensions awarded by the DOE to WGI within the past five years;
- d) Any contract, subcontract or other agreement maintained or in the possession of the DOE which is between Alico or its subsidiary Alico Energy and WGI;
- e) Any bid proposal, grant application or loan application submitted to the DOE within the past five years by WGI which resulted in an award of a contract, grant, loan, or cooperative agreement;
- f) Any correspondence, meeting notes, memoranda, press releases, electronic messages, or any other document describing WGI's obligations under its agreement with or award from the DOE;
- g) All correspondence between or involving WGI (including its subsidiaries, subcontractors and/or its subconsultants) and/or DOE related to the production of ethanol and electricity from carbon-based feedstocks and wastes and/or to the commercialization of technologies developed by BRI;
- h) Records of payments to WGI (including its subsidiaries, subcontractors and/or subconsultants) by DOE for its performance under any agreement, federal contract, grant, loan, or cooperative agreement related to the production of ethanol and electricity from carbon-based feedstocks and wastes.
- i) Any other documents or records of any kind maintained by the DOE which relate to WGI's involvement in Alico and/or Alico Energy's production of ethanol and electricity from carbon-based feedstocks and wastes or the commercialization of technologies developed by BRI

For purposes of this request, the term "record" refers to, without limitation, the original and all copies and drafts of such documents: (a) whether written, recorded, or graphic; (b) however produced or reproduced; (c) whether handwritten, typed, xerographically reproduced, photocopied, printed, duplicated or otherwise reproduced (including reproduction by magnetic impulses of a mechanical or electrical transcript); (d) whether such documents contain, reflect, record or evidence, in whole or in part, any information (including, without limitation, any correspondence, communication, discussion, conclusion, report, recordation or notation) arising out of or concerning the subject matter of each request (including, without limitation, all interim as well as final drafts, reports, pictures, drawings, sketches, diagrams, handwritten notes or other recorded material of any kind or nature); including, but not limited to letters, emails, telegraphs, correspondence, reports, memoranda, agreements, contracts, contract modifications, memorials of telephone conversations, meeting minutes, conference minutes, interagency and intra-agency communications, work papers, checks, drafts, statements, telexes, audio or video recordings, or other written material of any nature whatsoever.

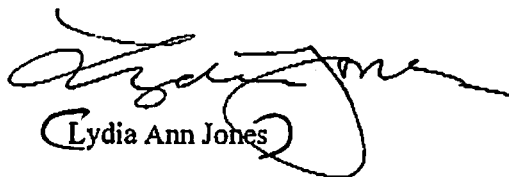
May 14, 2008  
Page 3

If this information is maintained in electronic format, or it would otherwise expedite the receipt of the requested information, I would like to receive the information in electronic format.

If any record responsive to this request is claimed to be exempt from production under the FOIA, please provide sufficient identifying information with respect to each such record (or portion thereof) to allow me to assess the propriety of the claimed exemption<sup>1</sup> and the merits of an appeal. Also, any reasonably segregable portion of a responsive record must be provided after appropriate redaction of any allegedly exempt material or information.<sup>2</sup>

Recognizing the breadth of my request, I will assume payment of applicable fees incurred that are required to respond to my request in an amount not to exceed \$1,000.00. If the anticipated fees exceed that amount, please contact me for additional guarantee of payment, rather than reject this request.

If you have any questions, please feel free to contact me at (404) 881-4779. Thank you for your assistance.



(Lydia Ann Jones)

LAJ:laj

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<sup>1</sup> See Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).  
<sup>2</sup> See 5 U.S.C. § 552(b).

# *Nuclear Watch New Mexico*

## **Freedom Of Information Request**

May 15, 2008

FOIA Officer  
Department of Energy FOIA/PA Office  
1000 Independence Ave., SW  
Washington, DC 20585  
202-586-6026

MAY 16 2008 04  
OTHER - 2 HOURS SEARCH FREE, 100 FREE PAGES

*Via e-mail to foia-central@hq.doe.gov*

Dear DOE FOIA Officer,

This is a request under the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, as amended. Nuclear Watch of New Mexico (NWNM) requests the following:

1 Fiscal year 2009 Ten-Year Site Plan (TYSP) for Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site) in electronic version. We are requesting this of DOE headquarters because we are unsure where to request this.

For your reference, current operative NNSA Headquarters Guidance to NNSA sites for their FY 2009 Ten-Year Site Plans states:

General Requirements... 1.2 APPLICABILITY. Applicable to all NNSA elements except the Office of Naval Reactors. Specifically, TYSPs will be prepared for the: Lawrence Livermore, Los Alamos and Sandia National Laboratories; Nevada Test Site; Kansas City, Pantex, and Y-12 Plants; Savannah River Tritium Facilities, and Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site); and NNSA Service center (to include the facilities and infrastructure funding requirements at the Albuquerque complex on Kirtland Air Force Base, as well as other NNSA site locations supported by the Office of the Administrator Program Direction accounts). NNSA FY 2009-2018 Ten-Year Site Plan (TYSP) Guidance, January 2008, page 1, parentheses in the original.

To reiterate, Nuclear Watch New Mexico requests the Fiscal year 2009 Ten-Year Site Plan (TYSP) for Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site) in electronic format.

And FYI, We have also requested the Fiscal year 2009 Ten-Year Site Plan (TYSP) for the NNSA - Savannah River Site (SRS) from the Savannah River Operations Office. We have also requested the FY 2009 TYSPs for all of the other NNSA sites, including "other NNSA site locations" from the NNSA Service Center.

*Nuclear Watch New Mexico • FY09 TYSP FOIA Request  
May 15, 2008 • Page 1*

FOIA-2008-000302

*Joan*

The same NNSA TYSP Guidance states:

Please submit 12 PDF and 12 non-PDF disks (including MS Excel spreadsheets) for all site FY 2009 TYSPs to ensure receipt by April 30, 2008, followed by 25 hard-copy FY2009 TYSPs due May 16, 2008 to: [NNSA HQ address]. Ibid., page 4.

In the past Nuclear Watch New Mexico has requested electronic versions of TYSPs, which was never honored. The above NNSA quote should eliminate uncertainty that electronic FY 2009 Plans exist. Therefore, we are specifically requesting the electronic versions, "PDF and... non-PDF disks (including MS Excel spreadsheets)," of the Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site) TYSP. A single PDF would suffice, in the event that it also captures the relevant MS Excel spreadsheets. We prefer a PDF document that is not of scanned documents.

As justification we cite 5 U.S.C. § 552, (a)(3):

(B) In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format. Each agency shall make reasonable efforts to maintain its records in forms or formats that are reproducible for purposes of this section.

(C) In responding under this paragraph to a request for records, an agency shall make reasonable efforts to search for the records in electronic form or format, except when such efforts would significantly interfere with the operation of the agency's automated information system.

If you regard this information as exempt from required disclosure under the Act, NWNM requests that you exercise your discretion to disclose them nevertheless. If the document(s) includes classified or otherwise restricted information and the volume of this material makes a lengthy declassification review necessary, NWNM requests the prompt release of all elements of the document portions marked 'Unclassified,' 'For Official Use Only,' or 'Declassified.' Additionally, NWNM requests that the remaining classified portions undergo a careful review for the purpose of declassification, in whole or in part, and that you release to NWNM all reasonably segregated portions of the classified record, except those portions which damage national security.

NWNM further requests that you disclose these materials as they become available to you without waiting until all the documents have been assembled.

As you know, an agency cannot rely simply on the markings of a document to deny its release. In order that a document be withheld under Exemption 1 of FOIA, it must be reviewed and found to be properly classified pursuant to both procedural and substantive criteria found in the

governing Executive Order, E.O. 12356. See Conf. Rep., H.R. Rep. No. 1380 (Freedom of Information Act Amendments), 93rd Cong., 2d Sess. 6 (1974); see also Lesar v. Department of Justice, 636 F. 2d 472, 483 (D.C. Cir. 1980); Allen v. CIA, 636 F. 2d 1287, 1291 (D.C. Cir. 1980). This requires an actual, substantive review of the materials and their classification markings. E.O. 12356, Section 3.4, Mandatory Review for Declassification.

Should you elect to invoke an exemption to the FOIA, NWNM will require in your full or partial denial letter sufficient information to appeal the denial. In accordance with the minimum requirements for administrative due process, this information should include:

1. Basic factual material, including the originator, date, length, and addresses of the withheld items.
2. Explanations and justifications for denial, including the identification of the procedural category of E.O. 12356 under which the withheld document or portions of the document was found to be subject to classification, at what level the entire document was ultimately classified and the nature and variety of the document's portion-marking and, most importantly, explanations of how each exemption fits the withheld material.

NWNM is a non-profit, tax-exempt, public policy research and information environmental organization. NWNM makes information available to thousands of citizens by means of its numerous and varied publications, educational programs, and public-interest litigation. The information disclosed pursuant to the request will be made directly available to the public and others engaged in policy analysis and research, including historians, area specialists, and journalists.

In the recent past, the Department of Energy has, as a matter of course, sent a letter asking for clarification of the following:

1. Whether the subject of the requested record(s) concerns "the operations or activities of the government;"
2. Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account one's ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter;
4. Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities;
5. Whether the requester has a commercial interest that would be furthered by the requested disclosure; and if so
6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in the disclosure, that disclosure is "primarily in the commercial interest of the requester."

In order to save time and help expedite our request, NWNM herein responds to the above questions in sequential order. This will also help your office clarify any questions you may have regarding NWNM's eligibility for FOIA fee waivers or reductions under 10 CFR 1004.9(a)(8).



Furthermore, it should assist your office in speedy compliance and consideration of this FOIA request, as required by 5 U.S.C. Section 552, as amended.

NWNM's answers are as follows:

- 1) All information requested in this FOIA is for information directly related to federal Department of Energy (DOE) activities at the Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site). Therefore, our request indisputably concerns "the operations or activities of the government." Further, documents generated by the contractor (in this case the University of California) are "owned" by the federal government and therefore fall under this request (see LANL management contract #W-7405-ENG-36/Mod M440/M507, §I.067 and NM CIVIL NO. 97-1412 DJS/WWD "Los Alamos Study Group vs. Dept. of Energy"). Additionally, the fact that a requested document may have been generated by a contractor, rather than the federal government itself, does not excuse any delay to the fulfillment of our request.
- 2) The work at LANL has been a great concern for many residents of northern New Mexico. DOE's involvement in the Lab is of significant importance, yet it is an area where public information is often lacking or inadequate. This FOIA request will enable the public and their advocates to better understand DOE activities at LANL in relation to the Office of Secure Transportation (to include the Fort Chaffee Transportation Safeguards Training Site).
- 3) Nuclear Watch of New Mexico (NWNM) is in an excellent position to aid the public in its understanding of government activities, particularly with respect to DOE facilities in New Mexico and other NNSA sites. Our most effective means of information dissemination is through our web site ([www.nukewatch.org](http://www.nukewatch.org)) that receives 750,000+ hits a year. In order to better inform the public, NWNM posts fact sheets analyzing federal and state policies on its web site. We also publish and distribute to the public a quarterly newsletter and produce videos. Additionally, we often work closely with regional and national journalists so that they can inform the public through their publications. The information received under this FOIA will be reviewed and presented to the public through all these means.
- 4) The requested material in this FOIA is likely to contribute "significantly" to public understanding of government operations or activities because it will provide NWNM with important information that will help clarify the DOE's role in LANL operations and other NNSA sites. In turn, NWNM will convey the information to the public so that the general citizenry can be better informed on government activities at NNSA sites.
- 5) NWNM has no commercial interest in this FOIA request. NWNM operates under the fiscal agency of the Southwest Research and Information Center, Albuquerque, NM, a 501(c)3 non-profit organization. As a result, NWNM can not in any way make a profit from its activities, whether from this FOIA request, or any other endeavor.
- 6) The response to question 5 satisfies question 6.

As per 10 CFR 1004.4 (e), NWNM assures our willingness to pay fees, unless a waiver is granted. Beyond the required first 100 pages of duplication and the first two hours of search time without charge (10 CFR 1004.9 (a)(6), NWNM is prepared to pay normal search and copying fees up to \$50.00. If fees exceed \$50.00, please advise. However, the FOIA provides that you may waive fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." (5 U.S.C. Section 552(a)(4)(A)(iii) and 10 CFR 1004.9(a)(8)) This request clearly meets these requirements. Therefore, I request that you waive all fees in connection with this request. I further ask, in the event that fees are not waived, that you inform me of the specific basis for such a decision.

We appreciate your help in obtaining this information. Should you need further information concerning NWNM or this request, we would appreciate your immediate attempts to contact us in order to expedite this request. We expect a definitive determination of NNSA's intent to release within 20 working days, as 5 U.S.C. Section 552, (a)(6)(A) stipulates:

Each agency... shall - - (i) determine within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefore, and of the right of such person to appeal to the head of the agency any adverse determination.

In your determination, we also expect a stated date when this document will be released to us, or, alternatively, any reason for denial.

Sincerely,

Jay Coghlan Executive Director  
Scott Kovac, Operations and Research Director

Contact information:

505 989.7342

[jay@nukewatch.org](mailto:jay@nukewatch.org)

[scott@nukewatch.org](mailto:scott@nukewatch.org)

Nuclear Watch of New Mexico

551 .W. Cordova Rd., #808

Santa Fe, NM 87505

**Morris, Alexander**

---

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Friday, May 16, 2008 3:48 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: Mrs (Rajitha Uppalli)

Organization: FedSources, Inc.

Address:

8400 Westpark Dr, 4th floor,  
McLean, VA 22102

Phone: 7036108745

FAX:

Email: uppallir@fedsources.com

Record Description:

Please provide all clearly releasable copy of any [contract awarded from solicitation # DERP0107HS07002] (OFFICE OF CLASSIFICATION SPECIALIZED TECHNICAL SERVICES program) including statement of work.

The CS for this program is Mary Wideman. She can be reached at (202) 287-1571 or Mary.Wideman@hq.doe.gov.

Preferred Form or Format: Electronic Format

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 75.00

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

FOIA-2008-00304

*Sheel*

MAY 19 2008 02

COMMERCIAL SEARCH, REVIEW & REPRODUCTION

May 12, 2008

**VIA REGULAR MAIL**

Freedom Of Information Act Officer  
United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dick Correa  
Knolls Atomic Power Laboratory  
Operated for the U.S. Department of Energy  
by KAPL, Inc., a Lockheed Martin company  
2401 River Road  
Niskayuna, NY 12309

*OTHER - 2 HOURS SEARCH FREE, 100 FREE PAGES*

*MAY 21 2008 01*

Re: Freedom Of Information Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA) of 5 U.S.C. § 552 and the regulation and procedures set forth for requesting Department of Energy records under 10 C.F.R. part 1004, we hereby request the records listed below.

1. [KAPL Safety Manual, KAPL-A-SAF-1, dated 8/1/52]
2. KAPL Safety Manual, Preliminary Edition, KAPL-A-SAF-2, Revision 1, dated 9/8/60;
3. Incident Prevention – Book One – Incident Prevention and Control Program, dated 7/24/62;
4. Plant Operation and Maintenance Instructions Table of Contents, dated 2/24/66;
5. NAVSHIPS Instruction 5100.26, dated 2/971, subject: Asbestos Exposure Hazards, Control of;
6. NAVSHIPS Notice 3390, dated 2/23/71, subject: Asbestos Hazard, Reduction of;
7. Letter F-6, No. 71-11, dated 3/24/71, subject: Naval Reactors Prototypes – asbestos, Health Hazards, Forwarding of;

NJ/208463v1

*FOIA-2008-000305*

*Shick*

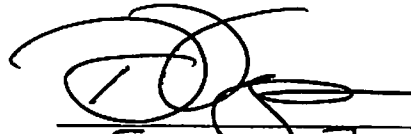
8. Minutes of meeting, dated 4/23/71, subject: Asbestos Health Hazards;
9. Facilities Engineering and Plant Operation Instruction No. 14, dated 7/27/71, subject: Asbestos Exposure Hazards, Control of;
10. Kesselring Site Shop Operations Instruction No. 701.8, dated 2/4/72, subject: Fabrication, Installation, Removal, Handling and Storage of Asbestos Insulating Materials;
11. Windsor Site Instruction 51-002, dated 4/27/72, subject: Fabrication, Installation, Removal, Handling and Storage of Asbestos Insulating Materials;
12. OPNAVIST 6260.1, dated 4/9/74, subject: Control of Asbestos Exposure to Naval Personnel and Environs;
13. NAVSEA INST. 5100.2 dated 10/24/75, subject: Asbestos Elimination/Substitution/Personnel Protections Program;
14. NR Letter NR:NT:FZ R#236 (F-6 No. 75-24), dated 12/5/75;
15. KAPL Letter RP/TS-52E-156, dated 10/24/75, C.R. Stahl to J.B. Martin, subject: Use of Asbestos at KAPL;
16. KAPL Letter RP/TS 52-E-183, dated 12/16/75, C.R. Stahl to J.B. Martin, subject: Use of Asbestos at KAPL;
17. Memorandum of Understanding, dated 1/2/76, subject: Asbestos Control at KAPL Sites;
18. OPNAV Instruction 626?.1?, dated 2/12/82, subject: Control of Asbestos Exposure to Naval Personnel and Environs;
19. KAPL-A-S-1, KAPL Safety Manual, Knolls Site Instruction 17.5, dated 7/29/82;
20. Kesselring Site Safety and Health Instruction No. 7, Rev. 2, dated 12/81, subject: Removal, Handling, and Control of Asbestos Insulating Material;
21. Windsor Site Instruction 10-062, Rev. 7, dated 5/28/82, subject: Removal, Handling and Disposal of Asbestos and Fiberglass Insulating Materials.

Freedom Of Information Act Officer  
Re: Freedom Of Information Request  
May 12, 2008  
Page 3

Please forward the requested information to me at SEDGWICK, DETERT, MORAN & ARNOLD, LLP, Three Gateway Center, 12th Floor, Newark, New Jersey, 07102-4072. Of course, we agree to pay whatever fees are assessed in processing this request in accordance with 10 C.F.R. part 1004 § 1004.9. If you need further information, please contact me at (973) 820-1136. Thank you for your assistance with regard to this matter.

Regards,

**SEDGWICK, DETERT, MORAN & ARNOLD LLP**



---

By: [Dennis E. Vega] Esq.

DEV/dev

**Morris, Alexander**

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From: FOIA-Central@hq.doe.gov  
Sent: Tuesday, May 20, 2008 3:51 PM  
To: FOIA-Central  
Subject: DOE Headquarters FOIA Request

Name (Aaron Huttner)

Organization: Independent Researcher

Address:

Phone:

FAX:

Email:

Record Description:

I am requesting the DOE grant application submitted by, and awarded to, the JCVI (James Craig Venter Institution) for their "Global Ocean Sampling Expedition," a.k.a. "Sorcerer 2 Expedition."

I believe the (grant) reference number is (DE-FG02-02ER63453)

The expedition launched in 2004, which would put the grant issue date before that. The grant award was by the DOE, or branch of, in the amount of approximately \$12 million. The stated objective of the expedition was "to evaluate the microbial diversity in the world's oceans using the tools and techniques developed to sequence the human and other organisms' genomes."

Preferred Form or Format: pdf

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

on what grounds the government contributes financially to scientific discovery

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

will provide insight into what the government considers valuable scientific research

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

will provide the public with a better understanding of how to present new scientific concerns to government bodies

MAY 21 2008 04  
OTHER - 2 HOURS SEARCH FREE, 100 FREE PAGES

FOIA-2008-000308<sup>1</sup>

jean

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

The disclosure will contribute mainly to the "scientific public's" understanding of government grant operations or activities

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

My request is based on intellectual curiosity. Further, as an individual I do not possess the means to benefit commercially from this disclosure.

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

no commercial interest

Expedited Processing:

Specific Justification for Expedited Processing:





2919 Delaware Avenue • Kenmore, New York 14217 • (716) 875-9947  
Fax (716) 875-9948

Legal Department  
DANIEL T. CAVARELLO  
Town Attorney

MAY 22 2008 01  
"OTHER" - 2 HOURS SEARCH FREE, 100 FREE PAGES

May 21, 2008

Via fax to 202-586-0575

FOIA Officer  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Re: FOIA Request  
Tonawanda Landfill FUSRAP Vicinity Property  
Tonawanda, New York

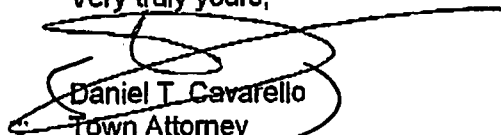
Dear Sir/Madam:

Pursuant to the Freedom of Information Act (FOIA), we are requesting copies of the following:

1. Any and all documents linking the radioactive material located within the Tonawanda landfill site to the Federal Government's Early Atomic Weapons and Energy Program
2. Any all documents linking radioactive material found in other sites located within the Town of Tonawanda to the Federal Government's Early Atomic Weapons and Energy Program;
3. Any and all documents identifying the criteria utilized to designate a site as a vicinity property under the FUSRAP program;
4. Any and all documents identifying the criteria utilized to determine whether remedial action is required at a FUSRAP site, including any vicinity properties.

Please advise as to the cost of reproducing these materials prior to providing them. Should you have any questions regarding these requests, please contact me. Thank you.

Very truly yours,

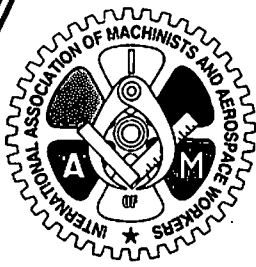
  
Daniel T. Cavarello  
Town Attorney  
[dcavarello@tonawanda.ny.us](mailto:dcavarello@tonawanda.ny.us)

DTC/slh

FOIA 2008-000310



**International  
Association of  
Machinists and  
Aerospace Workers**



9000 Machinists Place  
Upper Marlboro, Maryland 20772-2687

Area Code 301  
967-4500



COMMERCIAL SEARCH REVIEW & REPRODUCTION  
MAY 22 2008 02

CO - Honeywell International, Inc.

May 13, 2008

Subj: Freedom of Information Act Request

***Freedom of Information Act Request***

U.S. Department of Energy  
Freedom of Information Act Office  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear FOIA Officer:

This is a request under the Freedom of Information Act (5 U.S.C. 552). I request that a copy of the following document(s) be provided to me: the most recent contract between the DoE/Department of Energy and Honeywell International, Inc. The specific contract that I am requesting is numbered: DEAC0401AL66850.

In order to help you determine my status for the purpose of assessing fees, you should know that I am a representative of the International Association of Machinists and Aerospace Workers (IAM). The IAM represents Honeywell International, Inc. employees performing work under the above-mentioned contract.

I am willing to pay fees for this request up to a maximum of \$30. If you estimate that the fees will exceed this limit, please inform me first.

I am also including a telephone number at which I can be contacted if necessary to discuss any aspect of my request.

Sincerely,

*Teresa Canning*  
(Teresa Canning)  
International Association of Machinists  
and Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772-2687  
301-967-3441

cc: GVP, Michalski  
GVP, Gruber  
DIR, Gladstein  
Asst. Dir., White  
DBR, Capra  
BR, Roepke

*M/A*

*FOIA 2008-000311*

*[Handwritten signature]*

**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 22, 2008 1:04 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (Gabriel Ristorucci)

Organization: Change To Win

Address:

1900 L Street NW  
Suite 900  
Washington, D.C. 20036

Phone: 2027216073

FAX:

Email: gabriel.ristorucci@changetowin.org

Record Description:

Please provide the application (form 129 provided by) the following (firms for their application to become DOE Qualified ESCOs on the U. S. Department of Energy Qualified List of Energy Service Companies)

- (1) Honeywell International,
- (2) Honeywell Building Solutions SES,
- (3) DMJM Harris,
- (4) Siemens Building Technologies Inc., (5) Siemens Government Services Inc.,
- (6) Trane Inc.,
- (7) TAC Americas,
- (8) Ameresco Inc.,
- (9) AmerescoSolutions Inc,
- (10) Ameresco Federal Solutions,
- (11) Ameresco Select, NORESKO LLC,
- (12) Atlantic Energy Concepts.

Thankss very much.

Preferred Form or Format: Word or PDF

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 25

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

MAY 23 2008 0/

COMMERCIAL SEARCH, REVIEW & REPRODUCTION

FOIA-2008-000312

Sheila

**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Thursday, May 22, 2008 12:48 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: [Ollie Adams]

Organization: Brayton Purcell LLP

Address:

222 Rush Landing Rd.  
Novato, CA 94948

Phone: 4158991011480

FAX: 4158981247

Email: oadams@braytonlaw.com

Record Description:

The following records from AEC - Lawrence Livermore Lab, Livermore, California; and Sandia National Labs, Livermore, California; during the time period of 1943 to 1962]

- 1) Building/structure construction, remodel, maintenance and repair: Plans, specifications, and/or drawings;
- 2) Building/structure construction, remodel, maintenance and repair: Contractors and/or suppliers;
- 3) Building/structure construction, remodel, maintenance and repair: Materials, brand names and/or manufacturers;
- 4) All records of currently non-classified manufacturers, brands, and types of equipment;
- 5) All records of asbestos-containing products purchased, used, and/or supplied;
- 6) All abatement records.

Preferred Form or Format: PDF

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 50.00

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

MAY 23 2008 02  
"COMMERCIAL" SEARCH, REVIEW & REPRODUCTION

Brenda

FOIA-2008-000313 1

5-27-08

Kevin Hagerty  
Director , FOIA/PA Division, ME-73  
1000 Independence Ave., S.W.  
Washington, D.C. 20585

MAY 28 2008 01  
"SCIENTIFIC/EDUCATIONAL/NEWS MEDIA"  
100 FREE PAGES

Dear Mr. Hagerty

This is a request under the **Federal Freedom of Information Act (FOIA)**, the First Amendment to the United States Constitution, the common law of the United States, the Privacy Act (5 U.S.C.) section 552a, and any statute providing for public access to government information:

I request that I be sent copies of the following documents or, if there is a large number, be permitted to inspect the following documents:

**(A copy of electronic data or paper records detailing non-governmental sponsored trips disclosed as "Semiannual Reports of Payment Accepted from Non-Federal Sources Under 31 U.S.C." for the Office of the Department of Energy, starting from April 1, 2007 to the present day.)**

If possible, I would prefer to receive the largest number of records or documents in electronic form.

I am filing this FOIA request as a "representative of the news media" since I am a reporter for *The Hill* newspaper. This designation entitles me to a waiver of fees accumulated during the actual search and review process. However, if your agency does determine that I should be charged for any part of this request, please contact me before any searches reach an estimate cost of \$25.

Now published four times a week, *The Hill* delivers solid, non-partisan and objective reporting on the business of Washington, covering the inner-workings of Congress, as well as the nexus between politics and business. For more information about *The Hill*, please refer to [www.thehill.com](http://www.thehill.com).

In reference to our request I have provided the following information addressing the points listed in the Department of Justice's FOIA Guide, 2002 Edition: Fees and Fee Waivers, as found online at <http://www.usdoj.gov/oip/fees.htm>.

1. The content from these documents "is likely to contribute" to the understanding of your agency to the common reader. Our reporting would not be possible without the specific content garnered by the release of the requested information. Prior to any action on this FOIA request, this information is not in the public domain.

FOIA-2008-000315

Jan

2. Due to the nature of our organization, *The Hill*, the disclosure under our FOIA request will "contribute to the understanding of the public at large." The information will be printed in our newspaper, *The Hill*, and on our website, [www.thehill.com](http://www.thehill.com), and will be read by a large number of people. The newspaper's current circulation is 21,000 and is read by members of Congress, Capitol Hill staff members, executive branch officials, lobbyists and interest groups in the Washington. We expect the information produced through this and other FOIA requests to serve as the basis for several articles that explain the actions and operations of government to the general public.

3. Reporters at *The Hill* newspaper also possess the skills necessary to process the requested information. We write articles for print and online publication. Other members of the media consider us to be a news organization of high standing as evidenced by our numerous awards over the years. Additionally, many federal agencies have deemed *The Hill* to be a news media outlet for FOIA requests.

4. The disclosures we requested through the Freedom of Information Act do not primarily serve any "commercial interest." Any data derived from our request will be used primarily to educate the public and will be distributed freely. As described in section (3), we represent the news media and plan to distribute this information to the public.

As I am sure you are aware, the Freedom of Information Act requires that if part of a record is exempt from disclosure, you must redact and release all segregated parts. Please describe the deleted material in detail and specify the reasons for believing that the alleged statutory justification applies in this instance.

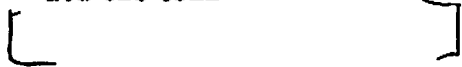
I look forward to your decision on our fee waiver request, and on granting or denying our request within 20 days as outlined by the statute. Do contact me by telephone or e-mail if you have any questions regarding this request or recommendations on how to streamline or revise it. If my request is denied in whole or in part, please specify which exemption(s) is (are) claimed for each passage or whole document denied. In addition, please give the number of pages in each document and the total number of pages pertaining to this request and the dates of the documents withheld. Please provide copies of any logs, internal tracking numbers or other file-tracking device or system of documents in existence but denied disclosure. Such statements will be helpful in deciding whether to appeal an adverse determination.

I appreciate your attention to this and expect, as the FOIA provides, to hear from your office within 20 days. If you have any questions about the nature or scope of this request, please call me at 202-628-8522.

Sincerely,

  
Rebecca Brown

*The Hill*  
1625 K Street NW, Suite 900  
Washington, DC 20006  
202-628-8522



**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 21, 2008 3:13 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (Pawandeep Sandhu)

Organization: Centurion Research Solutions, LLC

Address:

8100 Boone Blvd  
Suite 410  
Vienna, VA 22182

Phone: 7033789009250

FAX: 7033794474

Email: psandhu@4centurion.com

MAY 23 2008 03  
COMMERCIAL SEARCH, REVIEW & REPRODUCTION

Record Description:

Pursuant to the Freedom of Information Act (FOIA), Centurion Research Solutions requests a copy (pdf soft copy if available) of the RFP that resulted in the Contract DE-AC04-00AL66620 awarded to BWXT Pantex, LLC, for work pertaining to Management and Operation of The Pantex Plant including all sections, attachments and modifications.

We understand that there may be charges. However, if the charges are going to exceed \$50.00 please notify us ahead of time.

Please acknowledge receipt of this FOIA request by e-mail (psandhu@4centurion.com), or phone (703-378-9009x250). And please reference our Internal Tracking Number F2152 in any communication with our office.

Thank you.  
Sincerely,

Pawandeep Sandhu  
Centurion Research Solutions  
703-378-9009 x250

Preferred Form or Format: pdf

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 50.00

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

N/A

2. The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

N/A

FOIA-2008-000314

Bremner



N/A

3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter.

N/A

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

N/A

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

N/A

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

N/A

Expedited Processing:

Specific Justification for Expedited Processing:

# COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004-2401  
TEL 202.662.6000  
FAX 202.662.6291  
WWW.COV.COM

BRUSSELS  
LONDON  
NEW YORK  
SAN FRANCISCO  
WASHINGTON

CARMEN L. CHRISTOPHER  
TEL 202.662.5257  
FAX 202.778.5257  
CCHRISTOPHER@COV.COM

May 23, 2008

U.S. Department of Energy  
FOIA/Privacy Act Group  
Freedom of Information Officer  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Re: Freedom of Information Request

Freedom of Information Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the regulations of the Department of Energy, 10 C.F.R. Part 1004, I hereby request, on an expedited basis, copies of the following:

- All documents pertaining to the ownership and disposition of intellectual property covered by the patents listed below, including but not limited to the disposition of licensing rights, field of use, fees paid, and transaction dates with respect to the following patents:
  - US Patent No. 7,354,755 B2 or its Patent Application No. 09/565,233
  - US Patent No. 7,223,575 B2
  - US Patent No. 6,566,107 B1
- Documents sufficient to identify all exclusive licenses granted by National Renewable Energy Laboratory (NREL) between May 1, 1998 and May 1, 2008, including grant dates and identification of grantees.

Please include any relevant documents in the possession of the Department or under the control of the Department or any agency, laboratory or division thereof, whether prepared by any source within or outside of the Department. If the requested documents have been sent to a storage facility, please provide that information by telephone and please indicate the retrieval time and costs involved. If the requested documents have been destroyed, please indicate a destruction date.

FOIA-2008-000316

*Jan*

COMMERCIAL SEARCH, REVIEW & REPRODUCTION  
MAY 28 2008 DZ

COVINGTON & BURLING LLP

We hereby agree to pay all appropriate and reasonable processing and copying fees. However, if you estimate that the fees will exceed \$500 please notify me of the approximate cost. Once the documents have been collected, we would be pleased to send a messenger to retrieve the requested materials.

Thank you in advance for your help with this matter. If you have any questions about this request, please call me at (202) 662-5257.

Yours truly,

A handwritten signature in black ink, appearing to read 'C. Christopher', with a long horizontal flourish extending to the right.

Carmen L. Christopher

**Morris, Alexander**

**From:** foia@foiapr services.com  
**Sent:** Thursday, May 22, 2008 5:18 PM  
**To:** FOIA-Central  
**Subject:** FOIA Request for Contract Information

COMMERCIAL SEARCH, REVIEW & REPRODUCTION  
MAY 28 2008 03

Dear Sir or Madam,

I am writing under the Freedom of Information Act to request a copies of all contracts awarded by the Department of Energy to VECO Corporation from 1975 to Present. According to the VECO Corporation web site, the Department of Energy managed environmental management and decomissioning work for the Department of Energy.

Please provide Copies of all contracts the Department of Energy has awarded to VECO Corporation.]

If any of the requested information requested is not available through your office, I ask that you please notify me for the reason the records are not available and provide the appropriate contact information.

At this time I authorize all costs associated with the request of to \$150. Please notify me if costs will exceed this amount.

Requested documents can be sent to me by email, fax, or mail. The required contact information is provided below.

Sincerely,

Sean Willets  
FOIA & PRA Services  
1220 L Street, NW  
Suite 100-319  
Washington, DC 20005  
Ph: 202-640-1031  
Fax: 866-223-6470  
Email: FOIA@PRAServices.com

FOIA-2008-000317

gnub

Subject: Freedom of Information Act (FOIA) Request  
#GRC-08-035

NASA Glenn Research Center's Freedom of Information Act (FOIA) office is in receipt of your

FOIA request sent via e-mail on May 15, 2008, requesting a copy of the engineering drawings or

CAD drawings specific to the 55-We Stirling Technology Demonstration Converter (CDC). It has

been determined that documents responsive to your request, if available, would be maintained at the

Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20202. We are closing out your FOIA request with NASA, and forwarding your request to the Department of

Energy's FOIA Office for a direct reply to you.

If you have any questions, you may call the undersigned at (216) 433-2813.

Angela L. Pierce

Angela L. Pierce  
FOIA Public Liaison Officer

NASA Glenn Research Center  
21000 Brookpark Rd., MS 500-313  
Cleveland, Ohio 44135

Phone: (216) 433-2813  
Fax: (216) 433-5489  
E-mail: foia@grc.nasa.gov

COMMERCIAL SEARCH, REVIEW & REPRODUCTION  
MAY 28 2008 04

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From: Mark Yegge [mailto:Mark@Destinycreation.com]  
Sent: Thursday, May 15, 2008 12:13 PM  
To: foia@grc.nasa.gov  
Subject: FOIA Request: 55-We Technology Demonstration Converter

Dear Ms. Pierce,

Under the FOIA, we are requesting specific information to supplement our laboratory testing. Specifically, we are seeking the following information:

- (Engineering Drawings or (computer Aided Design) CAD Drawings specific to the 55-We Stirling Technology Demonstration Converter (TDC))

You may send the documents to:

M. Yegge  
2840 W. Bay Drive #182  
Belleair Bluffs, FL 33770

If you have any questions or need to discuss this request, please contact me at this e-mail address: Mark@destinycreation.com or call 727-692-6475.

Your assistance in this matter is appreciated.

Thank you.

[Mark Yegge]

M/A

FOIA-2008-000318

John

**Morris, Alexander**

---

**From:** Pierce, Angela L. (GRC-X000) [angela.l.pierce@nasa.gov]  
**Sent:** Wednesday, May 28, 2008 10:25 AM  
**To:** Byrd, LaShawn; Morris, Alexander  
**Subject:** FOIA Request #GRC-08-035

**Importance:** High

Department of Energy  
Freedom of Information Act Office  
Attn: Courtney Byrd  
1000 Independence Avenue, S.W.  
Washington, D.C., 20585

**Subject:** Transfer of FOIA Request from NASA Glenn Research Center to  
Department of Energy

Below is a FOIA request from Mark Yegge that was sent to the NASA Glenn Research Center in Cleveland, Ohio. Mr. Yegge requests a copy of the engineering drawings or CAD drawings specific to the 55-We Stirling Technology Demonstration Converter (CDC). It has been determined that these drawings are related to the Department of Energy's contract DE-AC07-00SF22191 with Lockheed Martin. According to our technical staff, these drawings are also being used under classified projects with the Department of Defense.

Pursuant to 14 CFR 1206.604, this request is being transferred from NASA Glenn Research Center to the Department of Energy for a direct response from your office. The requester has been notified (see below e-mail) that he will receive a response directly from the Department of Energy's FOIA Office regarding his FOIA request.

If you have any questions/concerns, contact me via e-mail or call (216) 433-2813.

Angela L. Pierce

Angela L. Pierce  
FOIA Public Liaison Officer

NASA Glenn Research Center  
21000 Brookpark Rd., MS 500-313  
Cleveland, Ohio 44135

Phone: (216) 433-2813  
Fax: (216) 433-5489  
E-mail: foia@grc.nasa.gov

---

From: Pierce, Angela L. (GRC-X000)  
Sent: Wednesday, May 28, 2008 9:48 AM  
To: Mark@Destinycreation.com  
Subject: FOIA Request #GRC-08-035

Mr.. Mark Yegge  
2840 W. Bay Drive #182  
Belleair Bluffs, FL 33770

**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 28, 2008 10:35 AM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (Douglass mayer)

Organization: freedoms watch

Address:

401 9th street nw  
washington dc 20009

Phone: 2023793735

FAX: 2023793750

Email: dmayer@freedomswatch.org

Record Description:

May 28, 2008

Freedom of Information Act Request

This request is in reference to Jill Morgenthaler during her time serving at Argonne National Laboratory as Assistant Division Director and Emergency Response Manager roughly between 1990-2004. Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting (copies of all unclassified and SBU (sensitive but unclassified) correspondence, emails, memos and cables that list Jill Morgenthaler as the sender, recipient or CC. I am also requesting any classified materials of that nature that upon review can be released as well as any and all personnel records that can be released on her. I would also like to request her office expense reports that cover her tenure there.)

If there are any fees for searching or copying the records, please let me know before you fill my request. [Or, please supply the records without informing me of the cost if the fees do not exceed \$200, which I agree to pay.]

If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Notify me of appeal procedures available under the law. Optional: If you have any questions about handling this request, you may telephone me at 202-379-3735 (office phone).

Sincerely,

Douglass Mayer  
401 9th Street, N.W  
Washington D.C. 20009

Preferred Form or Format:

Type of Requester (if provided):

Affiliated with an educational or noncommercial scientific institution, and this request is made for scholarly or scientific purpose and not for commercial use.

Fees and Fee Waivers:

I agree to pay all applicable fees.

Expedited Processing:

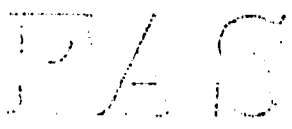
N/A

MAY 28 2008 05

"OTHER" - 2 HOURS SEARCH FREE, 100 FREE PAGES

FOIA-2008-000319

B. Nemer



# FEDERATION OF AMERICAN SCIENTISTS

T: 202/546-3300

1725 DeSales Street NW, Suite 600  
Washington, DC 20036

www.fas.org

F: 202/675-1010

fas@fas.org

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- Frank von Hippel
- Robert A. Weinberg
- \*Steven Weinberg
- \*Torsten N. Wiesel
- Alfred Vankauer
- Herbert F. York

\* Nobel Laureate

May 28, 2008  
(202)454-4691  
saftergood@fas.org

FOIA Officer  
United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585  
By fax: (202) 586-0575

MAY 28 2008 07  
"OTHER" - 2 HOURS SEARCH FREE, 100 FREE PAGES

Dear Sir/Madam:

This is a request under the Freedom of Information Act.

We request a copy of this document:

**"Report to the Principals on the Trilateral Initiative: IAEA Verification of  
Weapon-Origin Fissile Material"**

The Trilateral Initiative was a joint undertaking of the United States, Russia and the International Atomic Energy Agency. I believe the requested report was completed in 2002.

\* \* \*

We further request a fee waiver of search and copying costs, on the following grounds:

- 1) The requested document, which describes methods for verifying the disposition of nuclear materials, is a matter of public interest.
- 2) The Federation of American Scientists (FAS) is well qualified to analyze and disseminate the requested material. FAS is a sixty-three year old research organization concerned with national security policy. We have published our work in this area, and we routinely serve as a resource to the media, to other national organizations, and to interested members of the public on national security policy matters.

The requested material will be widely disseminated without charge on our

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FOIA-2008-000321



web site.

3) No personal or commercial interests will benefit from the release of this material, which will be analyzed and disseminated at FAS' expense. We therefore request a waiver on production costs.

In the event that fee waiver is denied, I hereby agree to pay reasonable assessable fees up to \$100.

Thank you for your assistance.

Sincerely,



Steven Aftergood  
Senior Research Analyst  
Federation of American Scientists  
1725 DeSales Street NW, 6th floor  
Washington, DC 20036

Voice: (202)454-4691  
Email: [saftergood@fas.org](mailto:saftergood@fas.org)

5/7/2008



11720 Plaza America Drive, 12<sup>th</sup> Floor  
Reston, VA 20190  
Tel: (703) 707-3500  
Fax: (703) 707-6201  
www.input.com

COMMERCIAL<sup>®</sup> SEARCH, REVIEW & REPRODUCTION

MAY 28 2008 JG

Freedom of Information Act (FOIA) ID# 15103

May 7, 2008

Dear FOIA Officer,

Under the Freedom of Information Act, 5 U.S.C. § 552, as amended, I am requesting clearly releasable portions of the documents regarding contract # DEAC0105CN90031 awarded to Northrup Grumman under the TECHNICAL AND ANALYTICAL MANAGEMENT SUPPORT SERVICES requirement. Specifically, I am requesting copies of the following information/documents:

- Awarded contract
- All related attachments and modifications

The contracting officer is Lynnette Desorcie 202-287-1435

Whenever possible, please refer to FOIA ID 15103 in any response letter, email, fax, or invoice.

If possible, I would prefer to receive the documents in electronic format. If not, hard copies of responsive documents will be more than adequate. If your office does not maintain these public records, please let me know who does and include the proper custodian's name and address.

Your response is respectfully requested within 20 working days of your receipt of this letter. §552(a)(6)(A)(1). If all or any part of this request is denied, please cite each specific exemption that justifies your withholding of information

I hereby agree to assume all the search, duplication, and review fees in the amount of \$100. Please notify me if the cost of fulfilling my request will exceed that amount.

Thank you for your assistance,

Monica Jones  
Member Research Associate, FOIA  
mjones@input.com

FOIA 2008-000322

*Branch*

April, 30 2008

MAY 30 2008 01  
"OTHER" - 2 HOURS SEARCH FREE. 100 FREE PAGES

U. S. Department of Energy  
ATTN: FOIA/Privacy Act Office  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Re: \_\_\_\_\_ (deceased)  
SSN: \_\_\_\_\_

To Whom It May Concern:

Pursuant to the Freedom of Information Act and Privacy Act, I am seeking copies of my deceased spouse, (\_\_\_\_\_) medical, radiological and personnel security records during his employment at Rocky Flats in Golden, Colorado. He was employed at Rocky Flats from 1968 to 1992.

His social security number is as follows:

I have also enclosed a copy of his death certificate.

If you have any questions or require additional information I can be reached at the following address and telephone number listed below. Thank you.

Sincerely,



Dona Leiner (wife)

Tele: home

cell:

Enclosure:

Death Certificate, dated Jan. 2, 2005

FOIA-2008-000323

Bronk

5-29-08

Kevin Hagerty  
Director, FOIA/PA Division, ME-73  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

MAY 30 2008 02  
"SCIENTIFIC/EDUCATIONAL NEWS MEDIA"  
-100 FREE PAGES

Dear Mr. Hagerty,

This is a request under the **Federal Freedom of Information Act (FOIA)**, the First Amendment to the United States Constitution, the common law of the United States, the Privacy Act (5 U.S.C.) section 552a, and any statute providing for public access to government information:

I request that I be sent copies of the following documents or, if there is a large number, be permitted to inspect the following documents:

**The Freedom of Information Act request logs maintained by the Department of Energy for fiscal year 2008/so far. The log should detail the request's control number, the date it was received, who requested it, what company or organization they were from, and the subject of the request.**

If possible, I would prefer to receive the largest number of records or documents in electronic form.

I am filing this FOIA request as a "representative of the news media" since I am a reporter for *The Hill* newspaper. This designation entitles me to a waiver of fees accumulated during the actual search and review process. However, if your agency does determine that I should be charged for any part of this request, please contact me before any searches reach an estimate cost of \$25.

Now published four times a week, *The Hill* delivers solid, non-partisan and objective reporting on the business of Washington, covering the inner-workings of Congress, as well as the nexus between politics and business. For more information about *The Hill*, please refer to [www.thehill.com](http://www.thehill.com).

In reference to our request I have provided the following information addressing the points listed in the Department of Justice's FOIA Guide, 2002 Edition: Fees and Fee Waivers, as found online at <http://www.usdoj.gov/oip/fees.htm>.

1. The content from these documents "is likely to contribute" to the understanding of your agency to the common reader. Our reporting would not be possible without the specific content garnered by the release of the requested information. Prior to any action on this FOIA request, this information is not in the public domain.

FOIA-2008-000324

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2. Due to the nature of our organization, *The Hill*, the disclosure under our FOIA request will “contribute to the understanding of the public at large.” The information will be printed in our newspaper, *The Hill*, and on our website, [www.thehill.com](http://www.thehill.com), and will be read by a large number of people. The newspaper’s current circulation is 21,000 and is read by members of Congress, Capitol Hill staff members, executive branch officials, lobbyists and interest groups in the Washington. We expect the information produced through this and other FOIA requests to serve as the basis for several articles that explain the actions and operations of government to the general public.

3. Reporters at *The Hill* newspaper also possess the skills necessary to process the requested information. We write articles for print and online publication. Other members of the media consider us to be a news organization of high standing as evidenced by our numerous awards over the years. Additionally, many federal agencies have deemed *The Hill* to be a news media outlet for FOIA requests.

4. The disclosures we requested through the Freedom of Information Act do not primarily serve any “commercial interest.” Any data derived from our request will be used primarily to educate the public and will be distributed freely. As described in section (3), we represent the news media and plan to distribute this information to the public.

As I am sure you are aware, the Freedom of Information Act requires that if part of a record is exempt from disclosure, you must redact and release all segregated parts. Please describe the deleted material in detail and specify the reasons for believing that the alleged statutory justification applies in this instance.

I look forward to your decision on our fee waiver request, and on granting or denying our request within 20 days as outlined by the statute. Do contact me by telephone or e-mail if you have any questions regarding this request or recommendations on how to streamline or revise it. If my request is denied in whole or in part, please specify which exemption(s) is (are) claimed for each passage or whole document denied. In addition, please give the number of pages in each document and the total number of pages pertaining to this request and the dates of the documents withheld. Please provide copies of any logs, internal tracking numbers or other file-tracking device or system of documents in existence but denied disclosure. Such statements will be helpful in deciding whether to appeal an adverse determination.

I appreciate your attention to this and expect, as the FOIA provides, to hear from your office within 20 days. If you have any questions about the nature or scope of this request, please call me at 202-628-8522.

Sincerely,

Rebecca Brown

*The Hill*  
1625 K Street NW, Suite 900  
Washington, DC 20006  
202-628-8522  
202-628-8503

[

]

5-29-08

Kevin Hagerty  
Director, FOIA/PA Division, ME-73  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

MAY 30 2008 03  
"SCIENTIFIC/EDUCATIONAL/NEWS MEDIA"  
-100 FREE PAGES

Dear Mr. Hagerty,

This is a request under the **Federal Freedom of Information Act (FOIA)**, the First Amendment to the United States Constitution, the common law of the United States, the Privacy Act (5 U.S.C.) section 552a, and any statute providing for public access to government information:

I request that I be sent copies of the following documents or, if there is a large number, be permitted to inspect the following documents:

**A copy of any and all log(s) of correspondences that include letters from members of Congress and the general public from January 1, 2008 through the present day to the Department of Energy. If these logs or records exist electronically, please make us a copy of the data instead of paper copies.**

If possible, I would prefer to receive the largest number of records or documents in electronic form.

I am filing this FOIA request as a "representative of the news media" since I am a reporter for *The Hill* newspaper. This designation entitles me to a waiver of fees accumulated during the actual search and review process. However, if your agency does determine that I should be charged for any part of this request, please contact me before any searches reach an estimate cost of \$25.

Now published four times a week, *The Hill* delivers solid, non-partisan and objective reporting on the business of Washington, covering the inner-workings of Congress, as well as the nexus between politics and business. For more information about *The Hill*, please refer to [www.thehill.com](http://www.thehill.com).

In reference to our request I have provided the following information addressing the points listed in the Department of Justice's FOIA Guide, 2002 Edition: Fees and Fee Waivers, as found online at <http://www.usdoj.gov/oip/fees.htm>.

1. The content from these documents "is likely to contribute" to the understanding of your agency to the common reader. Our reporting would not be possible without the specific content garnered by the release of the requested information. Prior to any action on this FOIA request, this information is not in the public domain.

FOIA-2008-000325



2. Due to the nature of our organization, *The Hill*, the disclosure under our FOIA request will "contribute to the understanding of the public at large." The information will be printed in our newspaper, *The Hill*, and on our website, [www.thehill.com](http://www.thehill.com), and will be read by a large number of people. The newspaper's current circulation is 21,000 and is read by members of Congress, Capitol Hill staff members, executive branch officials, lobbyists and interest groups in the Washington. We expect the information produced through this and other FOIA requests to serve as the basis for several articles that explain the actions and operations of government to the general public.

3. Reporters at *The Hill* newspaper also possess the skills necessary to process the requested information. We write articles for print and online publication. Other members of the media consider us to be a news organization of high standing as evidenced by our numerous awards over the years. Additionally, many federal agencies have deemed *The Hill* to be a news media outlet for FOIA requests.

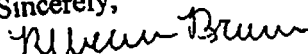
4. The disclosures we requested through the Freedom of Information Act do not primarily serve any "commercial interest." Any data derived from our request will be used primarily to educate the public and will be distributed freely. As described in section (3), we represent the news media and plan to distribute this information to the public.

As I am sure you are aware, the Freedom of Information Act requires that if part of a record is exempt from disclosure, you must redact and release all segregated parts. Please describe the deleted material in detail and specify the reasons for believing that the alleged statutory justification applies in this instance.

I look forward to your decision on our fee waiver request, and on granting or denying our request within 20 days as outlined by the statute. Do contact me by telephone or e-mail if you have any questions regarding this request or recommendations on how to streamline or revise it. If my request is denied in whole or in part, please specify which exemption(s) is (are) claimed for each passage or whole document denied. In addition, please give the number of pages in each document and the total number of pages pertaining to this request and the dates of the documents withheld. Please provide copies of any logs, internal tracking numbers or other file-tracking device or system of documents in existence but denied disclosure. Such statements will be helpful in deciding whether to appeal an adverse determination.

I appreciate your attention to this and expect, as the FOIA provides, to hear from your office within 20 days. If you have any questions about the nature or scope of this request, please call me at 202-628-8522.

Sincerely,

  
Rebecca Brown



*The Hill*  
1625 K Street NW, Suite 900  
Washington, DC 20006  
202-628-8522  
202-628-8503

[ ]

.....

**Morris, Alexander**

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**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 28, 2008 4:15 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name: (Steve Gloyd)

Organization: Energy Management Institute

Address:

1324 Lexington Ave  
New York, NY 10128

Phone: 4104425757

FAX: 4433830059

Email: sgloyd@emimail.org

Record Description:

We would like the (all subscribers to the regular E-mail notification of the following reports listed at this page.

[http://www.eia.doe.gov/listserv\\_signup.html](http://www.eia.doe.gov/listserv_signup.html) ]

Preferred Form or Format: Excel

Type of Requester (if provided):

Affiliated with a private corporation and seeking information for the use in the company's business.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 2,000

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

MAY 30 2008 04  
"COMMERCIAL" SEARCH, REVIEW & REPRODUCTION

FOIA-2008-000326

*Branch*

**Morris, Alexander**

---

**From:** FOIA-Central@hq.doe.gov  
**Sent:** Wednesday, May 28, 2008 2:35 PM  
**To:** FOIA-Central  
**Subject:** DOE Headquarters FOIA Request

Name { Gregory W. Hendricks }

Organization:

Address:

Phone:

FAX:

Email:

Record Description:

{ Yearly production volume in gallons for all ethanol plants in United States for the past five years. } I require the actual ethanol production by individual plant as opposed to stated nameplate capacity of each plant.

Preferred Form or Format: .xls, .doc, .pdf

Type of Requester (if provided):

An individual seeking information for personal use and not for commercial use.

Fees and Fee Waivers:

I agree to pay up to a specified amount for fees. Enter amount \$ 350

Waiver or Reduction of Fees Factors (if provided):

Expedited Processing:

Specific Justification for Expedited Processing:

MAY 30 2008 05  
OTHER - 2 HOURS SEARCH FREE, 100 FREE PAGES

FOIA 2008-000327

*Bruler*