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March 10, 2009

VIA FAX: 202-586-0575:
Freedom of Information Act Officer
U.S. Department of Energy

and

VIA E-mail:
Becknell, Carolyn [mailto:cbecknell@doeal.gov]

Re: Freedom of Information Act Request

Dear Information Officer and Ms. Becknell:

By letter dated February 11, 2008 and e-mail of April 4, 2008 we submitted a Freedom of Information Act ("FOIA") request to the Lawrence Livermore National Laboratory ("LLNL") requesting, *inter alia*, "groundwater monitoring programs and materials developed for the groundwater basin administered by the Orange County Water District, including the 'par-flow' model."

In the LLNL's May 12, 2008 FOIA response letter, the LLNL provided a copy of an article authored by Andrew F. B. Tompson, Steven F. Carle, Nina D. Rosenberg, and Reed M. Maxwell, all of the Geosciences and Environmental Technologies Division, Lawrence Livermore National Laboratory, Livermore, California, entitled: "*Analysis of groundwater migration from artificial recharge in a large urban aquifer: A simulation perspective*," Water Resources Research; 35(10):2981-98, dated October 1999. In this article, the authors refer to "use of a detailed geologic model of the aquifer system and numerical simulation," work done by the authors within the Geosciences and Environmental Technologies Division. However, no such model or numerical simulation was provided in response to our request.

Thus, in accordance with 5 U.S.C. § 552, we renew our April 2008 FOIA request and specifically seek *all* materials developed for the groundwater basin administered by the Orange County Water District, including any and all models and simulations relating to or referenced in the article "*Analysis of groundwater migration from artificial recharge in a large urban aquifer: A simulation perspective.*"

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The scope of this request includes, but is not limited to, any research, models, simulations, studies, evaluations, analyses, reports, presentations, summaries, peer reviews, protocols, assessments, comments, correspondence, critiques and/or determinations or decisions on the selection of wells and/or locations for sampling in any way relevant or related to such analytical methodologies whether in draft or final form, any other preparation for the development of the above-referenced article, and any potential updates to the model that were performed subsequent to its publication in 1999.

To the extent that there are any documents, or portions thereof, which LLNL determines are exempt from disclosure and seeks to withhold, please provide us a listing of such documents as soon as possible and provide us with a listing of the names and titles or positions of each person responsible for the denial of such request as required under 5 U.S.C. § 552(a)(6)(C)(i).

It is our understanding that by submitting this single request to your office, you will notify all appropriate divisions and departments within LLNL. If this is not correct, please contact us immediately.

We hereby confirm in advance our willingness to pay the costs for the fulfillment of the request up to one thousand dollars ($1,000.00). If the costs are expected to exceed one thousand dollars, please contact me prior to performing any photocopying in excess of that amount. Additionally, we would appreciate a response to this request as soon as possible, and within the 20 days provided by 5 U.S.C. § 552(a)(6)(A)(i).

Please direct any written correspondence regarding this request to the following address:

James M. Mize
Bingham McCutchen LLP,
355 So. Grand Avenue, Suite 4400
Los Angeles, CA 90071-3106

with a copy to

Malinda Allison
Bingham McCutchen LLP
399 Park Avenue
New York, NY 10022

If you have any questions, including questions regarding copying arrangements; or if you need additional information to conduct your search, please contact Malinda Allison at 212-705-7417.

Thank you for your assistance.

Very truly yours,

James M. Mize

cc: Malinda Allison