



Heart of America Northwest

The Public's Voice for Hanford Cleanup

1314 NE 56th St Suite 100 - Seattle, Wa 98105

Voice: (206)382-1014 - Fax: (206)382-1148 - <http://www.hoanw.org>

June 7, 2010

Alexander Morris, FOIA Officer
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
(202) 586-5955
alexander.morris@hq.doe.gov

Dorothy Riehle, Privacy Act Officer
Richland Operations Office, U.S. Department of Energy
825 Jadwin Ave
Richland, Washington 99352
(509) 376-6288
dorothy_c_riehle@rl.gov

FOIA Request for Department of Energy documents and records

FOIA Officers,

Pursuant to the Freedom of Information Act (5 U.S.C. 552), we are requesting copies of the following public records (including email, electronic, and paper records):

1. All documents and records relating to the potential duration of storage for soil excavated since 2009 from the Environmental Restoration Disposal Facility (ERDF) at the Department of Energy Hanford site.
2. All documents and records relating to the cost of storage for soil excavated from the Environmental Restoration Disposal Facility (ERDF) at the Department of Energy Hanford site.
3. All documents and records relating to the planned uses for soil excavated from the Environmental Restoration Disposal Facility (ERDF) at the Department of Energy Hanford site, including (but not limited to):
 - a. All documents and records relating to the potential use of soil excavated from the ERDF site for use as a cap of the nearby US Ecology site.
4. All correspondence between the U.S. Department of Energy and the Washington Department of Ecology concerning the use or storage of soil excavated from the ERDF site (including the length of time such soil may be stored, costs, etc...).

5. All correspondence between the U.S. Department of Energy and the Washington Department of Health concerning the use or storage of soil excavated from the ERDF site (including the length of time such soil may be stored, costs, etc...).
6. All correspondence between the U.S. Department of Energy and the US Ecology company or any of its contractors or agents concerning the use or storage of soil excavated from the ERDF site.
7. Any records relating to consideration of releases documented in investigation of releases from the US Ecology landfill conducted under authority of the Washington Departments of Ecology or Health, or relating to remedies for such releases.

Correspondence requested includes records of any phone calls or meetings, including handwritten notes or memos regarding such calls or meetings; meeting notes, summaries or minutes.

We request a waiver of fees because disclosure of this information is in the public interest.

Below is specific information regarding each of the specific provisions listed in 10 CFR 1004.9(a)(8).

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

The materials requested clearly concern the operations and activities of the government. The requested materials specifically concern what the USDOE plans to do with the soil excavated from the ERDF site, and whether this soil could be used in the remediation of the nearby US Ecology site. Items also relate to USDOE’s obligations to cleanup releases on its property.

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;

The requested information concerns the availability of soil from a DOE site for potential use at a nearby state-run cleanup. The requested information shows how the government operates and manages Hanford, the most contaminated site in the western hemisphere. Specifically, it shows what options the DOE is making available to the state agencies working on a nearby portion of the Hanford site. Clearly, this information will “contribute” to the understanding of government operations and activities. The organizations requesting the information plan to distribute information based on this request to the public via newsletters, workshops and website so that the public may participate in cleanup decisions.

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;

Heart of America Northwest is a regional non-profit public interest organization with a membership of approximately 18,000 people. We have spent over twenty years fighting for the timely cleanup of the Hanford Nuclear Reservation. We disseminate information to the general public so that the public can be informed about Hanford and participate publicly in decisions about Hanford. As USDOE is aware, we routinely disseminate information we gather to the news media. Heart of America Northwest also has a seat on the Hanford Advisory Board. The Board is intended to be an integral component for general public involvement activities and has the missions of providing informed recommendations to the USDOE, EPA, and the Washington Department of Ecology. The organizations requesting the information plan to distribute information based on this request to the public via newsletters, workshops and website so that the public may participate in cleanup decisions.

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;

As stated above, the requested information will significantly contribute to the public’s understanding of government operations and activities. The government has a very large operation at the Hanford and information about how the government manages the site is needed to educate the public. The organizations requesting the information plan to distribute information based on this request to the public via newsletters, workshops and website so that the public may participate in cleanup decisions.

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

Heart of America Northwest, a non-profit, has absolutely no commercial interest in the requested material.

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.”

Again, Heart of America Northwest, a non-profit, has absolutely no commercial interest in the requested material.

For any of the requested records which are commonly used, and easily copied, electronic formats (e.g. Word, emails, pdf), please provide the records to us in that electronic format to save times and reduce costs. If some records are available sooner than others, please forward those rather than waiting for a search for other records. If any records are withheld or redacted, please provide the specific exemption to the Freedom of Information Act authorizing such withholding or redaction.

Sincerely,

Alec Osenbach

Legal Intern

On behalf of Gerry Pollet,
Heart of America Northwest
206-382-1014

Please respond to osenbac1@seattleu.edu and gerry@hoanw.org

Please send large electronic files to office@hoanw.org or on CD to:

Heart of America Northwest
1314 NE 56th St #100
Seattle, Wa 98105