



Department of Energy

Office of Science
Chicago Office
9800 South Cass Avenue
Argonne, Illinois 60439

Mr. Tom Detzel
ProPublica
One Exchange Plaza, 23rd Floor
New York, NY 10006

OCT 27 2009

Dear Mr. Detzel:

SUBJECT: U.S. DEPARTMENT OF ENERGY (DOE) FREEDOM OF INFORMATION ACT (FOIA) REQUEST NO. HQ-F2009-000433

I am the authorizing official responsible for making the determination required by Section 1004.5(b) of the Department of Energy (DOE) regulations found at 10 CFR Part 1004, implementing the FOIA, 5 U.S.C. 552. As ProPublica was informed in DOE Headquarters FOIA Office September 29, 2009, correspondence to David Epstein, the subject FOIA request was transferred to me by the DOE Headquarters FOIA Office for the processing of that portion of the request for agency records located at offices/national laboratories under DOE Office of Science – Chicago Office (SC-CH) records jurisdiction. Those locations are SC-CH, Ames Site Office, Ames Laboratory, Argonne Site Office, Argonne National Laboratory, Brookhaven Site Office, Brookhaven National Laboratory, Fermi Site Office, Fermi National Accelerator Laboratory, Berkeley Site Office, Lawrence Berkeley National Laboratory, Princeton Site Office, and Princeton Plasma Physics Laboratory. I was subsequently informed by your office that the original requester, David Epstein, is no longer with ProPublica, and you are now handling this request. This letter is in final response to your subject FOIA request.

In your original request, you were seeking “any and all records of phone calls, letters, e-mails or other communications between December 1, 2008 and February 18, 2009 from employees or officials of or lobbyists for private contractors involved in nuclear cleanup to the Department of Energy regarding provisions or potential provisions of American Recovery and Reinvestment Act.”

In response to your request, be advised that we have conducted a search of our office and the locations under SC-CH records jurisdiction listed in Paragraph 1 above, and we have located no responsive records.

You are advised of your right to appeal the adequacy of our search for your requested information within 30 days of receipt of this letter by writing to the Director, Office of Hearings and Appeals, United States Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585. Both the request and envelope should be clearly marked “Freedom of Information Appeal.” Judicial review will be available thereafter in the district in which your concern is located or has its principal place of business, where the records are located, or in the District of Columbia.



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Mr. Tom Detzel

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You have been categorized as a "Scientific/Educational/News Media" requester, and as such, you are subject to fee assessment for duplication costs. However, because fees associated with this request are not substantial enough to meet the \$15.00 minimum threshold under FOIA, we are not assessing fees for this request.

If you have any questions regarding this response, please contact me at (630) 252-2041 or via e-mail at miriam.legan@ch.doe.gov.

Sincerely,

A handwritten signature in black ink that reads "Miriam R. Legan". The signature is written in a cursive style with a large initial "M".

Miriam R. Legan
Freedom of Information Act Officer