

October 26, 2009

Mr. Phillip Pulver  
CCOL, Inc.  
2415 South Garfield  
Kennewick, WA 99337

Dear Mr. Pulver:

**SUBJECT: U.S. DEPARTMENT OF ENERGY (DOE) OFFICE OF SCIENCE – CHICAGO  
OFFICE (SC-CH) FREEDOM OF INFORMATION ACT (FOIA) REQUEST NO.  
CH-10-01**

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. We are in receipt of your subject FOIA request, which was transferred by DOE's Oak Ridge Office (ORO) for processing of that portion of the request for records under SC-CH jurisdiction. This letter is in final response to your subject FOIA request.

In your original request, you were seeking "information regarding DOE-PNSO employee Don E. Moody" to include "all emails [with all attachments], hardcopy memos, and any other documents [electronic and/or hardcopy] that pertain to Phillip Pulver and/or his company Catalogs OnLine Inc. [aka/dba Custom Catalogs OnLine Inc., CCOL, CCOL-MDM & Mobile Data Methods Inc.]." You also set forth in your request examples of such requested documents, with what purported to be documents under SC-CH records jurisdiction, as follows:

- Email and/or other correspondence to/from/cc DOE-Berkeley officials [e.g., Gary Drew]

In your e-mail of October 21, 2009, you narrowed the SC-CH portion of your request from "DOE-Berkeley officials [e.g., Gary Drew]" to only "DOE-Berkeley official Gary Drew." In that same e-mail you also broadened your request to include records of DOE-SC-CH officials Roxanne Purucker, Alan Handwerker, and Mark Dvorscak. This response only addresses the records of Gary Drew under the FOIA request #CH-10-01 assigned to your original request. We have assigned new request #CH-10-02 for the records of Roxanne Purucker, Alan Handwerker, and Mark Dvorscak, since they were not in the scope of your original request.

In response to request #CH-10-01, be advised that we have conducted a search of our office and have located no responsive records under SC-CH jurisdiction. Because any responsive records of Gary Drew would have pertained to work he performed for the Pacific Northwest Site Office, they would be under the jurisdiction of DOE-ORO, and DOE-ORO will respond to you under separate cover with respect to those records. We will respond to your new FOIA request

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#CH-10-02 under separate cover with respect to records of Roxanne Purucker, Alan Handwerker, and Mark Dvorscak, after our search for responsive records is complete.

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.

You have been categorized as a "Commercial Use" requester, and as such, you would normally be subject to fee assessment for search time and duplication costs. However, pursuant to our granting you a fee waiver, 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](mailto:miriam.legan@ch.doe.gov).

Sincerely,

*SIGNED OCT. 26, 2009*

Miriam R. Legan  
Freedom of Information Act Officer