



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

April 2, 2012

CERTIFIED MAIL

Mr. Robert Alexander
(home address has been deleted)

Dear Mr. Alexander:

FREEDOM OF INFORMATION ACT REQUEST (FOI 2012-00918)

You requested, pursuant to the Freedom of Information Act (FOIA), the following information:

1. "Has the U. S. Department of Energy (USDOE) or the U. S. Department of Energy Richland Operations Office (USDOE/RL) approved or otherwise monetarily or technically supported Washington Closure Hanford (WCH) in the research, development, testing, deployment, etc., for encasement, grouting, processing, removal, etc., of buried waste or equivalent materials at the Hanford site or elsewhere as practiced by VJ Technologies, Inc."
2. "Has WCH approved or otherwise monetarily or technically supported VJ Technologies, Inc., in the research, development, testing, deployment, etc., for encasement, grouting, processing, removal, etc., of buried waste or equivalent materials at the Hanford site or elsewhere?"
3. "Has VJ Technologies, Inc., or others, received written authorization from USDOE, USDOE/RL, or WCH (or their assigns) to conduct research, development, testing, deployment, etc., relative to US Patent and Trademark Office Patent 7,381,010. i.e., System and Method to Remove Buried Objects?"

According to the FOIA, agencies are not required to answer questions, only conduct a search for responsive documents.

In response to items 1 and 3, we have conducted a thorough search and no documents were located. This search was conducted by those within the agency who are most familiar with the subject matter of your request, in locations where documents would most likely be found.

In response to item 2, according to the U.S. Department of Energy's (DOE) contract with WCH, records relating to any procurement action by the Contractor are the property of the Contractor, with the exception of records that under 48 CFR 970.5232-3, Accounts, Records, and Inspections, are described as the property of the Government. The documents you have requested relate to procurement actions between WCH and the subcontractor, VJ Technologies. Accordingly, the documents do not fall under 48 CFR 970.5232-3 and are not subject to the provisions of the FOIA.

We have conducted a thorough search for any records in the possession of the government and were unable to locate any. This search was conducted by those within the agency who are most familiar with the subject matter of your request, in locations where documents would most likely be found.

We have determined that any documents responsive to your request would fall under the jurisdiction of the Richland Operations Office. However, in your request you mentioned DOE and the DOE Richland Operations Office. If you would like a search conducted by DOE Headquarters, please identify what offices may have responsive documents and submit a request directly: DOE Headquarters, Mr. Alexander Morris, FOIA Officer, 1000 Independence Avenue, SW, Washington, D.C. 20585.

The undersigned individual is responsible for this determination. You have the right to appeal to the Office of Hearings and Appeals, as provided in 10 CFR 1004.8, for any information denied to you in this letter or for the adequacy of our search. Any such appeal shall be made in writing to the following address: Director, Office of Hearings and Appeals (HG-1), U.S. Department of Energy, L'Enfant Plaza Building, 1000 Independence Avenue SW, Washington, D.C. 20585-1615, and shall be filed within 30 days after receipt of this letter. Should you choose to appeal, please provide this office with a copy of your letter.

As provided by the FOIA, you fall under a fee category which entitles you to two hours of search time and 100 pages of photocopies at no charge. For your request, two hours of search time was spent, therefore, there will be no charge for this response.

If you have any questions regarding your request, please contact me at our address above or on (509) 376-6288.

Sincerely,



Dorothy Riehle
Freedom of Information Act Officer
Office of Communications
and External Affairs

OCE:DCR