



Heart of America Northwest

The Public's Voice for Hanford Cleanup

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June 26, 2012

Dorothy Riehle

RL/ORP Freedom of Information and Privacy Act Officer

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Dear Freedom of Information and Privacy Act Officer(s),

Pursuant to the Freedom of Information Act, we are requesting on behalf of Heart of America Northwest, copies of the following public records, including email, electronic documents, and paper records:

1. All records relating to permit review comments posted on the Share Point site used by the United States Department of Energy and the Washington Department of Ecology regarding the Central Waste Complex, the Low-Level Burial grounds Trenches 31 & 34 and Parts I & II permit provisions.

For any of the requested records which are commonly used, and easily copied, electronic formats (e.g. Word, emails, PDF), please provide the records in electronic format to save time and cost. If some records are available sooner than others, please forward those rather than waiting until all records have been located. If any records are withheld or redacted, please provide an index or log of withheld records, the specific exemption to the Public Records Act authorizing such withholding redaction, and an explanation of how or why the exemption applies to the particular record or portion of record which is being redacted.

We request a waiver of fees because disclosure of this information in the public interest. Disclosure will contribute significantly to the public understanding of the operations of government activities and our organization has no commercial interest.

Specifically, this request and our organizations as requesters meet the fee waiver criteria set out in 10 C.F.R. § 1004.9

1. The subject matter of the requested records must specifically concern identifiable "operations or activities of the government." A request for access to records for their information content alone does not satisfy this factor.
 - a. The subject of the requested documents are comments posted on the Share Point site used by USDOE and the Washington Department of Ecology regarding the

Central Waste Complex, the Low-Level Burial grounds Trenches 31 & 34 and other common permit provisions.

2. For the disclosure to be “likely to contribute” to the public understanding of government operations. The requested records must be meaningfully informative in relation to the subject matter of the request and should not already be in public domain.
 - a. The requested and released material will enable us to comment on the pending permit; and. Assess the adequacy of USDOE and the Washington Department of Ecology’s oversight and the degree to which WAC requirements have been followed and applied to the comment and review process regarding the RCRA permit.
3. The disclosure must contribute to the understanding of the public at large, as opposed to the understanding of the requester or a narrow segment of interests persons. One’s status as a representative of the news media alone is not enough.
 - a. Our organization expects to inform the public about the ongoing permit, comment and review process. We have already published newsletters and presented workshops utilizing information from FOIA requests to USDOE and other agencies, and expect to use this information for upcoming newsletter, workshops, website materials, etc... Depending on what information is disclosed, we may utilize the requested materials in presentations to university courses.
4. The disclosure must contribute “significantly” to public understanding of government operations or activities.
 - a. Our publications and workshops will be designed to use information from this request to enable the public to comment on pending permits. It will also help us evaluate whether the permit, comment and review process is following WAC and RCRA requirements. The public has a right to know if federal agencies have complied with federal environmental and procedural laws. The question of whether federal officials comply with relevant laws significantly contributes to public understanding of government organizations.
5. The extent to which disclosure will serve the requester’s commercial interest, if any.
 - a. The requester has no commercial interest. We are a non-profit citizens group with an educational mission.
6. The extent to which the identified public interest in the disclosure outweighs the requester’s commercial interest.
 - a. The requester has no commercial interest and seeks the disclosure solely in the public interest.

We therefore request a fee waiver pursuant to 5 USC 552.

Sincerely,

David Mack
Legal Intern

Heart of America Northwest

This request is submitted on behalf of the Yakama Indian Nation, Heart of America Northwest and Heart of America Northwest Research Center.

In response to this request please cc Gerry@hoanw.org and office@hoanw.org.

Yakama Indian Nation

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