



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

January 23, 2014

**CERTIFIED MAIL**

Mr. Mike Nartker  
Weapons Complex Monitor  
4301 Connecticut Avenue, NW  
Suite 132  
Washington, D.C. 20008

Dear Mr. Nartker:

**FREEDOM OF INFORMATION ACT REQUEST (FOI 2014-00268)**

This letter is a final response to the request for information that you sent to the U.S. Department of Energy (DOE) Headquarters Freedom of Information Act (FOIA) Office. In your request, you asked for a copy of all surveillances performed by DOE's Office of River Protection (ORP) of Bechtel National's activities at the Hanford Waste Treatment Plant between June 1, 2013, and November 25, 2013.

Your request is granted and the documents are enclosed. Within Surveillance Report No. 13-CPM-0239 dated September 24, 2013, we have deleted labor, G&A, profit rates and other financial information submitted by the subcontractor Premier Technology, Inc., (PTT) located on pages 20 and 21 pursuant to Exemption 4 of the FOIA. Exemption 4 protects from disclosure trade secrets or commercial or financial information which is confidential and which, if released, could either impair the government's ability to obtain similar information in the future or would likely cause substantial harm to the company who submitted the information. If this information were released, a competitor could gain insight into PTT's business practices and pricing strategies which have been developed by and are unique to them. Such information could further be used by competitors in a manner which would likely result in substantial harm to PTT's competitive position.

In interpreting the FOIA, courts have held that information may be withheld if disclosure would be likely to impair the government's ability to obtain similar information in the future. If specific pricing information and financial information were released to competitors, it would clearly impair the government's ability to obtain the most favorable terms in future procurements because companies would be less willing to risk disclosure of their information.

In addition, within Surveillance Report No. 13-QAT-0018 dated July 2, 2013, and 13-SHD-0069 dated June 28, 2013, we deleted names, specific job titles and any other information that could be used to tie to a specific individual that would constitute a clearly unwarranted invasion of personal privacy pursuant to Exemption 6 of the FOIA.

Exemption 6 provides that an agency may protect from disclosure all personal information if its disclosure would constitute a clearly unwarranted invasion of privacy by subjecting the individuals to unwanted communications, harassment, intimidation, retaliation, or other substantial privacy invasions by interested parties.

In invoking Exemption 6 we considered 1) whether a significant privacy interest would be invaded by disclosure of information, 2) whether release of the information would further the public interest by shedding light on the operations or activities of the government, and 3) whether in balancing the private interest against the public interest, disclosure would constitute a clearly unwarranted invasion of privacy. We have determined that the public interest in the identity of the individuals whose names, and/or other information that could be used to tie to a specific individual, does not outweigh the individuals' privacy interests.

All releasable information in the documents has been segregated and is being provided to you. 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. 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.

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

Sincerely,

-Original Signed By-

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

OCE:DCR

Enclosures