



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

March 2, 2018

CERTIFIED MAIL

Ms. Anne Frederick
Sick Energy Workers, L.L.C.
115 ¾ West Main Street
Suite 204
Monroe, Washington 98272

Dear Ms. Frederick:

FREEDOM OF INFORMATION ACT REQUEST (FOI 2018-00741)

Your Freedom of Information Act (FOIA) request dated February 19, 2018, was received by this office on March 2, 2018. In your request you asked for “a copy of any records you have in your possession, custody or control that relates to what an insulators’ job duties would be at the Hanford site.”

The FOIA requires that a request must reasonably describe the records sought and be made in conformance with the procedural rules of the agency before the request shall, for purposes of the FOIA and PA, be deemed to have been received by the agency. A description of a requested document would be sufficient if it enabled a professional employee, who was familiar with the subject area of the request, to locate the record with a reasonable amount of effort.

The Department of Energy (DOE) regulations that implements the FOIA provides that a request “must enable the Department to identify and locate the records sought by a process that is not unreasonably burdensome or disruptive of DOE operations.” The regulation further states that, where possible, specific information regarding dates, titles, offices to be searched, file designations, and other information that may help identify the records should be supplied by the requester. In your request you did not reasonably describe the specific records you were seeking. You did not identify any specific offices (DOE or contractors), files, or dates that would permit a search of DOE or contractor files for responsive documents. Thus, to comply with the FOIA, you must identify with greater specificity the records you seek, or the files and offices at DOE, or its contractors, that may have information of interest to you.

If you need assistance to reformulate your request to comply with the FOIA, please contact me at the above address or on (509) 376-6288. If we do not hear from you within 14 days from the date of this letter, we will consider your request withdrawn.

In addition, in your request you asked for a waiver of fees associated with the processing of the request "because such FOIA is only being used for informational purposes only (non-commercial) use." The FOIA provides that "[d]ocuments shall be furnished without any charge or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." See 5 U.S.C. 552(a)(4)(A)(iii). The DOE has implemented this statutory standard for fee waivers or reduced fees in its FOIA regulation at Title 10, Code of Federal Regulations (CFR), Section 1004.9(a)(8).

Although you have requested a waiver of fees, you have not addressed the criteria established in that section. The regulation sets forth the following pertinent factors that are considered by the agency in applying the criteria:

- (1) The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government;"
- (2) The informative value of the information to be disclosed: Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
- (3) The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account your ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter; and
- (4) The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

If you would like your request for a fee waiver to be considered, please provide additional information that addresses these factors to me within 14 days from the date of this letter. If additional information is not received from you by that date, we will consider your request for a waiver withdrawn.

If you have any questions regarding this matter, 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