



*Valencia-Lucena v. U.S. Coast Guard*, 180 F.3d 321, 325 (D.C. Cir. 1999) (quoting *Truitt v. Dep't of State*, 897 F.2d 540, 542 (D.C. Cir. 1990)). “[T]he standard of reasonableness which we apply to agency search procedures does not require absolute exhaustion of the files; instead, it requires a search reasonably calculated to uncover the sought materials.” *Miller v. Dep't of State*, 779 F.2d 1378, 1384-85 (8th Cir. 1985); accord *Truitt*, 897 F.2d at 542. We have not hesitated to remand a case where it is evident that the search conducted was in fact inadequate. See, e.g., *Project on Government Oversight*, Case No. TFA-0489 (2011).\*

In its Determination Letter, EMCBC stated that the search was conducted at Portsmouth as that is the only location within its jurisdiction that may have responsive records. EMCBC explained that the “search consisted of both an automated search of electronic files and a manual search of paper files.” Moreover, in response to our inquiries, EMCBC provided us with additional information to evaluate the reasonableness of its search. EMCBC informed us that it forwarded the FOIA Request to the FOIA Records Point of Contact (“POC”) at Wastren-EnergX Mission Support, LLC, which conducts facility support services at Portsmouth. See Email from Rochelle Zimmerman, EMCBC, to Shiwali Patel, Attorney-Examiner, OHA (July 11, 2013). The POC conducted an electronic and manual search for documents, and it only located a contractor badge for Gary Lawson, but not any medical, occupational or industrial records for him. *Id.*

Based on the foregoing, we are satisfied that EMCBC has conducted an adequate search for documents that are responsive to the Appellant’s FOIA request. As stated above, the standard for agency search procedures is reasonableness, which “does not require absolute exhaustion of the files.” *Miller*, 779 F.2d at 1384-85. Here, a reasonable search was conducted to locate the requested documents. Accordingly, we will deny the Appeal.

It Is Therefore Ordered That:

- (1) The Freedom of Information Act Appeal filed by the Appellant on July 11, 2013, OHA Case Number FIA-13-0050, is hereby denied.
- (2) This is a final order of the Department of Energy from which any aggrieved party may seek judicial review pursuant to 5 U.S.C. 552(a)(4)(B). Judicial review may be sought in the district in which the requester resides or has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

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Date: July 22, 2013