**Morris, Alexander**

**From:** FOIA-Central@hq.doe.gov
**Sent:** Friday, June 19, 2009 8:34 PM
**To:** FOIA-Central
**Subject:** DOE Headquarters FOIA Request

Name: Tom Clements

Organization: Friends of the Earth

Address:

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Record Description:

I request the following documents and this request is possibly most pertinent to the Office of Environmental Management and Office of General Counsel.

1. Copy of any formal DOE policy guidance, memo, position or statement authorizing the creation of a "clean energy park" at DOE's Piketon site.

2. Documents reflecting just what a Piketon "clean energy park" is and how the term "clean energy park" is officially defined by DOE.

3. Copy of any agreement or contract between DOE or any contractor and AREVA, Duke Energy, and/or UniStar Nuclear Energy to allow those companies to pursue what they term as a "clean energy park" at the Piketon site.

4. Copies of all determinations by the Office of General Counsel or other DOE offices allowing the use of the Piketon site for a "clean energy park" and all documents from the GC relating to the compliance with DOE regulations, NEPA regulations and Council on Environmental Quality regulations related to creation of a "clean energy park" at the Piketon site.

5. In addition to a nuclear reactor, documents reflecting that DOE has conducted an open, public analysis of all alternative uses of the Piketon site. This should include documents reflecting that all stakeholders, including environmental organizations and the Piketon Site Specific Advisory Board, have been apprised of and been allowed to comment in a formal process on both the "clean energy park" and other uses of the Piketon site.

Preferred Form or Format: CD or paper

Type of Requester (if provided):

Affiliated with an educational or noncommercial scientific institution, and this request is made for scholarly or scientific purpose and not for commercial use.

Fees and Fee Waivers:

I request a waiver or reduction of fees.

Waiver or Reduction of Fees Factors (if provided):

1. The subject of the request: Whether the subject of the requested records concerns "the operations or activities of the government."

Shenk



FOIA-2009-000466

The information sought will help explain how DOE is determing future use of DOE sites, including for "energy parks."

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.

The information obtained will inform the public as to DOE planning and decision-making methodology for future use of DOE sites.

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.

Friends of the Earth is a national and international public interest environmental organization that has proven ability to disperse information to the public via the news media, our membership list and our website. In particular, I have proven ability in relation to informing the public about activities at the Savannah River Site and in general about DOE activities.

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.

Reuse of DOE sites is being presented by DOE as a key to the energy future of the country and citizens must know how DOE is deciding on use of the sites, such as Piketon, and how energy technologies are being selected.

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure, and, if so

There is no commercial interest in the information, rather only use for analysis and public release.

6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

Friends of the Earth has no commercial interest in the information.

Expedited Processing:

Specific Justification for Expedited Processing: