FOIA-2009-000309
5/1/2009

Morris, Alexander

From: Ann Dunlap [Ann.Dunlap@NETL.DOE.GOV]
Sent: Thursday, April 30, 2009 10:20 AM
To: Morris, Alexander
Subject: Fwd: FOIA Request from ProPublica
Attachments: DOE Fracking FOIA Request1.docx

Hi Chris -

I received the attached FOIA request and thought it if didn't, it should go to FE Headquarters, too. See what you think.

Thanks,

Ann

>>> "Abrahm Lustgarten" <Abrahm.Lustgarten@propublica.org> 4/30/2009 9:47 AM >>>

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April 30, 2009

Ann Dunlap, FOIA/Privacy Act Officer
National Energy Technology Laboratory
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P.O. Box 10940
Pittsburgh, PA 15236-0940
Office Phone: 412-386-6167

FOIA REQUEST
Fee benefit requested
Fee waiver requested
Expedited review requested

Dear FOI Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request copies of any and all notes and correspondence including emails, hand-notes and letters pertaining to the commissioning, authorship, review, editing, production and publication of the report "Modern Shale Gas in the United States: A Primer" exchanged between staff at the Department of Energy and all other interested parties including but not limited to Scott Kell and the Ohio Department of Natural Resources, the staff of ALL Consulting, and staff or members of the Ground Water Protection Council.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the Department of Energy's National Energy Technology Laboratory that is of current interest to the public because the above-named report directly influences legislation currently being considered by the U.S. Congress, and the enforcement of federal environmental law. This information is being sought on behalf of *ProPublica* for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest and will contribute significantly to public understanding of government operations and activities. Please notify me before assessing any fees.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

4/30/2009 FOIA-2009-000309

Joan

[illegible]

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than by mail, if you have questions regarding this request.

Please provide expedited review of this request which concerns a matter of urgency. As a journalist, I am primarily engaged in disseminating information. I work for a not-for-profit news organization that has no commercial interests. The public has an urgent need for information about the NETL and its production of this report because the related legal matters may be decided in the coming weeks and new information could affect those decisions. I certify that my statements concerning the need for expedited review are true and correct to the best of my knowledge and belief.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,
Abrahm Lustgarten

Abrahm Lustgarten
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