FOIA-2009-000752
9/4/2009

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DOE Headquarters FOIA Request Form*

To make an Electronic FOIA (E-FOIA) request, please provide the information below. Failure to enter accurate and complete information may render your FOIA request impossible to fulfill.

*** Requests submitted under the Privacy Act must be signed and, therefore, cannot be submitted on this form.**

Name: James Gignac (Required)

Organization: Sierra Club

Address: James P. Gignac
Midwest Director
Sierra Club, Beyond Coal Campaign
70 E. Lake St., Suite 1500
Chicago, IL 60601

Phone: 312-251-1680 x147

FAX: 312-251-1780

Email: james.gignac@sierraclub.org

Reasonably Describe Records

Describe the specific record (s) you seek with sufficient detail that a knowledgeable official of the activity may locate the record with a reasonable amount of effort. Such detail should include: dates, titles, file designations, and offices to be searched.

Since most DOE records are not retained permanently, the more information that you provide, the better the opportunity there is to determine if the records involved still exist and where. The FOIA clearly states that records must exist at the time the request is submitted.

Enter description:

Pursuant to the Freedom of Information Act ("FOIA"), Sierra Club and Valley Watch hereby request copies of all records generated by or in the possession of the Department of Energy ("DOE") regarding the application of Indiana Gasification, LLC for a DOE Title XVII Loan Guarantee. We anticipate receiving records relating to the application, including, but not limited to, the application itself, any supporting materials to the application, application review notes and correspondence, and copies of any communications and correspondence between DOE and Indiana Gasification, LLC. If you determine that portions of any records covered by this request are exempt from disclosure, please separate the exempt portions from the non-exempt portions as required by the Act and provide copies of the non-exempt portions. For any records or portions of records that you determine to be exempt from release, please provide a specific description of the record or portion of record along with a particularized description of the basis for withholding it. Also, with respect to any such records or portions of records for which DOE claims an exemption, we specifically request that DOE provide us with these records or portions of records notwithstanding the exemption consistent with the FOIA's policy in favor of disclosure. In order to decrease cost and use of paper, it is requested that this information be delivered in a digital format such as on CD if possible. If the request is denied in whole or in part, we request a formal determination which explicitly refers to the statutory basis for your denial and which describes our right to appeal within your agency.

FOIA -2009- 000752

Joan

Specify preferred form or format: Electronic

Type of Requester

Select a description of yourself and the purpose of the request to help determine your category for assessing fees:

- (●) An individual seeking information for personal use and not for commercial use.
- ( ) Affiliated with an educational or noncommercial scientific institution, and this request is made for scholarly or scientific purpose and not for commercial use.
- ( ) Affiliated with a private corporation and seeking information for the use in the company's business.
- ( ) A representative of the news media affiliated with _____ and the request is made as part of news gathering and not for commercial use.

  Select type of media:
  - ( ) Newspaper
  - ( ) Magazine
  - ( ) Television Station
  - ( ) Other: _____

Fees and Fee Waivers

Your request must include a statement that (1) you agree to pay any fees that may be incurred to process the request; (2) stipulates an amount you are willing to pay; or (3) requests a specific waiver or reduction of fees.

Please select the statement that applies: (required)

- ( ) I agree to pay all applicable fees.
- ( ) I agree to pay up to a specified amount for fees.

  Enter amount $ _____
- (●) I request a waiver or reduction of fees.

If you request a waiver or reduction of fees, we will consider the following six factors to make a determination. Please provide information that addresses these factors:

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

This request pertains to the working of government; specifically, the Department of Energy.

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.

Disclosure of this information will enhance public understanding of the workings of government, including your agency. Sierra Club and Valley Watch will endeavor to make this information available not only to the members of its organization but to the general public to ensure a well-grounded understanding of this matter.

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.

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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.

Disclosure of this information will enhance public understanding of the workings of government, including your agency. Sierra Club and Valley Watch will endeavor to make this information available not only to the members of its organization but to the general public to ensure a well-grounded understanding of this matter.

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

Sierra Club and Valley Watch are not-for-profit advocacy organizations dedicated to achieving environmental protection. The information gathered will not be used to further the pecuniary interest of any profit-seeking venture.

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."

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Sierra Club Midwest Office
70 E Lake St, Suite 1500
Chicago, IL 60601
(312) 251-1680 (312) 251.1780 fax
www.sierraclub.org

FAX COVER SHEET

TO: DOE FOIA Officer

FAX: (202) 586-0575

FROM: James Gignac

DATE: 9/3/2009

OF PAGES: 4 (including cover)

NOTES: FOIA Request Re: **Indiana Gasification, LLC**

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Enter description:

Pursuant to the Freedom of Information Act ("FOIA"), Sierra Club and Valley Watch hereby request copies of all records generated by or in the possession of the Department of Energy ("DOE") regarding the application of Tenaska or Christian County Generation, LLC for a DOE Title XVII Loan Guarantee for the Taylorville Energy Center. We anticipate receiving records relating to the application, including, but not limited to, the application itself, any supporting materials to the application, application review notes and correspondence, and copies of any communications and correspondence between DOE and the applicant. If you determine that portions of any records covered by this request are exempt from disclosure, please separate the exempt portions from the non-exempt portions as required by the Act and provide copies of the non-exempt portions. For any records or portions of records that you determine to be exempt from release, please provide a specific description of the record or portion of record along with a particularized description of the basis for withholding it. Also, with respect to any such records or portions of records for which DOE claims an exemption, we specifically request that DOE provide us with these records or portions of records notwithstanding the exemption consistent with the FOIA's policy in favor of disclosure. In order to decrease cost and use of paper, it is requested that this information be delivered in a digital format such as on CD if possible. If the request is denied in whole or in part, we request a formal determination which explicitly refers to the statutory basis for your denial and which describes our right to appeal within your agency.

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NOTES: FOIA Request Re: **Taylorville Energy Center**