FOIA-2009-000777
9/16/2009

Rocky Mountain Peace and Justice Center
P. O. Box 1156, Boulder, CO 80306 USA 303-444-6981 Fax 720-565-9755

August 30, 2009

Ms. Anna Martinez-Barnish
FOIA Officer
DOE Golden Field Office
1617 Cole Blvd
Golden, CO 80401

Re: FOIA Request

OTHER 2 HOURS SEARCH FREE, 100 FREE PAGES
SEP 16 2009 03

Dear Ms. Martinez-Barnish:

This is a request under the Freedom of Information Act.

I request a copy of a map of the site of the former Rocky Flats Plant that shows specific locations where during production years waste was buried on site at depths greater than six feet, with some of the burial sites being as deep as 18 or 20 feet. This map also identifies materials deposited at each specific location. Former Rocky Flats worker Jerry San Pietro says that he was once allowed to see this map. At the time he was a radiation control technician who chaired the joint Company-Union Health and Safety Committee. He referred to the map when he was interviewed on November 7, 2005, for the Rocky Flats Oral History Project (see Transcript OH 1384V A-B at http://www.bplcarnegie.org/oralhistory/). What he said about the map during this interview was quoted by Hannah Nordhaus in "The Half-Life of Memory," *High Country News*, February 16, 2009.

Mr. San Pietro he told me that at the time he saw the map he was informed by plant officials who were present that the information shown on the map about materials buried at each location was backed up by detailed records then kept at the plant. I therefore also request that any of the records substantiating what the map shows about what was buried at specific locations be provided to me as well.

In order to help you assess my status for purposes of determining the applicability of any fees, you should know that I am affiliated with the Rocky Mountain Peace and Justice Center, a non-governmental organization that since its founding in 1983 has served the public interest by providing information about public health issues and environmental conditions at the Rocky Flats site.

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I request a waiver of all fees for this request. Disclosure of the information I seek is in the public interest because it is likely to contribute significantly to public understanding of government activities and of environmental conditions at the Rocky Flats site. In no way is my concern one of commercial interest. The requested document will be examined to see if it contains information not previously available. Any new information will be shared with the general public in a variety of ways, including public presentations, published articles, electronic communication and posting on the web site of the Rocky Mountain Peace and Justice Center.

If possible, please provide the information I seek in electronic format, such as a personal computer disk.

I ask that my request receive expedited processing, because it is pertinent to decisions the US Fish and Wildlife Service may soon make to implement its plan to open the Rocky Flats National Wildlife Refuge for public recreation. I have a compelling need for the information sought because I believe it may provide a new understanding regarding contaminants remaining in the Rocky Flats environment that may pose public health risks. Should this prove to be the case, the information sought will be shared as quickly as possible not only with the affected public but also with responsible government entities.

Should there be any questions regarding this request, please contact me at 303-447-2779. Thank you for your assistance.

Sincerely,

LeRoy Moore

LeRoy Moore

Department of Energy
Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393

September 11, 2009

Via Federal Express

Mr. LeRoy Moore
Rocky Mountain Peace and Justice Center
3360 14th Street
Boulder, Colorado 80304

Dear Mr. Moore:

Subject: Freedom of Information Act Request DOE/GO Docket No. GO-09-047 – Rocky Flats Plant

This letter is in response to your Freedom of Information Act (FOIA) request, pursuant to 5 U.S.C § 552, regarding site maps related to the Rocky Flats Plant. More specifically:

You Requested

- A copy of a map of the site of the former Rocky Flats Plant that shows specific locations where, during production years, waste was buried on site at depths greater than six feet, with some of the burial sites being as deep as 18 or 20 feet. This map also identified materials deposited at each specific location.

Our Response

In accordance with the Department of Energy's (DOE) regulations implementing the FOIA, 10 C.F.R. 1004.5(b), I am the DOE official responsible for making the initial determination with regard to the disclosure of the information you requested.

As discussed in your phone conversation on September 9, 2009, with Anna E. Martinez-Barnish, FOIA Officer for the Department of Energy's Golden Field Office, we are unable to provide you with information responsive to your FOIA request. Rocky Flats FOIA requests are handled by the DOE Office of Legacy Management.

We have sent a copy of your request dated August 30, 2009, addressed to the DOE Golden Field Office, and a copy of this response letter to our FOIA headquarters office for processing:

Mr. Morris Alexander
Freedom of Information Act Officer, MA74/Forrestal Building
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585.
202-586-3159 or by email morris.alexander@hq.doe.gov.

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Your Right to Appeal

We have made our best effort to provide you with a response in as short a time as possible. If for some reason you believe our search has been inadequate, you are entitled to appeal this matter within 30 days of the receipt of this letter by writing to the Director, Office of Hearings and Appeals, HG-1, Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585. Both the letter and the envelope must be clearly marked, "Freedom of Information Appeal." You are further advised that judicial review will thereafter be available within the district in which you reside, have a principal place of business, where the records are located, or in the District of Columbia.

If you have any questions, please contact Anna E. Martinez-Barnish, DOE/FOIA Officer, at 303-275-4927 or email anna.martinez-barnish@go.doe.gov.

Sincerely,

Christine A. Phoebe

Christine A. Phoebe
Deputy Manager

cc: Alexander Morris, FOIA Officer, DOE/FOIA Headquarters