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May 27, 2004

VIA FACSIMILE

FOIA Officer
United States Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Ms. Diane Quenell
United States Department of Energy
Office of Repository Development
1551 Hillshire Drive
Las Vegas, Nevada 89134-6321

Re: Freedom of Information Act — Request for Documents

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 55 U.S.C. 552, we hereby request copies of all relevant documents¹ meeting the following descriptions:

1. All standards or criteria employed by DOE (including software) to screen or identify relevant documentary material for inclusion in DOE's Licensing Support Network ("LSN") database for the Yucca Mountain project ("YMP").
2. All standards or criteria employed by DOE (including software) to screen documents for privileged status or Privacy Act information in connection with its creation of its LSN for YMP.
3. All internal DOE memoranda or other correspondence discussing or relating to the criteria for inclusion of documentary material in DOE's YMP LSN database, or discussing or relating to the changing or modification of such criteria.



Template =
SECY-028

SECY02

May 27, 2004
Page 2

4. All criteria implemented by DOE for the review of electronic mail documents for relevance and inclusion in DOE's YMP LSN database (whether manually or through the use of software).
5. The "Concept of Operation" for the handling of potentially relevant databases and software programs which was referred to as in the "management approval process" (at p. 2 of 2 of DOE's April 30, 2004 "Comments on the Office of Inspector General (OIG) Licensing Support Network (LSN) Draft Audit Report").
6. Any and all documents, memoranda, correspondence, or guidelines relating to or discussing the size or potential size (whether in numbers of documents or numbers of pages) of DOE's YMP LSN database generated by any employee of DOE within the last 12 months.
7. Any and all documents, memoranda, correspondence, or guidelines discussing or describing categories or groups of the documentary material considered for inclusion in DOE's LSN database for the YMP. (Such categories may be defined by the subject of the documentary material, the origin or author of the documentary material, the status of the documentary material as drafts, final versions, or raw data, or any other characteristic used to categorize or group the documentary material potentially required to be included in DOE's LSN database.)

This request is made on behalf of the State of Nevada.

The requesting party is willing to pay up to a total amount of \$1,000 for search time² and document copying costs without the necessity for further approval. The requesting party has specifically made this request as narrow as possible in order to facilitate expeditious and timely response by DOE.

Thank you for your prompt attention to this request. If you have any questions, please contact me at 210-820-2667.

Sincerely,



Charles J. Fitzpatrick

May 27, 2004

Page 3

CJF:sm

cc: Joseph R. Egan, Esq. (via fax)
Mr. Robert R. Loux (via fax)

1. "Documents," in this regard, should be given the broadest possible interpretation, to include, without limitation, all electronic documents and hard copies, tapes, CD-ROMs, notes, letters, papers, books, reports, graphics, studies and files, together with any associated compilations.

2. This request is intended to cover DOE's headquarters office, as well as its field offices, including, but not limited to, DOE's Nevada field office.