

RAY QUINNEY & NEBEKER

FOIA/PA REQUEST

Case No.: CON-2010-0005

Date Rec'd: 8-17-10

Specialist: Raphael

Revised Case: _____

December 11, 2009

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Alexander Morris
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U.S. Department of Energy
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Washington, DC 20585
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Pauline Conner
FOIA Officer
Savannah River Operations Office (SRO)
P.O. Box A
Aiken, SC 29801

RE: Expedited Freedom of Information Act Request

Dear Mr. Morris and Ms. Conner,

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, on behalf of my client, I request the following federal government records concerning the Department of Energy's recent decision to ship 14,800 drums of depleted uranium ("DU") from the Savannah River Site in South Carolina to Energy Solutions facility in Clive, Utah:

- All files, documents, reports, or studies evidencing the Department of Energy's compliance with the National Environmental Policy Act ("NEPA") with regard to the decision to dispose of the Savannah River Site DU waste at the Energy Solutions facility in Clive, Utah, including all documents detailing other reasonable alternatives that were studied as disposal pathways for this waste and documents evidencing that the long term, direct, indirect and cumulative impacts of disposing of this waste were studied as required by NEPA;
- All files, documents, reports, or studies supplementing the Savannah River Site NEPA documents based upon new information regarding the impacts of surface disposal of DU, including, but not limited to, new information regarding the Nuclear Regulatory Commission's

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decision to revise their rules regarding disposal of DU and other unique waste streams;

- All files, documents, reports, or studies relating to a categorical exclusion from NEPA regarding disposal of the Savannah River Site DU.
- If applicable, all files, documents, reports, or studies regarding your agency's decision not to conduct further NEPA studies with regard to disposal of DU and/or the decision to dispose of the Savannah River Site DU in Utah;
- All correspondence between your agency and Energy Solutions regarding the disposal of the 14,800 drums of Savannah River Site DU at their facility in Clive, Utah.

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The terms "records," "files," "reports," "memoranda," "correspondence" and "documents" as used herein means all documents, papers, letters, maps, books, tapes, photographs, electronic mail, electronic data, films, recordings or other material, regardless of physical form. The word "or" means "and" and vice versa. If this request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I also request that you release all segregable portions of otherwise exempt material.

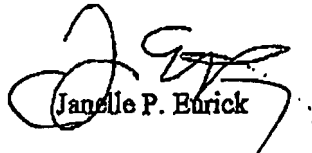
My client is a Utah non-profit organization involved in disseminating information to the public and its members regarding hazardous waste issues in Utah. The disclosure of this information is likely to contribute significantly to public understanding of your agency's decision to ship the DU waste from the Savannah River Site to Utah. Because of your agency's recent decision to begin shipping this waste to Utah, an urgency to inform the public concerning this decision exists and I therefore request that you expedite this request in accordance with FOIA.

For the same reasons, I also request that you waive any fees associated with this request. If that is not possible, please contact my office prior to making copies if you expect the total amount of research and copying expenses to exceed \$200.00. In that situation, I would appreciate being able to review the documents at your local office prior to copying. Also, in an effort to reduce copying expenses, I would appreciate receiving documents in electronic format whenever available. If you received this request in error, please contact my office immediately and kindly forward the request to the correct person within your office. Thank you for your prompt attention to this

matter. If you have any questions processing this request, please contact me immediately at (801) 323-3336.

Very truly yours,

RAY QUINNEY & NEBEKER P.C.



Janelle P. Burick

cc: Frank Marcinowski, frank.marcinowski@em.doe.gov

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RAY QUINNEY & NEBEKER

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Facsimile Transmission Cover Sheet

TO: Alexander Morris, FOIA Officer

FAX: 202-586-0575

U.S. Department of Energy

PHONE:

FROM: Janelle P. Eurick

PHONE: 801-323-3336

DATE: December 11, 2009

RE:

CC:

Number of pages including cover sheet: 4

Client Account Number: 34142-2

Client and Matter: Heal Utah
ID Number: 346

Message:

If you do not receive all the pages, please call (801) 532-1500 and ask for the fax operator (ext. 3452).

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Ray Quinney & Nebeker P.C. has offices in Salt Lake City & Provo, Utah