



Department of Energy

Washington, DC 20585

March 17, 2015

Mr. William Hirst
Hirst Enterprises, Inc.
P.O. Box 517
Fountainville, PA 18923

Via Email: admin@digatree.com

Re: Pending FOIA requests with the Department of Energy

Dear Mr. Hirst:

This correspondence is a follow up to our February 20, 2015 and March 10, 2015 letters, regarding the Freedom of Information Act (FOIA) requests you filed with the Department of Energy (DOE). As stated in the above letters, you have been categorized under the FOIA as an "other" requester, which subjects you to search and duplication fees above the two (2) free hours of search time and 100 pages. Since you have not provided the Department with proper fee agreements for your pending requests and since your requests for fee waivers were denied, the DOE will process each of your pending requests up to the two (2) free hours of search time for the entire Department.

As you know, you have filed multiple duplicate requests within the Department. Since the DOE is only providing two (2) hours of search time, your requests will be consolidated by subject matter. The Department will conduct a search based on which office(s) it feels is most likely to return responsive records.

We have listed below all of your pending requests by subject matter and have also indicated which office(s) will be responding for that particular subject matter. You will only receive a final response from the offices listed below. All remaining pending requests with the same subject matter will be closed as duplicate requests. Please note that some of the offices listed below may have already sent you their final response.

1. All pending requests asking for: Disaster Plan for a cataclysmic pyrotechnic explosion which could occur at Yellowstone National park/all records captioned "super volcano underneath Yellowstone National Park..."

Office(s) responding: Idaho Operations Office; Office of Electricity Delivery and Energy Reliability at Headquarters; National Nuclear Security Administration

2. All pending requests asking for: Purchase orders that reflect DOE purchases of Range-R's manufactured by L-3 Communications.

Office(s) responding: Idaho Operations Office; Chicago Operations Office; Office of Acquisition and Project Management at Headquarters



3. All pending requests asking for: Certain receipts for purchases by your Department on December 1-5, 2014.

Office(s) responding: Environment Management Consolidated Business Center; Carlsbad Field Office; Office of Scientific and Technical Information; Office of Acquisition and Project Management at Headquarters

Unreasonably Described and Overly Broad FOIA Requests:

4. All pending requests asking for: All training videos produced by or for your Department during 2014 and any other videos made during 2014 by your Department.
5. All pending requests asking for: All emails sent or received bearing the email address HDR22@CLINTONEMAIL.COM for year 2013.

Your above requests, No. 4-5, have been controlled as FOIA requests, but have not been assigned to a program office to process because they do not meet the requirements of a proper FOIA request as stated at Title 10, Code of Federal Regulations (CFR), Section 1004.4.

The FOIA provides that a request must reasonably describe the records sought and be made in conformance with the procedural rules of the agency before the request shall, for purposes of the FOIA, be deemed to have been received by the agency. A description of a requested document would be sufficient if it enabled a professional employee, who is familiar with the subject area of the request, to locate the record with a reasonable amount of effort.

The DOE regulation that implements the FOIA provides, at 10 CFR1004.4(c)(1), that a request "must enable the DOE to identify and locate the records sought by a process that is not unreasonably burdensome or disruptive of DOE operations." The regulation further states that, where possible, specific information regarding dates, titles, file designations, offices to be searched, and other information that may help identify the records should be supplied by the requester.

You have not reasonably described the agency records that you seek for your requests, No. 4-5.

With regards to your requests identified as No. 4 above, you have not provided us a specific subject matter for your requests or identified which specific office you seek records for. Please note that the DOE does not maintain a centralized database which contains all training videos for the Department. Searching each office in the DOE will be unduly burdensome and require more than two hours of search time.

With regards to your requests identified as No. 5 above, you have not indicated specific names of DOE employee's you seek the records for. Since the DOE does not maintain a centralized database to search all Department emails, it will be unduly burdensome to search every employee's account and will require more than two hours of search time.

The DOE, therefore, cannot conduct a search of agency files for responsive documents unless you provide greater specificity to identify the records you seek, or the files and offices at the DOE that may have information of interest to you.

Please provide us this information by March 25, 2015. If we do not hear from you or receive reformulated requests by March 25, 2015, no further agency action will be taken for requests filed under No. 4-5 above.

If you have any questions about this letter, you may contact Mr. Omer Pervaiz or me at:

MA-90/ Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20585
(202) 586-5955

I appreciate the opportunity to assist you with this matter.

Sincerely,



Alexander C. Morris
FOIA Officer
Office of Information Resources