Department of Energy

Idaho Operations Office
1955 Fremont Avenue
Idaho Falls, ID 83415
April 20, 2010

Rick Gokey, president
Eagle Rock Timber Inc.
3000 Wright Road
Idaho Falls, ID 83401-1664

SUBJECT: Response to Freedom of Information Act request from Eagle Rock Timber (OM-PA-10-025)

Dear Mr. Gokey:

This letter is in response to your Freedom of Information Act (FOIA) request in which you asked for risk management strategy and plan documents pertaining to the Materials and Fuels Complex Radiochemistry Laboratory Project, and three letters related to that project.

We conducted a thorough search of our files and identified the following responsive documents:

- Letter (CNN 217722), Lisa Sehlke to Suzette M. Olson, Subject: Contract No. DE-AC07-05ID14517 – Request for Approval of Funds Change Notice CR-FCN-09-013, *Materials and Fuels Complex Radiochemistry Laboratory Project Operating Funding – Additional Project Support* (with redactions in accordance with Exemption 4 of the FOIA)
- Letter (CNN 217060), Lisa Selke to Suzette M. Olson, Subject: Contract No. DE-AC07-05ID14517 – Request for Approval of Funds Change Notice CR-FCN-09-011, *Materials and Fuels Complex Radiochemistry Laboratory Project Operating Funding – Additional Project Support* (with redactions in accordance with Exemption 4 of the FOIA)
- Letter (CNN 218587), Ronald S. Paige to M. Christine Ott, Subject: Contract No. DE-AC07-05ID14517 – Independent Assessment of Design-Build Charging Practices and RCL Review (with redactions in accordance with Exemption 4 of the FOIA)
- Risk Management Plan for MFC Radiochemistry Laboratory Project, PLN-2653 Revision ID:1, Effective Date 10/06/08

Some dollar figures in the letters are withheld from release under FOIA Exemption 4. Exemption 4 exempts from mandatory public disclosure "trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552 (b)(4); 10 C.F.R. § 1004.10(b)(4). In order to be withheld under Exemption 4, a document must contain either (a) trade secrets or (b) information that is commercial or financial, obtained from a person, and privileged or confidential. In this instance, the redacted detailed dollar figures are

commercial information, which, if released, would cause substantial harm to the competitive position of Battelle Energy Alliance. The total amounts of the funds change notice requests in these letters are being provided.

The document titled "Risk Management Plan for MFC Radiochemistry Laboratory Project, PLN-2653 Revision ID:1, Effective Date 10/06/08" is provided to you in its entirety. This document and the "Risk Management Strategy" you requested are one in the same. No separate strategy document exists.

As the Authorizing and Denying Official, it is my duty to inform you of your right to appeal this document release determination to the Office of Hearings and Appeals within 30 days of receipt of this letter. The address for filing an appeal to this release determination is:

Office of Hearings and Appeals
U. S. Department of Energy
1000 Independence Avenue, SW Washington, DC 20585-1615

If you have any questions regarding this letter or the enclosure, please feel free to contact DOE-ID FOIA Officer Clayton Ogilvie at (208) 526-5190 on or after his return to this office April 26, 2010. If you file an appeal, please provide Mr. Ogilvie a copy of your appeal letter at the Idaho Falls address indicated at the top of this letter.

Sincerely,

Timothy B. Jackson
Acting FOIA Officer
DOE-ID