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April 27, 1995

FACT-0427

**Freedom of Information Act (FOIA) Facts¹
5 USC 552, and DOE regulations implementing the Act 10 CFR 1004.**

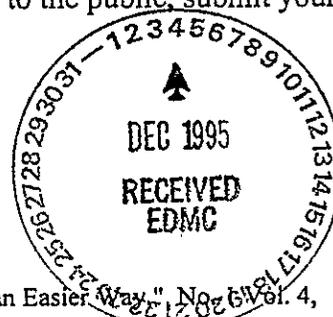
In general, persons or the public can inspect or obtain copies of publicly available material maintained by DOE through public reading facilities in DOE's headquarters and field offices. The public can request access to all agency records not available through the public reading facilities by filing a FOIA request. These materials must be made available to the public under the FOIA, except for records which are: 1) properly classified as secret in the interest of national defense or foreign policy; 2) related solely to internal personnel rules and practices; 3) specifically made confidential by other statutes; 4) trade secrets and commercial or financial information which is obtained from a person and is privileged or confidential; 5) inter-agency or intra-agency memoranda or letters, except under certain circumstances; 6) personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; 7) investigatory records or information compiled for law enforcement purposes, the release of which (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose investigative techniques, or (F) could reasonably be expected to endanger the life or physical safety of any individual; 8) information contained in or related to certain examinations, operating, or condition reports concerning financial institutions; and 9) certain information concerning gas or oil wells.

In addition, if the forgoing types of information may be reasonably segregated and deleted from any record, DOE will make the remainder of that record available to you for inspection or copying, if not otherwise available.

Requests for classified records including requests for mandatory review pursuant to Executive Order 12356 (or any successor) will automatically be considered a FOIA request. The Director of Declassification will be responsible for determining the releasability of any classified records and will refer the documents to the appropriate program office for further review under the provisions of the FOIA if necessary.

If you are told that the information you seek is not available to the public, submit your request in writing to the following address:

FOIA Officer, FOI/Privacy Acts Division
1000 Independence Avenue, SW
Washington, D.C. 20585
(202) 586-6025



¹ The Energy Messenger, "Freedom of Information -- There Has to be an Easier Way," No. 6, Vol. 4, January/February 1995, pp 32-36.

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Although not required, it is recommended that the following steps be taken to expedite the processing of your request: 1) include the words "FOIA REQUEST" on the envelope; 2) try to be as specific as possible in the identification of the records you want to review; and 3) include a brief description of why you need the records, since DOE may use such information as a basis for fee reduction or discretionary release of otherwise exempt material.

With certain specific exceptions authorized by the FOIA Reform Act of 1986, a fee will generally be charged when more than one-half hour or staff work is devoted to locating, reviewing, and making available for inspection or copying records requested pursuant to the FOIA. These fees will recoup the full allowable direct costs incurred. Copying services are performed by DOE's personnel at a per page rate established by the agency. Charges in excess of \$15 will not be incurred without written authorization from the requestor.

The current schedule of fees for search, review, and copy services is set forth in 10 CFR 1004 and is available at DOE Reading Rooms and Information Repositories. Estimates of fees to be charged will generally be provided upon request.

The following telephone numbers are provided for your use in contacting the:

U.S. Department of Energy
1000 Independence Avenue, SW
Washington, D.C. 20585

For

Call

General Information

Public Inquiries
(202) 586-5755

Energy Information
Administration (EIA)
Statistical Data

EIA Reference Facility
(202) 586-8800

Hearing and Appeal
Decisions

Hearings and Appeals
Reference Room
(202) 586-8001

FOI/Privacy Acts Requests

FOI/PA Division
(202) 586-6025

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The TWRS EIS Project Office and DOE Richland Operations Office intend to fully comply with the letter and spirit of the FOIA. Therefore, if at any time you find documents identified as available but are missing from DOE Reading Rooms or Information Repositories listed in Table 1, please call or write to either of the following:

Dave Nichols
Public Involvement Manager
TWRS EIS Project Office
Jacobs Engineering Group Inc.
3250 W. Clearwater Avenue
Kennewick, Washington 99336
(509) 736-0616

Carolyn Haass
TWRS EIS NEPA Document Manager
DOE Richland Operations Office
P.O. Box 550 (S7-51)
Richland, Washington 99352
(509) 372-2731