

Warren-Briggs, Sharon - CTAC

From: Randy Menuey [REDACTED]
Sent: Sunday, September 27, 2009 9:29 PM
To: Warren-Briggs, Sharon - CTAC
Subject: Navarro FOIA Request

I am requesting the current Contract for Navarro, the Transition Plan for Navarro, and also the SOW documents

Please send documents to

[REDACTED]
CARLSBAD, NM 88220



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
September 28, 2009

CERTIFIED MAIL-RETURN RECEIPT

Mr. Randy Menuey

[REDACTED]
Carlsbad, NM 88220

Subject: Freedom of Information Act (FOIA) 09-009

Dear Mr. Menuey:

The Carlsbad Field Office has received your September 28, 2009 Freedom of Information Act (FOIA) request, for the current contract for Navarro, transition plan and also the scope of work documents.

Your request has been assigned control number FOIA 09-009 for tracking purposes. We expect to be able to respond to your request within the 20 days as mandated by law. We estimate we can provide our response by 26th of October, 2009.

If you have any questions or need additional assistance regarding this FOIA request please contact Ms. Sharon Warren-Briggs, contact person, at (505) 234-7406 or sharon.warren.briggs@wipp.ws. Please refer to FOIA 09-009 in any correspondence regarding this request.

Sincerely,

[REDACTED]

Vernon Daulton

Freedom of Information Act Public Liaison

Enclosure

CBFO M&RC
File: FOIA 09-009



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
November 9, 2009

CERTIFIED MAIL-RETURN RECEIPT

Mr. Randy Menuey
[REDACTED]

Carlsbad, NM 88220

Subject: Freedom of Information Act (FOIA) 09-009

Dear Mr. Menuey:

This letter is to advise you that an extension until November 16, 2009, is needed to coordinate release of the records you requested in your letter dated September 28, 2009, specifically, the current contract Navarro Research and Engineering, Inc.

When processing requests for records that might contain confidential commercial or financial information, the organization that provided the information is allowed an opportunity to review the records prior to disclosure. Any objections to disclosure of information are considered by the Department of Energy in its independent determination of releasability. An objection has been received and is being considered which necessitates this extension.

If you have any questions or need additional assistance regarding this request, please contact Mr. Vernon Daub, FOIA Public Liaison, at (575) 234-7303, or vernon.daub@wipp.ws. Please refer to FOIA 09-009 in any correspondence regarding this request.

Sincerely,

[REDACTED]

Vernon Daub
Freedom of Information Act Public Liaison

cc: w/enclosure
FOIA File 09-009
CBFO M&RC



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
November 16, 2009

CERTIFIED MAIL-RETURN RECEIPT

Mr. Randy Menuey

██████████
Carlsbad, NM 88220

Subject: Freedom of Information Act (FOIA) 09-009

Dear Mr. Menuey:

This is a final response from the Carlsbad Field Office (CBFO), regarding your September 28, 2009 Freedom of Information Act (FOIA) request, for the current contract for Navarro, transition plan and also the scope of work documents.

The enclosure includes redactions and the reasons for those redactions pursuant to 5 U.S.C. Section 552(b)(4) (b)(6) (FOIA Exemption 4 and 6).

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person (that is) privileged or confidential." The exemption affords protection to those submitters who are required to furnish commercial or financial information to the government by safeguarding them from the competitive disadvantages that could result from disclosure. The redacted information shown in the enclosure, if released, would likely cause substantial harm to the competitive and financial position of Navarro Research and Engineering, Inc. For example, release of the information could allow a competitor to more easily predict how Navarro Research and Engineering, Inc. might bid in similar future solicitations and to adjust its future competitive bids accordingly.

Exemption 6 protects "individuals from the injury and embarrassment that can result from the unnecessary disclosure of personal information." Personal information, such as names of some contractor employees, was withheld pursuant to Exemption 6 because its disclosure "would constitute a clearly unwarranted invasion of personal privacy." Release of this information would not shed light on the operations of the federal government as Navarro Research and Engineering, Inc. is not a government agency, but a private entity under contract which provides a variety of important, and sometimes vital, goods and services to the federal government. The names of those individuals not redacted in these documents are already available and accessible in the public domain.

Pursuant to 10 CFR 1004.7(b)(2), I am the denying official responsible for approval of the above redactions. You may appeal my withholding of information under Exemption 4 and 6 pursuant to 10 CFR 1004.8. Any appeal must be made in writing within 30 calendar days after receipt of this letter. The appeal should be addressed to the Director, Office of Hearings and Appeals, HG-1, U.S. Department of Energy, 1000

Mr. Randy Menuey

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Director, Office of Hearings and Appeals, HG-1, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, D.C. 20585. Your appeal must contain a concise statement of the grounds for the appeal and a description of the relief sought. Please submit a copy of this letter with the appeal and clearly mark both the envelope and the letter "Freedom of Information Appeal." Thereafter, judicial review will be available to you in either the District of Columbia, or the district where you reside or where you have your principal place of business or where the Department's records are situated.

No fees will be charged to you in association with the processing of this FOIA request.

If you have any questions or need additional assistance regarding this FOIA request, please contact Mr. Arthur Welton, Alternate Freedom of Information Act Public Liaison at (575) 234-7010 or george.hellstrom@wipp.ws. Please refer to FOIA 09-009 in any correspondence regarding your request.

Sincerely, *GH*



George Hellstrom
Freedom of Information Public Liaison
Denying Official

Enclosures

cc: w/enclosures
FOIA File 09-009

cc: w/o enclosures
CBFO M&RC