



SOUTHWEST RESEARCH AND INFORMATION CENTER
P.O. Box 4524, ALBUQUERQUE, NM 87196
505-262-1862 • 505-262-1864 (FAX) • WWW.SRIC.ORG

April 7, 2009

Vernon Daub
Alternate Freedom of Information Act/Privacy Act Public Liaison
U.S. Department of Energy
Carlsbad Field Office
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Dear Mr. Daub:

This is a request under the Freedom of Information Act (FOIA), 5 U.S.C. §552, as amended, and 10 CFR 1004.

Southwest Research and Information Center (SRIC) requests the following three references used in the Supplement Analysis for WIPP Site-Wide Operations (DOE/EIS-0026-SA-07, May 2009):

1. Baseline & Associates, Inc., 2007, *A Tabulation of Survey Results Among New Mexico Residents, October 30-November 5, 2007*.
2. Galloway Research Service, *WIPP Environmental Justice Field Survey Report – A Field Study of the Impacts to New Mexico Residents Who Live Near WIPP Shipping Routes*, July 2008.
3. Sandia National Laboratories, 2008, *Summary Report for Update to Disposal Phase Supplemental Environmental Impact Statement Transportation Analysis of the Waste Isolation Pilot Plant*, AP-141, August, 2008.

Requestor SRIC is a nonprofit educational and scientific organization, conducting research and communicating with the public on numerous issues, including nuclear waste management, transportation, and WIPP. SRIC disseminates information to the public in many ways, including through our publication, *Voices from the Earth*, which is read by thousands of people in all 50 states and which regularly covers WIPP. Our website contains many documents related to WIPP and is visited by thousands of people each month. The general public, researchers, students, and journalists use our library. The news media regularly request information from SRIC, which is published in newspapers, magazines, and websites, in New Mexico and other places. The public is currently interested in WIPP, as demonstrated by the participation of dozens of people at the June 30, 2009, meetings in Albuquerque on the Recertification Application, and by continuing coverage of WIPP in the news media. The information provided will significantly contribute to public understanding of the activities of the government, including regarding WIPP operations and waste transportation, and is not for any commercial interest of the requestor. Therefore, we request a full waiver of applicable fees. 5 U.S.C. §552(a)(4)(A)(iii).

As provided by law, we request a determination as to this request within 20 days. 5 U.S.C. §552(a)(6)(A)(i).

If you regard any of the requested information as exempt from required disclosure under FOIA, SRIC requests that you exercise your discretion to disclose the information nevertheless. If the document(s) includes proprietary or other information exempt from disclosure, SRIC requests the prompt release of all portions of the document(s) that are not exempt from disclosure. If any document(s) or portions thereof are withheld, you should provide a list of what materials are withheld and for what reason in sufficient detail for an appeal of the denial

Regarding the fee waiver, the CBFO website indicates that you will consider six factors, which SRIC believes we have already addressed. However, to try to avoid any possible questions, we further provide the following responses:

1. Whether the subject of the requested record(s) concerns "the operations or activities of the government." Clearly, WIPP operations and waste transportation are operations and activities of the federal government.
2. Whether the disclosure is "likely to contribute" to an understanding of government operations or activities. The disclosure of the information will contribute to an understanding of WIPP operations and transportation activities.
3. The contribution to an understanding by the general public of the subject likely to result from disclosure, taking into account one's ability and intent to disseminate the information to the public in a form that can further understanding of the subject matter. SRIC clearly has the ability and the intent to disseminate the information to the public, and we will do so through the multiple means of our publication, our website, our library, to the media, journalists, and researchers through direct communication.
4. Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities. The information will contribute significantly to public understanding since there is clearly demonstrated public interest in WIPP, WIPP transportation, and the Recertification Application, which was a reason to produce the Supplement Analysis and the requested references.
5. Whether the requester has a commercial interest that would be furthered by the requested disclosure. SRIC is a nonprofit, educational organization and has no commercial interest in the requested information.
6. The primary interest in disclosure: Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in the disclosure, that disclosure is "primarily in the commercial interest of the requester." SRIC has no commercial interest, so it is the public interest that benefits from the disclosure.

SRIC appreciates your help in obtaining this information. Should you need further information concerning SRIC or this request, I would appreciate your immediate attempts to contact me in order to expedite this request. You may contact me at (505) 262-1862 or by e-mail to sricdon@earthlink.net.

Sincerely,
Don Hancock



Department of Energy

Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221

September 8, 2009

CERTIFIED MAIL-RETURN RECEIPT

Southwest Research and Information Center
Attention: Mr. Don Hancock
P.O. Box 4524
Albuquerque, NM 87196

Subject: Freedom of Information Act (09-006)

Dear Mr. Hancock:

This office has received your September 8, 2009, Freedom of Information Act (FOIA) request. You asked for the following three references used in the Supplement Analysis for WIPP Site-Wide Operations (DOE/EIS-0026-SA-07, May 2009):

1. Baselice & Associates, Inc., 2007, *A Tabulation of Survey Results Among New Mexico Residents, October 30-November 5, 2007*.
2. Galloway Research Service, *WIPP Environmental Justice Field Survey Report – A Field Study of the Impacts to New Mexico Residents Who Live Near WIPP Shipping Routes*, July 2008.
3. Sandia National Laboratories, 2008, *Summary Report for Update to Disposal Phase Supplemental Environmental Impact Statement Transportation Analysis of the Waste Isolation Pilot Plant*, AP-141, August, 2008.

Your request has been assigned control number FOIA-09-006 for tracking purposes.

If you have any questions or need additional assistance regarding this FOIA request please contact Ms. Sharon Warren-Briggs, contact person, at (575) 234-7406 or sharon.warren.briggs@wipp.ws. Please refer to FOIA 09-006 in any correspondence regarding this request.

Sincerely,



Vernon Daub
Freedom of Information Act Public Liaison

cc:
CBFO M&RC
FOIA File 09-006



Department of Energy
Carlsbad Field Office
P O Box 3090
Carlsbad, New Mexico 88221

September 10, 2009

CERTIFIED MAIL-RETURN RECEIPT

Southwest Research and Information Center
Attention: Mr. Don Hancock
P.O. Box 4524
Albuquerque, NM 87196

Subject: Freedom of Information Act (09-006)

Dear Mr. Hancock:

This is a final response to your Freedom of Information Act (FOIA) request dated September 8, 2009, for the following three references used in the Supplement Analysis for WIPP Site-Wide Operations (DOE/EIS-0026-SA-07, May 2009):

1. Baseline & Associates, Inc., 2007, *A Tabulation of Survey Results Among New Mexico Residents, October 30-November 5, 2007*.
2. Galloway Research Service, *WIPP Environmental Justice Field Survey Report – A Field Study of the Impacts to New Mexico Residents Who Live Near WIPP Shipping Routes*, July 2008.
3. Sandia National Laboratories, 2008, *Summary Report for Update to Disposal Phase Supplemental Environmental Impact Statement Transportation Analysis of the Waste Isolation Pilot Plant*, AP-141, August, 2008.

Enclosed in their entirety are copies of the following documents: *A Tabulation of Survey Results Among New Mexico Residents October 30-November 5, 2007*, *WIPP Environmental Justice Field Survey Report A Field Study of the Impacts to New Mexico residents Who Live Near WIPP Shipping routes*, and *Sandia National Laboratories Waste Isolation Pilot Plant Analysis Plan for Update to Disposal Phase Supplemental Environmental Impact Statement Transportation Analysis of the Waste Isolation Pilot Plant*.

There are no fees chargeable to you in association with the processing of this final FOIA response.

If you have any questions or need additional assistance regarding this FOIA request, please contact Ms. Sharon Warren-Briggs, FOIA contact person, at (575) 234-7406 or

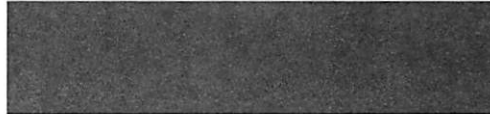
Mr. Don Hancock

-2-

September 10, 2009

sharon.warren.briggs@wipp.ws. Please refer to FOIA 09-006 in any correspondence regarding your request.

Sincerely,

A black rectangular redaction box covering the signature of Vernon Daub.

Vernon Daub
Freedom of Information Act Public Liaison

Enclosures

cc: w/o enclosures
FOIA File 09-006
CBFO M&RC