From: ███████████- Stoller
Sent: Monday, June 28, 2010 3:08 PM
To: Warren-Briggs, Sharon
Subject: FW: Document Inquiry

Sharon,

As per Meg, I am forwarding this e-mail to you.

███████████████

WIPP Technical Library GSA-214
575-234-7618
575-234-7076 (fax)

-----Original Message-----
From: Kenneth C. Michaels ██████████████████████
Sent: Monday, June 28, 2010 1:52 PM
To: ███████████Stoller
Subject: Document Inquiry

Hello,

I am a student at New York University School of Law working with Professor
Richard Stewart on his upcoming book on nuclear waste policy.
I received your contact information from a colleague of mine, Alice Byowitz,
who I believe has contacted you before. I am in search of a cooperative
agreement between the Department of Energy and the State of New Mexico.
Contract DE-AC04-79AL19752. The document set up a funding mechanism for the
Environmental Evaluation Group.

I have been in contact with Anne Clark from the New Mexico Radioactive Waste
Consultation Task Force, and she told me it was something that the EEG would
have had to have kept on file. She also told me that EEG's files were turned
over to DOE in 2004 after it was discontinued.

If there is anything you could do to help me find this document, I would
greatly appreciate it,

Thanks!
KC

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Kenneth C. Michaels
J.D. Candidate 2012
New York University School of Law

███████████████

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

July 2, 2010

Mr. Kenneth C. Michaels
J. D. Candidate 2012
New York University School of Law

Subject: Freedom of Information Act 10-009

Dear Mr. Michaels:

This office has received your June 28, 2010, Freedom of Information Act (FOIA) requesting the following:

> First, what is the document actually called? All I've been able to determine is its serial number (DE-AC04-79AL10752). Is it a Contract or a Cooperative Agreement? Is there a formal title or subtitle?

> Second, what is the date of the contract? The serial number seems to indicate that it was signed in 1979, but I was wondering if there was also an associated day and month.

> Third, what did it actually do? My understanding is that it provided funding for EEG from the Department of Energy. Is that the sole purpose of the contract? Or was that just one small piece of it?

> Fourth, did the initial contract specify that DOE was to provide the SOLE source of funding for EEG, and did it specify the amount that was to be provided?

> Fifth, did the contract specify that even though EEG would be funded by DOE, it would formally be located in a department of the State of New Mexico (if so, which one)? I am aware that it was initially part of the New Mexico Environmental Improvement Division, but eventually moved to the New Mexico Institute of Mining and Technology. I'm wondering if these changes happened vis-a-vis these contracts or through some other means.

> Sixth, does the contract specify where the funding from DOE will come from? I have a note that after 1982, the funding came out of the Nuclear Waste Fund. I am curious whether this was also pursuant to a contract, or whether this change came through alternate means.

Kenneth C. Michaels   -2-   July 2, 2010

We have completed a thorough search of CBFO records and have located the pertinent documents responsive to your request. We were unable to locate Modification M043 of the DE-AC04-79AL1075 contract. The rest of the copies are enclosed and released in their entirety, however, signatures are deleted as personally identifiable information.

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 Ms. Sharon Warren-Briggs, FOIA contact person, at (575) 234-7406, or sharon.warren.briggs@wipp.ws. Please reference FOIA 10-009 in any correspondence regarding this request.

                        Sincerely,

                        George W. Hellstrom
                        Freedom of Information Act Public Liaison

Enclosure

cc: w/o enclosure
PA File 10-009
CBFO M&RC