



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

September 19, 2014

In reply refer to: FOIA BPA 2014-01815-F

Stephanie E. Zurenko, LEG, CESCL
Nonpoint Compliance, Water Quality Program
Washington State Department of Ecology, SW Regional Office
PO Box 47775
Lacey, WA 98504

Ms. Zurenko:

We have received your request for records under the Freedom of Information Act (5 U.S.C. § 552). Thank you for your interest in the Bonneville Power Administration (BPA). Your letter was received in this office on September 4, 2014, and has been assigned control number BPA-2014-01815-F. Please use this number in any correspondence with the agency about your request.

You requested:

“...information pertaining to a culvert and overlying fill that is located in the E 112 of section 8, T17N, R06W in Grays Harbor County, WA. The culvert and associated fill lie within a BPA easement below transmission lines that run through the Satsop Business Park formerly the WPSS Satsop Nuclear Plants 3 and 5 site[s]. I seek documentation that alludes to the placement of the culvert and fill that provides information on the date the culvert/fill was placed, who (or what entity) placed it, any conditions or requirements by any authority (including BPA as the holder of the transmission easement) placed on the culvert/fill, and any documentation showing the location as well as any documentation from the proponent, the landowner, or any agency describing or showing or providing specifications for the construction the fill and/or the culvert. Additionally, any comments or correspondence from any other agency with authority or from the landowner or the proponent held in your records regarding the culvert/fill. It is suspected that the culvert/fill was placed sometime in the mid to late 1970s through the mid-1980s at a time when the site was being prepared for construction. I do NOT seek records specific to the actual construction or operation or environmental assessment of the Satsop Nuclear Plant project or records specific to the transmission lines. I only am requesting those records specific to this culvert.”

We have reviewed your letter and determined that it addresses all of the criteria of a proper request under the FOIA and the Department of Energy’s FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

You have agreed to pay all applicable fees.

Complex requests:

FOIA requires that we act on requests “promptly” and that we make a determination on your request and respond within 20 working days (5 U.S.C. § 552(a)(6)). However, the Bonneville Power Administration has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). Simple requests and complex requests are placed in two different queues, and each queue is processed on its own first-in, first-out basis. Requests are placed in the complex queue if they will require significant agency time or resources to process. We have determined that a response to your request will require a review for statutory exemptions and we have designated your request as complex.

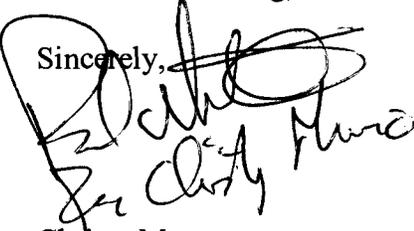
Unusual/exceptional circumstances:

Under FOIA, an agency may extend the normal 20-day deadline by an additional ten business days if “unusual circumstances” exist (5 U.S.C. § 552(a)(6)(B)(i)). Unusual circumstances include the need to search records located in field facilities, requests for a voluminous amount of records, and requests that require consultation with other agencies or agency components including Department of Energy headquarters. If an agency cannot fulfill the request within the 30 working days provided by the extended deadline, agencies must (a) notify the requester and (b) work with the requester to modify or limit the scope of the request or arrange an alternative time frame for processing (5 U.S.C. § 552(a)(6)(B)(ii)). We have determined that a response to your request will require consultation with Department of Energy headquarters.

In light of the above conditions and determinations, we currently estimate the completion of your request by October 30, 2014.

We appreciate the opportunity to assist you. If you have any questions about this letter, please contact James King, FOIA Case Officer (BPA Contractor, CorSource), at 503-230-7621.

Sincerely,



Christy Munro

Freedom of Information/Privacy Act Officer