

From: [Phil Rutherford](#)
To: FOIA-Central@hq.doe.gov
Subject: FOIA Request for File on OIG Complaint 23-0160-C
Date: Thursday, February 8, 2024 2:13:09 PM
Attachments: [DOE IG Letter 2023-02-10.pdf](#)
[Complaint - Shipments of Waste from the former Energy Technology Engineer... \(233 KB\).msg](#)
[Response to FOIA Data Package Revised.pdf](#)

Dear Sir/Madam,

I am requesting the complete file on the DOE Office of Inspector General's complaint 23-0160-C. The original complaint was filed on February 10, 2023, via the attached letter, submitted via the attached email.

Background information for the complaint was provided to DOE's ETEC management on January 10, 2023. See second attached letter.

Record Description

The requested OIG investigation records should be in PDF format, and include,

- All written (email/text/mail/fax) communications between OIG investigators and other referenced parties in the complaint.
- All written records of all telephone/Webex/Zoom/Teams communications between OIG investigators and other referenced parties in the complaint.
- "Other referenced parties" includes,
 - ETEC management and staff,
 - North Wind Portage management and staff,
 - DOE-EM management and staff,
 - DOE-HQ management and staff
 - DTSC management and staff
 - EnergySolutions management and staff,
 - Utah Division of Waste Management and Radiation Control management and staff.
- All analysis/reports/documentation performed by OIG investigators.
- Documentation of the added cost of disposing the subject waste to EnergySolutions instead of a California waste disposal facilities compliant with California Executive Order D-62-02 (2002).
- Timeline of investigation, including start date and end date.
- Criteria by which OIG investigators used to determine that "no further action" was needed, including,
 - OIG's dispute that limited data from a contaminated facility was inappropriately applied to decommissioned facilities and non-radiological facilities when specific data from those facilities was available.
 - OIG's dispute that widespread data in NRC 540/541 manifests were demonstrably, and intentionally falsified,
 - OIG's dispute that taxpayers' dollars were wasted for political reasons.
- Copy of the email/mail by which complainant was notified that the investigation had been closed.
- Name(s) of personnel completing and signing the NRC 540/541 Uniform Low-Level Radioactive Waste Manifests.

Type of Requester

I am seeking this information to close-out a formal complaint made to the DOE OIG. A FOIA request appears to be the only way that I can receive information on the investigation initiated by myself, since the regulations governing the OIG, prevent it from communicating directly with me. This information is requested for non-commercial, scientific/technical purposes.

Waiver of Fees

I request a waiver of fees since this information is requested for non-commercial purposes. The reference by OIG of the existence of an investigation “file” implies that a compiled “file” already exists, and that no further significant search, or expense would be incurred in providing that “file” to me.

Expedited Processing

I believe a compelling need exists to warrant expedited processing because the original OIG Complaint was submitted a year ago on February 10, 2023, and was still open on August 2, 2023, six months ago. Since then, OIG has failed to notify me that the investigation was closed at an indeterminate date. Given the glacial speed, and opaque, one-way nature of OIG’s deliberations, I believe that there is no excuse for further delays.

Sincerely,

Phil Rutherford

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