Department of Energy
Idaho Operations Office
1955 Fremont Avenue
Idaho Falls, ID 83415

June 8, 2009

Mr. Scott Wenger
P.O. Box 802
Stevens Point, WI 54481

SUBJECT: HQ FOIA Request-2009-000355 \ ID FOIA 09-026 (OM-PA-09-021)

Dear Mr. Wenger:

This is in final response to the request for information that you sent to the Department of Energy under the Freedom of Information Act (FOIA), 5 U.S.C. 522. You have asked for records that relate to "classified documents in the possession and/or control of the Department of Energy that discuss the plutonium and RTG that was launched with Apollo missions 12 through 17."

The Office of Nuclear Energy (NE) and the Idaho Operations Office (ID) have completed the search of their respective files for responsive documents. The search, however, did not locate any responsive documents. Pursuant to Title 10, Code of Federal Regulations (CFR), Section 1004.7(b) (2), Mr. R. Shane Johnson, Principal Deputy Assistant Secretary for Nuclear Energy is responsible for the determination that no responsive records exist in NE.

Pursuant to 10 CFR 1004.8, you may challenge the adequacy of the searches for responsive documents by submitting a written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. DOE, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination.

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain the elements required by 10 CFR 1004.8, including a copy of this letter. Judicial review will thereafter be available (1) in the district where you reside; (2) in the district where you have your principal place of residence; (3) in the district where the DOE records are located; or (4) in the District of Columbia.

I appreciate the opportunity to assist you with this matter. If you have any questions about this correspondence, please contact me at (208) 526-5190.

Sincerely,

Clayton Ogilvie
FOIA Officer
Idaho Operations Office
Department of Energy