

However, neither the congressman nor Larson asked for any of the well reports. In his Appeal, Larson stated that “the information regarding a well report relating to the 200 and 300 areas was classified secret.” Letter from Larson to Director, OHA (August 19, 2002). He explained that the Veterans Administration requires information about the wells in order to correctly assign a dose assessment in his claim for radiation exposure, and asks OHA to order Richland to release the well information to him. Letter from Larson to Director, OHA (August 19, 2002).

II. Analysis

In responding to a request for information filed under the FOIA, it is well established that an agency must “conduct a search reasonably calculated to uncover all relevant documents.” *Truitt v. Department of State*, 897 F.2d 540, 542 (D.C. Cir. 1990). “The standard of reasonableness which we apply to agency search procedures does not require absolute exhaustion of the files; instead, it requires a search reasonably calculated to uncover the sought materials.” *Miller v. Department of State*, 779 F.2d 1378, 1384-85 (8th Cir. 1985); *accord Truitt*, 897 F.2d at 542. We have not hesitated to remand a case where it is evident that the search conducted was in fact inadequate. *See, e.g., Glen Milner*, 17 DOE ¶ 80,102 (1988).

Larson informed this office that he was unable to use the list of well reports released by Richland because the list contained an excessive amount of information. He had requested information on the years 1951 and 1952 only. In addition, some of the material was identified as classified or marked “not available under the FOIA.” Memorandum of Telephone Conversation between Larson and Valerie Vance Adeyeye, OHA (January 15, 2003).

This office has analyzed the search conducted by Richland and we find that the search was adequate. Richland used Larson’s name and Social Security number to search for personal information, even though his service records were not likely to be found at Hanford since he was a member of the military and not a DOE employee. Richland also searched for information about the wells in Area 200 and Area 300, and found responsive material in its database. Memorandum of Telephone Conversation between Sarah Prein, Richland and Valerie Vance Adeyeye, OHA (December 13, 2002). However, Larson has not availed himself of Richland’s offer to send him any of the non-exempt material on the list. *Id.* As for Larson’s remark that the list was not user-friendly due to its length, Richland admitted searching for a broader time period than Larson requested. However, it did so in order to identify all responsive material. Memorandum of Telephone Conversation between Sarah Prein, Richland, and Valerie Vance Adeyeye, OHA (January 22, 2003). The reports are dated, and those dates appear on the list so that Larson should be able to identify the reports pertaining to 1951 and 1952. 2/ According to Richland, only one document

2/ Some of the reports could not be dated because they fell within a time range that Richland could not narrow. Memorandum of Telephone Conversation between Sarah Prein, Richland, and Valerie Vance Adeyeye, OHA (January 22, 2003).

was classified and, as stated in the determination, Larson can request the documents he wants through the FOIA or through Richland's reading room. ^{3/} Accordingly, this Appeal is denied.

It Is Therefore Ordered That:

(1) The Freedom of Information Act Appeal filed by Howard Larson on August 19, 2002, OHA Case Number VFA-0770, is hereby denied.

(2) This is a final order of the Department of Energy from which any aggrieved party may seek judicial review pursuant to 5 U.S.C. § 552(a)(4)(B). Judicial review may be sought in the district in which the requester resides or has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

George B. Breznay
Director
Office of Hearings and Appeals

Date: February 3, 2003

^{3/} The classified report was not actually a well report. It was a report about plutonium, but it matched the search criteria because the title contained the phrase "as well as." Memorandum of Telephone Conversation between Sarah Prein, Richland, and Valerie Vance Adeyeye, OHA (January 22, 2003).