



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

October 12, 2022

Office of Counsel

via electronic mail

Maria Powell
mariapowell@mejo.us

RE: FOIA request 22-0070

Dear Ms. Powell:

This letter is in response to your Freedom of Information Act (FOIA) request dated September 28, 2022, in regard to a copy of the "September 1995 Draft-Final Remedial Investigation Report on the fire training area" done by EA Engineering. The Omaha District FUDS Office was consulted to collect potentially responsive documents. I have been advised that a search of their hard copy and electronic files did not retrieve any responsive agency records.

An Agency response indicating that no requested records are available for release is deemed a denial of the request. I trust that you will appreciate the considerations on which the determination is based and the thoroughness of the search for responsive documents. However, because this is a "no records" response, you are advised of your right to appeal this determination to the Secretary of the Army by addressing your appeal through this office. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this letter. The envelope containing the appeal should bear the notation "Freedom of Information Act Appeal" and should be sent to the U.S. Army Corps of Engineers, Omaha District, ATTN: Office of Counsel, 1616 Capitol Avenue, Omaha, Nebraska 68102-4901.

For any further assistance and to discuss any aspect of your request, you have the right to contact the U.S. Army Corps of Engineers FOIA Public Liaison. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. Contact information is as follows:

USACE FOIA Public Liaison:
U.S. Army Corps of Engineers
FOIA Public Liaison
441 G Street, NW
ATTN: CECC-G
Washington, DC 20314-1000
Email: foia-liaison@usace.army.mil
Phone: 202-761-0511

OGIS:
Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road--OGIS
College Park, MD 20740-6001
ogis@nara.gov
202-741-5770 (phone)
877-684-6448 (toll free)
202-741-5769 (fax)
ogis.archives.gov (website)

Under the FOIA, your request is in the "all others" fee category. This category grants the requester two hours of free search time and the first 100 duplicated pages free of charge. For any search time beyond the first two hours and any duplicated pages beyond the first 100 pages, the requester is charged \$24.00 an hour for clerical search time, \$48.00 an hour for professional search time, and \$.15 per duplicated page. Since the costs associated with processing your request did not exceed the above criteria; there will be no charge.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Tracy". The signature is written in a cursive style with a large, looped initial 'T'.

Thomas J. Tracy
District Counsel