

Frank Vera III

www.GeorgeAFB.Info

15 February 2013
BY FAX TO: 703-693-5728

Headquarters Air Force/IMIO (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Phone: 703-692-9978
Email: haf.foia@pentagon.af.mil

FOIA Request

Dear FOIA Officer:

Please process this request pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

Per instructions at <http://www.foia.af.mil/main/welcome.asp>, I am filing this request with Headquarters Air Force/ICIO (FOIA) as I do not know the location of the records.

The Administrative Record (AR) for George Air Force Base has several documents that discuss deed restrictions for water and/or land use at the former George AFB, CA and surrounding property because of environmental contamination at the base. (*see pages: 4 to 6*)

I am requesting:

A complete unredacted copy and/or printout of records pertaining to the:

- 1. Deed restrictions for water use at the former George AFB, CA and surrounding property**
- 2. Deed restrictions for land use at the former George AFB, CA and surrounding property**

Record Search

When processing this request, please note that the D.C. Circuit has previously held that agencies have a duty to construe the subject material of FOIA requests *liberally* to ensure responsive records are not overlooked. *See Nation Magazine, Washington Bureau v. U.S. Customs Service*, 71 F.3d 885, 890 (D.C. Cir. 1995).

In line with the guidance issued by the Department of Justice (“DOJ”) on 9 September 2008 to all federal agencies with records subject to FOIA, agency records that are currently in the possession of a U.S. Government contractor for purposes of records management remain subject to FOIA. Please ensure that your search complies with this clarification on the effect of Section 9 of the OPEN Government Act of 2007 of the definition of a “record” for purposes of FOIA. In addition, the Air Force should not interpret this request to exclude correspondence sent to outside third parties. Please also consider this letter an affirmative rejection of any limitation of your search to Air Force originated records.

Exempt Records

If you assert that any of the requested records are exempt from mandatory disclosure under FOIA, I request that you disclose them nevertheless, as such disclosure would serve the public interest of educating citizens regarding the operations and activities of the Air Force regarding this matter.

If you deny all or part of this request, please cite the specific exemptions you believe justify your refusal to release the information or permit the review and notify me of your appeal procedures available under the law.

In addition, I would like to draw your attention to president Obama’s 21 January 2009 Memorandum for the Heads of Executive Departments and Agencies, directing federal agencies to adopt a presumption in favor of disclosure and stating that government information should not be kept confidential “merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.”

Redaction

In excising material, please “black out” rather than “white out” or “cut out.” Additionally, any reasonably segregable portion of a responsive record must be provided to me after redaction of any allegedly exempt material, as the law requires. 5 U.S.C. § 552(b). I reserve the right to appeal any decision to withhold information.

Preservation of Records

Please ensure that, in accordance with the DC Circuit’s ruling in *Chambers v. Department of the Interior*, 568 F.3d 998 (D.C. Cir. 2009), all records potentially responsive to this FOIA request are immediately preserved from destruction until the final resolution of this FOIA action. Destruction of potentially responsive records after the receipt of a FOIA request is considered “contumacious conduct” by the DC Circuit. See *id.* at 1004.

Fee Waiver

I am requesting a public interest fee waiver. There can be no question that the disclosure of the requested information would contribute significantly to the public's understanding of the operations or activities of the government and is in the public interest. I have NO commercial interest in the requested documents and the requested records will be posted, free of charge, on www.GeorgeAFB.Info. I have the ability to disseminate information on a wide scale, and intend to use information obtained through FOIA in original works. I am hereby requesting classification as a representative of the news media.

Record Format

I request that any documents or records produced in response to this request be provided in electronic (soft-copy) form wherever possible. Acceptable formats are .pdf, .doc, docx, .jpg, .gif, .tif. Please provide soft-copy records by email or on a CD if email is not feasible.

However, I do not agree to pay an additional fee to receive records on a CD, and in the instance that such a fee is required, I will accept a paper copy of responsive records.

I look forward to receiving the requested documents within twenty (20) business days.

If you wish to discuss this request, please do not hesitate to contact me at [REDACTED]

Thank you for processing this FOIA.

Sincerely,

[REDACTED]

Frank Vera III

Date:

Physical address: [REDACTED]

Enclosures:

Pages 4 to 7: screen shot of search results of the George AFB AR for "deed restriction"

Base List:

- Bergstrom
- Brooks
- Carswell
- Castle
- Chanute
- Eaker
- England
- Galena
- Gentile
- George**
- Griffiss
- Grissom
- Homestead
- KISawyer
- Kelly
- Loring
- Lowry
- March
- Myrtle Beach

[Help or Questions?](#)

Subject or Title:

Author: Corporate / Author Affil:

Recipient: Recipient Affil:

After Date: Sites:

Before Date: OU's:

Full Metadata Search:

Full Document Search:

Search resulted in 57 hits

Score	PDF Size	Filename	Subject or Title	Author	Doc Date
View 7	0.11	GEORG_AR_1693.pdf	This Document Has Been Deleted From The AR		
View 7	0.27	GEORG_AR_158.pdf	Preliminary Site Management Plan, NEDA, Upper Aquifer Remediation	James M Montgomery, Inc.	1/1/1988
View 7	0.28	GEORG_AR_181.pdf	Final Design, Site Management Plan, NEDA, Upper Aquifer Remediation	James M Montgomery, Inc.	5/1/1988
View 20	0.45	GEORG_AR_440.pdf	CDTSC Letter to Base Concerning Work Plan Addendum and Supplemental RI, OU-1	Yemut, Emad B / California Department of Toxic Substances Control	9/5/1991
View 7	2.32	GEORG_AR_481.pdf	EE/CA, Draft Final, JP-4 Spill, OU-2	IT Corp.	10/1/1991
View 7	0.32	GEORG_AR_537.pdf	CDTSC Letter to Base Concerning Draft Plan Addendum	Yemut, Emad B / California Department of Toxic Substances Control	2/28/1992
View 7	0.16	GEORG_AR_553.pdf	CDHS Letter to Base Concerning RI/FS, Draft Work Plan, and Draft Work Plan Addendum, OU-1	Yemut, Emad B / California Department of Health Services	3/30/1992
View 7	11.57	GEORG_AR_573.pdf	Draft Final Work Plan Addendum, Vol II of II, OU-3	James M Montgomery, Inc.	4/1/1992
View 7	3.99	GEORG_AR_616.pdf	Final SAP Addendum, OU-3	James M Montgomery, Inc.	6/1/1992
View 7	12.82	GEORG_AR_614.pdf	RI/FS, Final Work Plan Addendum, Vol II of II, OU-3	James M Montgomery, Inc.	6/1/1992
View 7	0.08	GEORG_AR_600.pdf	CDTSC Letter to Base Concerning Draft Final Work Plan Addendum, OU-3	Yemut, Emad B / California Department of Toxic Substances Control	6/5/1992
View 7	0.47	GEORG_AR_642.pdf	Draft Proposed Plan, Remediation of JP-4 Contamination, OU-2	IT Corp.	7/1/1992

AFRPA Administrative Record Web Site

View	7	9.27	GEORG_AR_641.pdf	FS, Report, JP-4 Spill, OU-2		7/1/1992
View	7	14.45	GEORG_AR_638.pdf	RI, Draft Final Report, Vol II of IV, OU-1		7/1/1992
View	7	1.15	GEORG_AR_665.pdf	ROD, Draft, OU-2		8/1/1992
View	13	14.64	GEORG_AR_672.pdf	RI, Final Report, Vol I of IV, OU-1		8/1/1992
View	7	0.68	GEORG_AR_692.pdf	State and Regional Water Board Quarterly Activities Report		10/9/1992
View	7	8.75	GEORG_AR_714.pdf	FS, Draft Final Report, JP-4 Spill, OU-2	IT Corp.	11/1/1992
View	7	1.30	GEORG_AR_719.pdf	ROD, Preliminary Draft, OU-2	IT Corp.	12/1/1992
View	7	10.01	GEORG_AR_397.pdf	Draft Final Report, UST Removal, Facilities 690, 653, 710, Vol II of III, Appendices		5/1/1993
View	33	6.66	GEORG_AR_559.pdf	FS, Draft Report, JP-4 Spill, OU-2		8/1/1993
View	7	0.58	GEORG_AR_608.pdf	Draft Proposed Plan, Remediation of JP-4 Contamination, OU-2		9/1/1993
View	26	3.87	GEORG_AR_601.pdf	Draft TCE/PCE Contamination Report, Within Flight Line Area, Vol I of II, OU-3		9/1/1993
View	13	0.12	GEORG_AR_697.pdf	CDTSC Letter to Base Concerning Completed Review of Draft ROD, OU-1	Yemut, Emad B / California Department of Toxic Substances Control	12/2/1993
View	13	2.51	GEORG_AR_690.pdf	ROD, Draft Final, OU-1		2/1/1994
View	13	2.29	GEORG_AR_739.pdf	ROD, Final, OU-1		3/1/1994
View	13	11.17	GEORG_AR_863.1.pdf	RI/FS, Draft Final Report, TCE/PCE Study Area, OU-3		6/1/1994
View	7	0.06	GEORG_AR_142.pdf	CDTSC Letter to Base Concerning RI/FS, Draft Final TCE/PCE Study Area Report, OU-3	Arellano, Albert A, Jr / California Department of Toxic Substances Control	7/13/1994
View	7	0.68	GEORG_AR_915.pdf	Draft Environmental Cleanup Plan for Remedial Activities WP-17, FT-19 and OWS		1/1/1995
View	13	3.73	GEORG_AR_953.pdf	RI/FS, Final TCE/PCE Study Area Report, Vol I of II, OU-3		7/1/1995
View	7	0.98	GEORG_AR_967.pdf	Final Work Plan for Remedial Activities WP-17, FT-19, OT-51, and OWS		8/1/1995
View	7	6.19	GEORG_AR_1016.pdf	Draft Technical Work Plan, Groundwater Treatment System Expansion, Vols I, II, OU-1		1/1/1996
View	7	8.66	GEORG_AR_1118.2.pdf	Groundwater Sampling and Analysis Informal Report, OU-2		1/1/1997
View	7	5.69	GEORG_AR_1122.pdf	FS, Final Report, OU-3		2/1/1997
View	7	1.48	GEORG_AR_1158.pdf	RPM Meeting Minutes, 05-06 May 97		5/12/1997
View	13	0.09	GEORG_AR_1219.pdf	CRWQCB Letter to Base Concerning Draft Final ROD, OU-3	Cass, Jehiel W / California Regional Water Quality Control Board	12/3/1997
View	13	0.66	GEORG_AR_1225.pdf	RPM Meeting Minutes, 22 Dec 97		12/22/1997
View	7	1.39	GEORG_AR_1418.pdf	FS Meeting Minutes, 23 Dec 97		12/23/1997
View	20	3.47	GEORG_AR_1062.pdf	ROD, Draft Final, OU-3		4/1/1998
View	20	1.88	GEORG_AR_1137.pdf	RPM Meeting Minutes, 11 May 98		5/11/1998
View	13	0.09	GEORG_AR_1272.pdf	CRWQCB Letter to SWRCB Concerning Regional Board Regulatory Oversight Estimate	Cass, Jehiel W / California Regional Water Quality Control Board	11/9/1998
View	20	1.18	GEORG_AR_1275.pdf	Public Health Assessment Report	Agency for Toxic Substances and	12/1/1998

<https://afarpaar.lackland.af.mil/ar/>[2/15/2013 8:11:04 PM]

					Disease Registry	
View	7	9.54	GEORG_AR_1285.pdf	FS, Draft Report, OU-2	IT Corp.	1/1/1999
View	7	1.56	GEORG_AR_1469.pdf	Final Revised Final Work Plan, Remedial Activities, WP-17, FT-19, OT-51		9/1/2000
View	7	0.06	GEORG_AR_1518.pdf	CRWQCB Letter to Base Concerning Comments on Draft Supplemental EBS and FOST	Copeland, Patrice J / California Regional Water Quality Control Board	4/26/2001
View	7	0.06	GEORG_AR_1520.pdf	CRWQCB Letter to Base Concerning Comments on Supplemental EBS and FOST	Copeland, Patrice J / California Regional Water Quality Control Board	5/3/2001
View	33	1.22	GEORG_AR_2155.pdf	Final Explanation Of Significant Differences, IRP Site LF-35 Remediation, Former George AFB		10/10/2003
View	86	4.64	GEORG_AR_2016.pdf	Final Operable Unit 3, Site FT-19 Closure Work Plan George AFB, California	Glenri, Christopher	2/17/2004
View	20	0.16	GEORG_AR_2088.pdf	Re: EPA Comments On George AFB Five-Year Review	Chang, James / EPA	11/2/2005
View	7	3.82	GEORG_AR_2166.pdf	Closure of Military Munitions Response Program (MMRP) Site SR406, Second Skeet Range at the Former George Air Force Base, California	Mook, Philip H. Jr./ Gronstal, Donald K.	3/14/2008
View	7	4.97	GEORG_AR_2167.pdf	Closure of Military Munitions Response Program (MMRP) Site SR405, Original Skeet Range at the Former George Air Force Base. California	Mook, Philip H. Jr./ Gronstal, Donald K.	3/14/2008
View	7	0.11	GEORG_AR_2238.pdf	Draft Final — Explanation of Significant Differences — Site FT19-a - Former George Air Force Base, Victorville, San Bernardino County	Cass, Jehiel	4/14/2008
View	40	5.17	GEORG_AR_2172.pdf	Closure of Military Munitions Response Program (MMRP) Site XU403, Explosive Ordnance Disposal (EOD) Proficiency Training Area at the Former George Air Force Base, Victorville. California	Mook, Philip H. Jr./ Gronstal, Donald K.	4/29/2008
View	7	0.11	GEORG_AR_2241.pdf	Re: Former George AFB Final FOST Comments	Chang, James	5/13/2008
View	7	0.13	GEORG_AR_2239.pdf	Re: Former George AFB Draft FOSET #2 (Parcels L-1 and L-2) Comments	Chang, James	5/13/2008
View	7	5.36	GEORG_AR_2266.pdf	RE: Closure of Military Munitions Response Program (MMRP) Site ZZO5O, Firing-In-Butt at the Former George Air Force Base, California	Termaath, Stephen G.	8/1/2009
View	7	11.74	GEORG_AR_2259.pdf	Closure of Military Munitions Response Program (MMRP) Site LF037, Landfill at the Former George Air Force Base, California	Termaath, Stephen G. / AFRPA	12/1/2009