DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
1322 PATTERSON AVENUE, SE, SUITE 1000
WASHINGTON NAVY YARD, DC 20374-5065

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Ser BD/ 083
DEC 17 2019

Mr. Matthew B. Madsen
O'Brien, Belland & Bushinsky
509 S. Lenola Road, Building 6
Moorestown, NJ 08057

Dear Mr. Madsen,

Subj: YOUR FREEDOM OF INFORMATION ACT (FOIA); CASE NUMBERS DON-NAVY-2020-000461 AND DON-NAVY-2020-000750

We are writing to respond to your Freedom of Information Act (FOIA) requests of October 15, 2019, and October 24, 2019, requesting the following:

> "For the current solar project at Naval Weapons Station Earle, located on and around Hamilton Rd., Tinton Falls, New Jersey 07724 please provide copies of any and all documents pertaining to the solar panel installation work being performed, as follows:
>
> 1. The identity of the companies and individuals engaged in solar panel installation at the project site;
> 2. Contracts and subcontracts pertaining to the solar project, including but not limited those involving Vitol Solar I LLC, Ben Moreell Solar Farm, LLC, Huen Electric, Conti Solar Development Co., and/or CS Energy;
> 3. Certified payroll records for work performed on the project since January 1, 2019;
> 4. All planned or previously performed electrical installation work on the project;
> 5. Documents from the federal government and/or a federal agency approving any applications for the solar project; and
> 6. Electrical installation licenses, permits, or applications for the job."

We have enclosed five documents that we are releasing to you, in part. Portions of the documents are being withheld under the following FOIA exemptions:

(1) Exemption 4 protects trade secrets or commercial or financial information that is confidential or privileged. (5 U.S.C. § 552(b)(4)).
(2) Exemption 6 protects information that, if disclosed, would invade another individual's personal privacy. (5 U.S.C. § 552(b)(6)).

If you consider this response an adverse determination, you may appeal. Since you have created an account in FOIAonline, you may submit an appeal directly within this web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your

request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted. For any further assistance and to discuss any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at christopher.a.julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-01, ogis@nara.gov; (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Further questions regarding the action this office has taken may be directed to Abby Machalec, abby.machalec@navy.mil. Please refer to your FOIA case numbers DON-NAVY-2020-000461 and DON-NAVY-2020-000750 whenever corresponding about this request.

Sincerely,

P. A. POLLOCK
Chief Management Officer

Copy to:
NAVFAC (PW, 00C)