DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHEAST
JACKSONVILLE, FL 32212-0030

5720
BD222/1038
September 18, 2018

Transmission via email and USPS: LCohn@bbcgrp.com

BBC Military Housing-Navy Southeast LLC
Attn: Leslie S. Cohn, Esq.
One Country View Rd
Malvern, PA 19355

SUBJECT: SUBMITTER NOTICE OF REQUEST FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT (File No. DON-NAVY-2018-011446-FY18-0039)

The Department of the Navy (DON) received a request for information under the Freedom of Information Act (FOIA). The request seeks certain records related to the use or presence of organochlorine pesticides in certain military-family housing areas. A copy of the request is enclosed (Enclosure 1).

DON personnel searched their files for records responsive to the request and found the enclosed records (Enclosure 2). DON must release the enclosed records to the requester pursuant to FOIA. DON has determined that certain information in the enclosed records is exempt from release under FOIA pursuant to FOIA Exemption 6. This information has already been redacted. However, the enclosed records may contain other information that is exempt from release pursuant to FOIA Exemption 4. Exemption 4, codified at 5 U.S.C. § 552 (b)(4), protects certain trade secrets and commercial or financial information obtained from a person (including a business) that is privileged or confidential.

If you think that all or part of the enclosed records are exempt from release pursuant to FOIA Exemption 4, then please reply by no later than the deadline stated below and explain your objections and reasoning.[1] Merely reciting the law without tying it to the specific relevant facts will be rejected as non-responsive. You must address each item in the enclosed records that you believe should be withheld and specifically explain how the information that you want withheld meets the criteria for withholding under FOIA Exemption 4. For example, if you object to releasing contract pricing information because someone in your industry could manipulate the released information to "back into" your proprietary pricing information, please demonstrate mathematically how one could derive such information and explain the substantial competitive harm that is likely to result from releasing the information in question. This is the only opportunity DON will provide for you to support any objections you may have to release.

Please markup the enclosed records by highlighting (not "blacking out" or obscuring) any information that you want redacted because you think it is or should be exempt from disclosure under FOIA. For each proposed redaction, please cite to the relevant exemption (e.g., "(b)(4)" or "Exemption 4") and explain how or why it is exempt from disclosure under the FOIA. This enables us to identify exactly what information you believe would likely cause your company substantial competitive harm if released.

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[1] This submitter notification is addressed to BBC Military Housing-Navy Southeast LLC (f/k/a GMH Military Housing – Navy Southeast LLC) ("BBC"). Please respond on behalf of BBC and, if appropriate, Southeast Housing LLC.

Upon receipt of your proposed redactions, I will review any objections that you have and will reach an independent determination regarding whether the information that you have proposed for redaction is exempt under the FOIA. If I am not persuaded by your reasoning, I will provide you with a ten-day notice of intent to release and our rationale supporting release, and advise you of your right to judicial review. Any judicial review will be limited to the record before us at the time we issue the ten-day notice of intent to release. Therefore, it is very important that you explain your position and reasoning in detail.

Please send your response to me at the following address:

Atina Hall, FOIA Coordinator
Naval Facilities Engineering Command Southeast
P. O. Box 30, Bldg. 903
Jacksonville, FL 32212-0030

In your response, please cite the file number indicated in the subject line of this letter. If I do not receive a written response from you by **October 5, 2018,** I will assume you have no objection to full release of the enclosed records. At that point, the release determination will be based solely on the DON's review. If you have any questions regarding this matter, you may reach my by telephone at (904) 542-6259 or by email at atina.hall@navy.mil.

Sincerely,

A. Hall

A. Hall
By direction

Enclosures: 1. FOIA Request from Reuters
2. Southeast Housing Hazard Management Plans.