



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2003-0356

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Albert Wagner

DATE

AUG 25 2003

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES A** Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES B** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES B** Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
- \$ You will receive a refund for the amount listed. Fees waived.
- * See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

Records with a ML Accession Number are publicly available in the NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR) at 301-415-4737, or 1-800-397-4209, or by e-mail to pdr@nrc.gov.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed *Mary Jean Poalfo*

(6-1998)

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PART II.A - APPLICABLE EXEMPTIONS

APPENDICES B

Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No.(s) of the PA and/or the FOIA as indicated below (5 U.S.C. 552a and/or 5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to Executive Order 12958.
Exemption 2: The withheld information relates solely to the internal personnel rules and procedures of NRC.
Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated.
Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated.
Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation.
Exemption 6: The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.

PART II.B - DENYING OFFICIALS

Pursuant to 10 CFR 9.25(g), 9.25(h), and/or 9.65(b) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest.

Table with columns: DENYING OFFICIAL, TITLE/OFFICE, RECORDS DENIED, APPELLATE OFFICIAL (EDO, SECY, IG). Row 1: Hubert J. Miller, Regional Administrator, RI, Appendix B, [checked] EDO.

Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s).

**APPENDIX A
RECORDS ALREADY PUBLICLY AVAILABLE**

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	2/19/03	MLI030630036	CFC Logistics, Inc. New License Application (111 pages)
2.	1/17/03	ML031610024	CFC Logistics, Inc. Drawing No. 36783-013-000 (1 page)
3.	1/17/03	ML031610029	CFC Logistics Inc. Drawing No. 36783-012-000 (1 page)
4.	1/17/03	ML031610041	CFC Logistics Inc. Drawing No. 36783-015-000 (1 page)
5.	01/17/03	ML031610044	CFC Logistics Inc. Drawing No. 36783-014-000 (1 page)
6.	01/17/03	ML031610287	CFC Logistics Inc. Drawing No. 36783-017-000 (1 page)
7.	01/17/03	ML031610300	CFC Logistics Inc. Drawing No. 36783-019-000 (1 page)
8.	01/17/03	ML031610370	CFC Logistics Inc. Drawing NO. 36783-011-000 (1 page)
9.	01/17/03	ML031610379	CFC Logistics Inc. Drawing No. 36783-016-000 (1 page)
10.	01/17/03	ML031610452	CFC Logistics Inc. Drawing No. 36783-018-000 (1 page)

APPENDIX B
RECORDS WITHHELD IN PART

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	2/19/03	Application for Material License for CFC Logistics Inc. (¹⁰² 136 pages) EX. 4