

LAW OFFICES
FLORIDA RURAL LEGAL SERVICES, INC.

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August 1, 1980

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United States Nuclear Regulatory
Commission
Region II
Office of Inspection and Enforcement
101 Marietta Street
Suite 3100
Atlanta, Georgia 30303

Attention: James O. Reilly
Director
Gregg Gibson

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-80-417
REC'D 8-13-80
VINDMR

Re: FOIA REQUEST

Dear Sirs:

Pursuant to the Freedom of Information Act, please send this office copies of all notifications, written or otherwise, received by your office of the shipment of radioactive materials through the State of Florida for the period beginning January, 1979 to the present. This office understands from Mr. John Lanham, the Director of the State of Florida's inspection and compliance unit for radiological health services licensing, that the Federal government now receives notification of the shipment of nuclear materials.

In the event that access is denied to any part of the requested records, please describe the deleted material in detail and specify that statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest.

Such statements will be helpful to our clients and ourselves in deciding whether to appeal an adverse determination and in formulating arguments in case an appeal is taken. The Department's written justifications might also help to avoid possible unnecessary litigation.

OFFICIAL COPY

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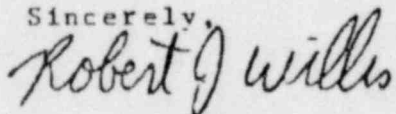
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As you know, the amended Act provides that if some parts of a file are exempt from release, "reasonably segregable" portions shall be provided. I therefore request that if you determine that some portions of the requested material are exempt, that you provide us immediately with a copy of the remainder of the report.

In light of the fact that this request is part of our effort to ensure that shippers of nuclear materials are complying with Federal safety and notice requirements, we request that you waive any applicable fees. Disclosure in this instance meets the statutory standard for waiver of fees in that it would be clearly "in the public interest because furnishing the information can be considered as primarily benefitting the general public". . 5 U.S.C. §552 (a) (4) (A). Without the information requested in this letter, it would be extremely difficult to determine whether the subject (s) were in compliance with the laws and regulations applicable to the shipment of nuclear materials.

Thank you very much for your cooperation. We look forward to your expeditious response.

Sincerely,



ROBERT J. WILLIS
Attorney at Law

RJW/bv