



January 21, 2011

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Mr. Mark Riskedahl
Executive Director
Northwest Environmental Defense Center
10015 S.W. Terwillinger Blvd.
Portland, Oregon 97219

Dear Mr. Riskedahl:

The U.S. Department of Interior's Fish and Wildlife Service referred your August 27, 2010, Freedom of Information Act (FOIA) request along with 28 records to our office for review and direct response to you. Specifically, you requested records regarding APHIS' actions to authorize the interstate importation of municipal solid waste from Hawaii to the continental United States. Your request was received in this office on September 30, 2010, and assigned case number 10-701.

We have reviewed the 28 records and determined that 19 records totaling 1,101 pages can be released in full. Three records totaling 13 pages can be released in part as portions are exempt from disclosure under FOIA Exemptions 4 and 6. Five records totaling 106 pages are being withheld in full under FOIA Exemption 5 and one record consisting of 115 pages of duplicate copies of records are not enclosed. However, the records being released are on the enclosed CD-ROM.

Exemption 4, U.S.C. § 552(b)(4), of the FOIA protects proprietary business information obtained from a person [that is] privileged or confidential. Specifically, we have withheld three pages and redacted standard operating procedures, detailed protocols, studies, and supplier information from the enclosures.

Exemption 5, U.S.C. § 552(b)(5), of the FOIA permits the government to withhold information that's part of the Agency's deliberative process. Specifically, we have withheld documents marked as "draft".

Exemption 6, U.S.C. § 552(b)(6), permits the Government to protect from disclosure information that would cause a clearly unwarranted invasion of personal privacy. Specifically, we have withheld the names and signatures of company employees from the enclosures.

You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter to:

Administrator
Animal and Plant Health Inspection Service
Ag Box 3401
Washington, D.C. 20250-3401

Mr. Mark Riskedahl
FOIA 10-701

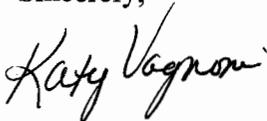
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Please refer to FOIA 10-701 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Also contained on the CD-ROM are copies of your FOIA request, this response letter, and Adobe® Acrobat® Reader™, which is needed to view the responsive records. By opening rp505enu.exe and following the on-screen instructions, you will install Adobe Reader. After the installation, the Adobe Reader should render the PDF files correctly.

Because the cost to process your request is less than \$25.00, the fee has been waived. If you have any questions, please contact the FOIA Staff at 301-734-8296.

Sincerely,



Ja: Tonya G. Woods
Director
Freedom of Information & Privacy Act
Legislative and Public Affairs

Enclosure