UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

Mr. Henri Andre Fourroux III
1494 Athis Street
New Orleans, LA 70122

Re: FOIA Request # 2011-00379
FOIA Request # 2011-00404

Dear Mr. Fourroux:

This letter is in response to your Freedom of Information Act (FOIA) request # 2011-00379 dated April 6, 2011, and received in our office April 7, 2011, and FOIA request # 2011-00404 dated April 17, 2011, and received in our office April 18, 2011. You specifically requested:

FOIA-2011-00379

> "... records beginning on April 20, 2010 to ... April 6, 2011 ... of all permits issued for dispersants used in the Gulf of Mexico, in all of the states that have shores on the Gulf of Mexico, near their shores and in their waterways. I need the information to include for permit: type of dispersant used for the specific type of oil cited, where the dispersant was used and how dispersant was applied."

FOIA-2011-00404

> "... records beginning on April 20, 2010 to ... April 18, 2011 ... of all permits issued for dispersants used in the Gulf of Mexico, in all of the states that have shores on the Gulf of Mexico, near their shores and in their waterways. I need the information to include for permit: type of dispersant used for the specific type of oil cited, where the dispersant was used and how dispersant was applied."

This letter completes our response to your request. Based on the information provided by you, we could locate no responsive records. This search was conducted within the offices of National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) and National Ocean Service.

The Environmental Protection Agency issues these permits.

Under 15 C.F.R. § 4.10(a) (2011), you have the right to appeal this denial determination. The Assistant General Counsel for Administration must receive your appeal within **30 calendar days** of the date of the initial denial letter. Address and send your appeal to the following office:

Assistant General Counsel for Administration (Office)
U.S. Department of Commerce
Room 5898-C
14th and Constitution Avenue, NW
Washington, DC 20230

You may also send your appeal by e-mail to **FOIAAppeals@doc.gov** or by facsimile (fax) to **(202) 482-2552**. The appeal must include a copy of the original request, the response to the request, and a statement of the reasons why withheld records should be made available and why denial of the records was in error. The submission (including e-mail and fax submissions) is not complete without the required enclosures. The appeal, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "Freedom of Information Act Appeal." The e-mail, fax machine and Office of the General Counsel are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, or sent to the fax machine, or received by the Office of General Counsel after normal business hours will be deemed received on the next normal business day.

If you have any questions or concerns, please contact Ms. Sophia Howard, NMFS SEFSC FOIA Coordinator, at (305) 361-4286.

Sincerely;

for Eric C. Schwaab
Assistant Administrator
for Fisheries

cc: F/MB2 - Justen, Rootes
O/FA - Carter-Johnson, Marks