

1200 Pennsylvania Ave, NW  
Washington, DC 20460

Kevin Bogardus  
E&E News  
E&E News  
122 C Street NW, Suite 722  
Washington, DC 20001

October 26, 2017

Dear Kevin Bogardus,

Re: Freedom of Information Act Request No. EPA-HQ-2017-006694

Dear Mr. Bogardus,

Thank you very much for your interest in the Environmental Protection Agency! This correspondence is in reference to your Freedom of Information Act ("FOIA") Request submitted to the agency on April 29, 2017, in which you requested:

I request all communication records related to the creation of EPA's April 28, 2017 press release entitled "EPA Kicks Off Website Updates." Please consider any emails, letters, memorandums, text messages, voice and video recordings as well as other documented forms of communication regarding this press release as responsive records to my request. Please click on this link for more detail on this press release (<https://www.epa.gov/newsreleases/epa-kicks-website-updates>).

### **1. EPA's Proposed Search Strategy and Opportunity to Modify and Discuss**

Based on your request, EPA believes that a reasonable search for records responsive to the subject matter of your request will require searching the records of the following custodians Ryan Jackson, Nancy Grantham, and JP Freire.

Please let us know by November 3, 2017 if this is acceptable to you. In the event that this search is not acceptable, we would like to provide you the opportunity to discuss the request with us and clarify the records that you are seeking so that EPA can process your request. As indicated in 40 C.F.R. §2.102(c), please include or be prepared to discuss any specific information about the records you seek, including time period, authors, or a more detailed description of the records' subject matter.

If we do not hear from you by November 3, 2017, EPA will process your request as described above.

## 1. Unusual Circumstances and Extension of Time

EPA will need to search for and collect the requested records from multiple EPA offices that are separate from the office processing the request. As a result of these unusual circumstances, an extension of time to respond to your request is necessary under 40 C.F.R. §2.104(d).

Subsequently, the new estimated completion date for this FOIA is June 5, 2018. EPA will endeavor to process your request as fast as it can, but, as you may know, OPA has received an unprecedented amount of FOIA requests during fiscal year 2017. In fiscal year 2016, OPA received only 14 FOIA requests, whereas in this fiscal year, OPA has received 164 FOIA requests. This is a 1071% increase in FOIA requests from fiscal years 2016 to 2017. As of the week of September 25, 2017, OPA has 122 pending FOIA requests.

Additionally, and as a byproduct of the increase in overall FOIA Requests across the agency, our Office of Environmental Information's E-Discovery Division, which handles electronic records searching (such as Outlook) done at EPA, has been inundated with search requests from across the EPA to respond to many other FOIA requests and lawsuits. They are working as hard as they can to complete records collection for FOIA requests that require their services, such as yours.

Please rest assured that OPA, and EPA as a whole, has been trying to diligently process all of its requests and make outreach with its requesters and we sincerely apologize if there has been any inconvenience. If it is possible for us to do so, we will provide you with interim releases as they become available.

If you wish to clarify your request further so that EPA can process your request in a shorter amount of time, the Office of Public Affairs is happy to work with you.

Additionally, you may seek assistance from EPA's FOIA Public Liaison at [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; email: [ogis@nara.gov](mailto:ogis@nara.gov); telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

You may contact Candace White at [White.Candace@epa.gov](mailto:White.Candace@epa.gov) or at 202-564-4308 with your response, or if you have any further questions. If you wish to request information connected to this request in the future, please reference the FOIA request number.

Sincerely,

Candace White  
Office of Public Affairs