

# EPA FOIA ANNUAL REPORT

FOR  
10/01/2013  
THROUGH  
09/30/2014

The following **Annual Freedom of Information Act** report covers the Period 10/01/2013, through 09/30/2014, as required by 5 U.S.C. 552.

## I. BASIC INFORMATION REGARDING REPORT

1. Name, Title, Address, and Telephone Number

Larry F. Gottesman  
National FOIA Officer

Headquarters

U.S Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

202-566-2162

2. Electronic address for Report on the agency web site.

<http://www.epa.gov/foia/annual.html>

3. How to obtain a copy of the report in paper form.

National FOIA Officer, FOIA and Privacy Branch, Office of Environmental Information, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave, NW, Mail Code 2822 T, Washington, DC 20460, (202) 566-1667

## II. MAKING A FOIA REQUEST

1. If you are looking for information regarding a specific property, you may obtain this information immediately without filing a FOIA request by using the MyProperty portal, accessible at

<http://www.epa.gov/enviro/html/fii/myproperty.html>.

## III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Acronyms used:

<b>Acronym</b>	<b>Definition</b>
HQ EPA	Headquarters
Region 1	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Region 10	Alaska, Idaho, Oregon, Washington
Region 2	New Jersey, New York, Puerto Rico, U.S. Virgin Islands and 7 Tribal Nations
Region 3	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
Region 4	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina
Region 5	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Region 6	Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Region 7	Iowa, Kansas, Missouri, Nebraska
Region 8	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Region 9	Arizona, California, Hawaii, Nevada, American Samoa, Guam

2. Definition of terms used in this report:

- a. **Administrative Appeal** - a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** - the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** - for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** - the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** - a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** - a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** - an agency decision to disclose all records in full in response to a FOIA request
- i. **Full Denial** - an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** - the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
- l. **Expedited Processing** - an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
- m. **Simple Request** - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
- n. **Complex Request** - a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.

- o. **Partial Grant/Partial Denial** - in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
  - p. **Pending Request or Pending Administrative Appeal** - a request or administrative appeal for which an agency has not taken final action in all respects.
  - q. **Perfected Request** - a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
  - r. **Processed Request or Processed Administrative Appeal** - a request or administrative appeal for which an agency has taken final action in all respects.
  - s. **Range in Number of Days** - the lowest and highest number of days to process requests or administrative appeals.
  - t. **Time Limits** - the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
3. Concise descriptions of the nine FOIA exemptions:
- a. **Exemption 1** - classified national defense and foreign relations information
  - b. **Exemption 2** - internal agency rules and practices
  - c. **Exemption 3** - information that is prohibited from disclosure by another federal law
  - d. **Exemption 4** - trade secrets and other confidential business information
  - e. **Exemption 5** - inter-agency or intra-agency communications that are protected by legal privileges
  - f. **Exemption 6** - information involving matters of personal privacy
  - g. **Exemption 7** - records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
  - h. **Exemption 8** - information relating to the supervision of financial institutions
  - i. **Exemption 9** - geological information on wells

#### IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied Upon per Component	Total Number of Times Relied Upon by Agency
28 U.S.C. 652(d)	Confidential dispute resolution	Yelder v. DOD, 577 F. Supp. 2d 342, 347-48 (D.D.C. 2008)	Region 5 : 1	1
42 U.S.C. 300i-2(a)	Information related to vulnerability assessments provided to the Administrator	N	Headquarter : 1	1
5 USC Section 107a (Ethics and Government Act of 1978)	Financial disclosure information pertaining to certain government employees	Meyerhoff v. EPA, 958 F. 2d 1498, 1500-02 (9 <sup>th</sup> Cir. 1992); Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012); Concepcion v. FBI, 606 F. Supp. 2d 14, 33 (D.D.C. 2009), renewed motion for summary judgement granted in part on other grounds, 699 F. Supp. 2d 106 (D.D.C. 2010); Glascoe v, DOJ, No. 04-0486, 2005 WL 1139269, at *1 (D.D.C. May 15, 2005).	Region 9 : 1	1
7 U.S.C. § 136i-1 (Federal Insecticide, Fungicide, and Rodenticide Act)	Data "that would directly or indirectly reveal the identity of individual producers [of certain pesticides]"	Doe v. Veneman, 380 F. 3d 807, 818 (5th Cir. 2004).	Headquarter : 23	23
41 U.S.C. § 2102; 41 U.S.C. § 423 (a)(1) (Procurement Integrity Act)	Contractor bid or proposals information; source selection information	Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 201 WL 24098652 at 3-4 (E.D. Cal., May 4, 2001)(dictum)	Region 6 : 11	11
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS. 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen. No. 06-843, 2008 WL 62744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa 2008).	Headquarter : 1	1

**V. FOIA REQUESTS**

<b>A. Received, Processed and Pending FOIA Requests</b>				
	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
HQ	996	1940	1932	1004
Region 1	25	230	239	16
Region 2	288	2099	2000	387
Region 3	189	930	631	488
Region 4	81	871	864	88
Region 5	146	1738	1766	118
Region 6	116	585	616	85
Region 7	56	577	586	47
Region 8	55	300	311	44
Region 9	54	714	710	58
Region 10	162	486	475	173
AGENCY OVERALL	2168	10470	10130	2508

<b>B.(1) Disposition of FOIA Requests -- All Processed Requests</b>													
	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No records	All records referred to another agency	Request withdrawn	Fee-related reason	Records not reasonably described	Improper FOIA request for other reason	Not an agency record	Duplicate request	Other	
HQ	1071	217	50	204	10	230	13	26	16	10	85	0	1932
Region 1	117	11	0	83	0	15	4	0	0	0	9	0	239
Region 2	674	10	2	1123	3	40	7	87	10	4	40	0	2000
Region 3	337	18	1	175	1	50	16	5	0	0	28	0	631
Region 4	335	76	3	346	1	70	8	2	0	0	23	0	864
Region 5	900	58	3	625	0	82	28	8	7	2	53	0	1766
Region 6	282	60	2	176	0	73	3	1	1	0	18	0	616
Region 7	373	22	0	117	1	56	0	1	0	0	16	0	586
Region 8	163	24	2	50	2	40	17	2	0	1	10	0	311
Region 9	267	30	3	325	3	50	1	7	2	2	20	0	710
Region 10	238	88	1	62	0	69	4	1	1	0	11	0	475
TOTAL	4757	614	67	3286	21	775	101	140	37	19	313	0	10130

<b>B.(2) Disposition of FOIA Requests -- Other Reasons for Full Denials Based on Reasons Other than Exemptions</b>		
	Description of Other Reasons for Denials from Chart B.(1) & Number of Times Those Reasons Were Relied Upon	TOTAL
Agency Overall		0

**B.(3) Disposition of FOIA Requests -- Number of Times Exemptions Applied**

	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
HQ	1	2	23	24	34	36	9	0	14	11	8	0	0	0
Region 1	0	0	0	2	6	4	0	0	0	0	0	0	0	0
Region 2	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Region 3	0	0	0	0	1	0	0	0	1	4	0	0	0	0
Region 4	0	0	0	31	43	53	20	0	20	0	0	0	0	1
Region 5	0	0	1	7	38	27	17	0	9	3	0	0	0	0
Region 6	0	0	7	4	19	22	3	1	0	4	0	0	0	0
Region 7	0	0	0	12	11	8	1	0	1	0	1	0	0	0
Region 8	0	0	0	2	4	0	2	0	0	0	0	0	0	0
Region 9	0	0	1	9	14	10	8	1	0	0	1	0	0	2
Region 10	0	0	0	2	28	20	6	0	1	4	0	0	0	0
TOTAL	1	2	32	94	199	180	66	2	46	26	10	0	0	3

**VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS**

<b>A. Received, Processed and Pending FOIA Appeals</b>				
Agency/Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
HQ	182	226	185	223
Region 1	0	0	0	0
Region 2	0	0	0	0
Region 3	0	0	0	0
Region 4	0	0	0	0
Region 5	0	0	0	0
Region 6	0	0	0	0
Region 7	0	0	0	0
Region 8	0	0	0	0
Region 9	0	0	0	0
Region 10	0	0	0	0
<b>AGENCY TOTAL</b>	<b>182</b>	<b>226</b>	<b>185</b>	<b>223</b>

<b>B. Disposition of Administrative Appeals All Processed Appeals</b>					
	Number of Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number of Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
HQ	158	1	0	26	185
Region 1	0	0	0	0	0
Region 2	0	0	0	0	0
Region 3	0	0	0	0	0
Region 4	0	0	0	0	0
Region 5	0	0	0	0	0
Region 6	0	0	0	0	0
Region 7	0	0	0	0	0
Region 8	0	0	0	0	0
Region 9	0	0	0	0	0
Region 10	0	0	0	0	0
<b>Agency Overall</b>	<b>158</b>	<b>1</b>	<b>0</b>	<b>26</b>	<b>185</b>

<b>C.(1) Reasons for Denial on Appeal Number of Times Exemptions Applied</b>														
	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
Region 1	0	0	2	3	11	3	2	0	0	0	0	0	0	0
Region 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 8	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 10	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Agency Overall</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>11</b>	<b>3</b>	<b>2</b>	<b>0</b>						

**VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS**

Agency/Component	No records	Records referred at initial request level	Request withdrawn	Fee-related reason	Records not reasonably described	Improper request for other reasons	Not agency record	Duplicate request or appeal	Request in litigation	Appeal based solely on denial for expedited processing	Other *Explain in chart below
HQ	1	0	10	0	0	3	0	8	4	0	0
Region 1	0	0	0	0	0	0	0	0	0	0	0
Region 2	0	0	0	0	0	0	0	0	0	0	0
Region 3	0	0	0	0	0	0	0	0	0	0	0
Region 4	0	0	0	0	0	0	0	0	0	0	0
Region 5	0	0	0	0	0	0	0	0	0	0	0
Region 6	0	0	0	0	0	0	0	0	0	0	0
Region 7	0	0	0	0	0	0	0	0	0	0	0
Region 8	0	0	0	0	0	0	0	0	0	0	0
Region 9	0	0	0	0	0	0	0	0	0	0	0
Region 10	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	1	0	10	0	0	3	0	8	4	0	0

<b>C.(3) Reasons for Denial on Appeal Other Reasons</b>		
	Description of Other Reasons for Denials from Chart C.(2) & Number of Times Those Reasons Were Relied Upon	TOTAL
Agency Overall		0

<b>C.(4) Response Time for Administrative Appeals</b>				
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	34	66.81	< 1	601
AGENCY OVERALL	34	66.81	< 1	601

<b>C.(5) Ten Oldest Pending Administrative Appeals</b>										
	10th Oldest Appeal and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal and Number of Days Pending
HQ	2007-05-18 1850	2006-08-03 2049	2006-06-28 2073	2006-05-24 2098	2006-05-23 2098	2006-03-24 2151	2006-03-24 2161	2006-03-09 2218	2006-02-22 2218	2005-05-12 2357
AGENCY OVERALL	2007-05-18 1850	2006-08-03 2049	2006-06-28 2073	2006-05-24 2098	2006-05-23 2098	2006-03-24 2151	2006-03-24 2161	2006-03-09 2218	2006-02-22 2218	2005-05-12 2357

\* Days pending will be adjusted for days an appeal is on hold.

**VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS**

<b>A. Processed Requests -- Response Time for All Processed Perfected Requests</b>												
	SIMPLE				COMPLEX				EXPEDITED			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	13	11.81	< 1	20	65	172.97	< 1	2120	129	459	20	1790
Region 1	5	7.76	< 1	20	31	72.55	19	737	-	-	-	-
Region 2	14	12.30	< 1	20	31	44.47	15	359	-	-	-	-
Region 3	14	12.99	< 1	20	65	84.13	21	1075	62	62	62	62
Region 4	15	13.65	< 1	20	31	45.58	< 1	754	-	-	-	-
Region 5	16	14.19	< 1	20	25	40.15	6	828	13	13	13	13
Region 6	16	11.56	< 1	20	22	43.79	< 1	1538	347	347	347	347
Region 7	19	16.15	< 1	20	26	31.18	2	107	-	-	-	-
Region 8	14	13.02	< 1	20	30	78.78	< 1	638	34	34	34	34
Region 9	13	12.87	< 1	20	25	33.45	21	244	6	13	< 1	32
Region 10	12	10.75	< 1	20	50	122.17	5	1320	-	-	-	-
AGENCY OVERALL	15	13.16	< 1	20	33	79.49	< 1	2120	34.50	264.86	< 1	1790

<b>B. Processed Requests Response Time for Perfected Requests in Which Information Was Granted</b>												
	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	13	12.30	< 1	20	52	119.21	< 1	1407	1139.50	1139.50	489	1790
Region 1	10	10.10	< 1	20	33	72.02	21	737	-	-	-	-
Region 2	14	12.81	< 1	20	32	49.04	15	318	-	-	-	-
Region 3	15	15.19	< 1	20	62	76.21	21	487	-	-	-	-
Region 4	16	13.93	< 1	20	34	54.84	< 1	754	-	-	-	-
Region 5	16	14.52	< 1	20	27	42.48	21	507	13	13	13	13
Region 6	17	13.20	< 1	17	27	57.31	< 1	827	347	347	347	347
Region 7	18	15.82	< 1	20	26	31.50	6	107	-	-	-	-
Region 8	14	13.29	< 1	20	32	65.20	< 1	638	34	34	34	34
Region 9	15	14.19	< 1	20	28.50	36.77	21	213	6	13	< 1	32
Region 10	12	11.20	< 1	20	57.50	124.08	8	893	-	-	-	-
AGENCY OVERALL	15	13.67	< 1	20	36	75.01	< 1	1407	33	339	< 1	1790

**C. Processed Requests Response Time in Day Increments**

Simple Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	604	0	0	0	0	0	0	0	0	0	0	0	0	604
Region 1	165	0	0	0	0	0	0	0	0	0	0	0	0	165
Region 2	439	0	0	0	0	0	0	0	0	0	0	0	0	439
Region 3	94	0	0	0	0	0	0	0	0	0	0	0	0	94
Region 4	293	0	0	0	0	0	0	0	0	0	0	0	0	293
Region 5	1278	0	0	0	0	0	0	0	0	0	0	0	0	1278
Region 6	9	0	0	0	0	0	0	0	0	0	0	0	0	9
Region 7	398	0	0	0	0	0	0	0	0	0	0	0	0	398
Region 8	179	0	0	0	0	0	0	0	0	0	0	0	0	179
Region 9	455	0	0	0	0	0	0	0	0	0	0	0	0	455
Region 10	155	0	0	0	0	0	0	0	0	0	0	0	0	155
AGENCY OVERALL	4069	0	0	0	0	0	0	0	0	0	0	0	0	4069

Complex Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	45	400	139	83	68	59	34	20	25	37	108	57	137	1212
Region 1	1	48	11	2	3	1	0	0	0	0	4	0	3	73
Region 2	1	1078	186	71	24	30	30	30	5	7	15	6	0	1483
Region 3	0	105	126	89	84	30	24	7	8	3	13	5	7	501
Region 4	2	385	98	23	9	6	6	4	4	1	10	1	2	551
Region 5	1	339	42	17	5	4	3	2	2	1	5	0	3	424
Region 6	270	215	40	18	8	10	5	3	4	3	13	8	4	601
Region 7	6	139	19	10	2	1	0	0	0	0	0	0	0	177
Region 8	5	77	14	6	3	2	1	0	1	1	8	5	4	127
Region 9	0	190	29	6	1	0	2	1	0	0	2	0	0	231
Region 10	4	123	41	24	16	19	18	6	3	5	10	3	31	303
AGENCY OVERALL	335	3099	745	349	223	162	123	73	52	58	188	85	191	5683

Expedited Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	1	2	0	0	0	0	1	0	0	0	0	0	3	7
Region 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 3	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Region 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 5	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Region 6	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Region 8	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Region 9	2	1	0	0	0	0	0	0	0	0	0	0	0	3
Region 10	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	4	4	0	1	0	0	1	0	0	0	0	1	3	14

<b>D. Pending Requests All Pending Perfected Requests</b>									
	SIMPLE			COMPLEX			EXPEDITED		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
HQ	47	13	14.51	854	174	250.76	13	173	440.62
Region 1	6	10	9.50	14	19.50	156.43	0	N/A	N/A
Region 2	14	15	6.64	355	23	46.40	0	N/A	N/A
Region 3	9	23	32.33	476	122	124.88	3	3	168.67
Region 4	24	5	6.63	60	26.50	45.98	0	N/A	N/A
Region 5	59	6	7.42	53	25	94.09	1	109	109
Region 6	1	1	1	91	18	62.90	0	N/A	N/A
Region 7	6	16	15.33	28	11	32.04	0	N/A	N/A
Region 8	11	11	7.18	42	66	140.64	0	N/A	N/A
Region 9	24	7.50	7.88	26	18	55.27	0	N/A	N/A
Region 10	18	10	7.06	149	63	132.56	0	N/A	N/A
AGENCY OVERALL	219	10	10.08	2148	82.50	155.36	17	173	373.12

<b>E. Pending Requests Ten Oldest Pending Perfected Requests</b>										
	10th Oldest Request and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request and Number of Days Pending
Headquarter	2009-10-21 1244	2009-09-15 1266	2009-09-15 1275	2009-08-26 1278	2009-06-24 1324	2009-05-26 1343	2008-09-12 1517	2008-08-21 1533	2008-06-11 1610	2007-12-13 1745
Region 1	2014-09-09 15	2014-09-03 19	2014-09-02 20	2014-08-27 23	2014-08-21 27	2014-06-16 17	2014-03-25 132	2013-05-13 283	2012-03-21 656	2010-11-17 971
Region 2	2013-09-10 265	2013-08-21 278	2013-08-21 147	2013-07-16 304	2013-07-11 305	2013-07-10 308	2013-02-13 410	2013-01-04 437	2012-12-06 456	2012-10-16 491
Region 3	2013-02-13 410	2012-12-27 442	2012-07-30 568	2012-06-04 588	2012-04-24 638	2012-03-19 638	2012-03-13 642	2012-03-12 643	2012-02-03 668	2012-02-03 668
Region 4	2014-06-02 84	2014-05-19 93	2014-05-01 105	2014-04-22 112	2014-04-16 116	2014-03-04 147	2014-02-04 18	2014-01-27 172	2014-01-06 186	2013-08-12 285
Region 5	2014-02-18 157	2014-02-13 159	2014-02-13 134	2013-11-27 211	2013-05-10 349	2013-03-13 391	2013-02-04 417	2012-11-09 473	2012-10-26 550	2011-09-23 734
Region 6	2014-01-31 168	2014-01-16 178	2014-01-07 185	2013-10-28 232	2013-09-23 238	2013-09-23 253	2012-11-29 287	2012-10-15 492	2011-04-28 860	2010-12-16 951
Region 7	2014-09-08 16	2014-09-08 16	2014-09-08 16	2014-09-02 20	2014-08-26 24	2014-08-11 35	2014-07-29 7	2014-04-09 38	2013-06-19 325	2012-09-21 278
Region 8	2013-11-18 218	2013-07-31 293	2013-07-29 295	2013-07-09 309	2013-07-08 310	2013-07-01 314	2013-06-24 319	2013-06-21 320	2012-06-18 576	2011-08-22 780
Region 9	2014-08-21 27	2014-08-19 29	2014-08-12 34	2014-08-04 40	2014-06-20 29	2014-05-06 101	2014-03-18 15	2014-03-18 15	2014-01-07 178	2011-10-04 750
Region 10	2012-08-02 544	2012-07-27 44	2012-07-12 557	2012-07-03 567	2012-07-03 66	2012-05-31 85	2012-03-21 660	2011-11-29 211	2011-02-16 910	2010-01-20 1180
TOTAL	2009-10-21 1244	2009-09-15 1266	2009-09-15 1275	2009-08-26 1278	2009-06-24 1324	2009-05-26 1343	2008-09-12 1517	2008-08-21 1533	2008-06-11 1610	2007-12-13 1745

\* Days pending will be adjusted for days an appeal is on hold.

**VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER**

<b>A. Requests for Expedited Processing</b>					
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
HQ	14	83	5	7.06	73
Region 1	0	4	1.50	3	4
Region 2	0	36	7	8.08	29
Region 3	3	11	7	9.21	9
Region 4	0	22	8	9.68	15
Region 5	2	21	2	3.91	21
Region 6	0	35	4	4.69	31
Region 7	0	16	2	4.19	14
Region 8	0	11	1	4.82	9
Region 9	3	22	6	6.28	20
Region 10	0	13	9	9	10
AGENCY OVERALL	22	274	5	6.68	235

<b>B. Requests for Fee Waiver</b>				
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
HQ	108	164	7	8.63
Region 1	3	6	6	9.44
Region 2	12	42	8	9.83
Region 3	16	24	6.50	8.15
Region 4	10	37	7	9.38
Region 5	11	45	3	3.89
Region 6	6	29	7	6.54
Region 7	3	22	2	2.56
Region 8	13	22	5	4.83
Region 9	23	27	7	9.04
Region 10	9	34	13	15.51
AGENCY OVERALL	214	452	6	8.30

## IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full-Time FOIA Staff	Processing Costs	Litigation-Related Costs	Total Costs
HQ	20	1.59	21.59	\$2,979,228.03	\$650,707.20	\$3,629,935.23
Region 1	0	0.24	0.24	\$37,059.32	\$0.00	\$37,059.32
Region 2	3	0.1	3.1	\$444,482.20	\$0.00	\$444,482.20
Region 3	3	0.24	3.24	\$461,610.26	\$0.00	\$461,610.26
Region 4	9	0.04	9.04	\$1,310,501.81	\$0.00	\$1,310,501.81
Region 5	8	0.64	8.64	\$1,244,829.56	\$0.00	\$1,244,829.56
Region 6	2	0.64	2.64	\$354,677.64	\$0.00	\$354,677.64
Region 7	0	0.24	0.24	\$42,226.85	\$0.00	\$42,226.85
Region 8	1	1.28	2.28	\$324,634.79	\$0.00	\$324,634.79
Region 9	1	0.52	1.52	\$161,586.87	\$0.00	\$161,586.87
Region 10	23	0.45	23.45	\$3,389,676.07	\$0.00	\$3,389,676.07
AGENCY OVERALL	70	5.98	75.98	\$10,750,513.40	\$650,707.20	\$11,401,220.60

**X. FEES COLLECTED FOR PROCESSING REQUESTS**

	Total Amount of Fees Collected	Percentage of Total Costs
Headquarter	\$661,671.95	22.21%
Region 1	\$8,467.39	22.85%
Region 2	\$9,945.80	2.24%
Region 3	\$5,096.34	1.10%
Region 4	\$4,716.87	.36%
Region 5	\$45,588.84	3.66%
Region 6	\$26,042.44	7.34%
Region 7	\$14,518.20	34.38%
Region 8	\$12,854.44	3.96%
Region 9	\$15,276.68	9.45%
Region 10	\$16,058.97	.47%
AGENCY OVERALL	\$820,237.92	7.63%

## **XI. FOIA REGULATIONS**

1. For more information, please consult the following website:  
<http://www.epa.gov/foia/foiaregs.htm>

## XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

<b>A. Backlogs of FOIA Requests and Administrative Appeals</b>		
	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
HQ	828	188
Region 1	4	0
Region 2	192	0
Region 3	419	0
Region 4	36	0
Region 5	24	0
Region 6	33	0
Region 7	5	0
Region 8	32	0
Region 9	5	0
Region 10	110	0
AGENCY OVERALL	1688	188

<b>B. Consultations on FOIA Requests Received, Processed, and Pending Consultations</b>				
	Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Pending as of End of the Fiscal Year
HQ	4	9	13	0
Region 1	0	0	0	0
Region 2	0	0	0	0
Region 3	0	1	1	0
Region 4	0	0	0	0
Region 5	0	0	0	0
Region 6	0	0	0	0
Region 7	0	0	0	0
Region 8	0	0	0	0
Region 9	0	1	1	0
Region 10	0	0	0	0
AGENCY OVERALL	4	11	15	0

<b>C. Consultations on FOIA Requests Ten Oldest Consultations Received from Other Agencies and Pending</b>										
	10th Oldest Consultation and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation and Number of Days Pending

<b>D. Comparison of Numbers of Requests from Previous and Current Annual Report Requests Received, Processed, and Backlogged</b>				
	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Year's Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Headquarter	1986	1940	1656	1932
Region 1	224	230	239	239
Region 2	1798	2099	1521	2000
Region 3	1105	930	1030	631
Region 4	868	871	875	864
Region 5	1365	1738	1346	1766
Region 6	605	585	581	615

**XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS**

Region 7	559	577	544	586
Region 8	361	300	342	311
Region 9	604	714	589	710
Region 10	476	486	408	475
TOTAL	9951	10470	9131	10129

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
Headquarter	790	828
Region 1	9	4
Region 2	115	192
Region 3	89	419
Region 4	25	36
Region 5	15	24
Region 6	61	33
Region 7	10	5
Region 8	26	32
Region 9	9	5
Region 10	116	110
TOTAL	1265	1688

<b>E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report Appeals Received, Processed, and Backlogged</b>				
	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Headquarter	283	226	182	185
Region 5	0	0	1	0
Region 6	0	0	1	0
TOTAL	283	226	184	185

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
Headquarter	157	188
TOTAL	157	188