

EPA FOIA ANNUAL REPORT

FOR
10/01/2021
THROUGH
09/30/2022

The following **Annual Freedom of Information Act** report covers the Period 10/01/2021, through 09/30/2022, as required by 5 U.S.C. 552.

I. BASIC INFORMATION REGARDING REPORT

1. Name, Title, Address, and Telephone Number

Timothy Epp
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Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460
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2. Electronic address for Report on the agency web site.

<https://www.epa.gov/foia/foia-reports>

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

Timothy Epp, National FOIA Office, Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave, NW, Mail Code 2310 A, Washington, DC 20460, (202) 566-1667

II. MAKING A FOIA REQUEST

1. Submit a FOIA request through FOIAonline: <https://www.foiaonline.gov/foiaonline/action/public/home>
2. Submit a FOIA request through regular mail or courier services: <https://www.epa.gov/foia/forms/contact-us-about-freedom-information-act-and-foia-requests>
3. For environmental information on a specific property, you do not need to file a FOIA request: <https://www.epa.gov/myproperty>

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Acronyms used :

Acronym	Definition
HQ	Headquarters
Region 01.	Connecticut, Maine, New Hampshire, Rhode Island, Vermont
Region 02.	New Jersey, New York, Puerto Rico, U.S. Virgin Islands and 7 Tribal Nations
Region 03.	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
Region 04.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina
Region 05.	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Region 06.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Region 07.	Iowa, Kansas, Missouri, Nebraska
Region 08.	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Region 09.	Arizona, California, Hawaii, Nevada,; American Samoa, Guam, Marshall Islands, Micronesia, Northern Mariana Islands, Palau
Region 10	Alaska, Idaho, Oregon, Washington, 271 Native Tribes

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 entirety 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
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).	HQ : 21	21
5 U.S.C. § 7114(b)(4), 7132 (Civil Service Reform Act)	Certain labor relations training and guidance materials	(Dubin v. Dep't of Treasury, 555 F. Supp. 408, 412 (N.D. Ga. 1981) (5 U.S.C. § 7114(b)(4)), aff'd, 697 F.2d 1093 (11th Cir. 1983) (unpublished table decision); NTEU v. OPM, No. 76-695, slip op. at 3-4 (D.D.C. July 9, 1979) (5 U.S.C. § 7114(b)(4) and 5 U.S.C. § 7132)	HQ : 1	1
5 U.S.C. app. 107(a) (Ethics and Govt Act of 1978)	Financial disclosure information pertaining to certain government employees.	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Boyd v. Exec. Office for U.S. Attorneys, 161 F. Supp. 3d 1, 7 (D.D.C.) 2015; 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 judgment 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).	HQ : 15	15
42 U.S.C. § 7412(r)(7)(H)(V) (Chemical Safety Information Site Security and Fuels Regulatory Relief Act)	Chemical safety information		HQ : 1 R6 : 1	2
5 U.S.C. § 574(j)	Dispute resolution communications between a neutral and a party that may not be disclosed under the Administrative Dispute Resolution Act of 1996.		HQ : 1	1

<p>16 U.S.C. § 470hh Archaeological Resources Protection Act 1979</p>	<p>Information Pertaining to the nature and location of certain archaeological resources</p>	<p>Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).</p>	<p>R10 : 2</p>	<p>2</p>
<p>Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319</p>	<p>Certain records pertaining to grand jury proceedings</p>	<p>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).</p>	<p>HQ : 1 R7 : 1</p>	<p>2</p>

V. FOIA REQUESTS

A. Received, Processed and Pending FOIA Requests				
	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	1400	3813	3837	1376
R1	21	81	97	5
R10	60	114	125	49
R2	161	403	434	130
R3	59	286	268	77
R4	39	429	379	89
R5	83	611	632	62
R6	56	384	369	71
R7	9	145	133	21
R8	14	113	116	11
R9	37	257	240	54
TOTAL	1939	6636	6630	1945

* After reviewing its database, EPA updated the Number of Requests Pending at the Start of the Fiscal Year.

B.(1) Disposition of FOIA Requests -- All Processed Requests													
	Number of Full Denials Based on Reasons Other than Exemptions												
	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No Records	All Records Referred to Another Agency	Request Withdrawn	Fee-Related Reason	Records Not Reasonably Described	Improper FOIA Request for Other Reasons	Not an Agency Record	Duplicate Request	Other	TOTAL
HQ	890	567	46	252	1	321	14	81	1586	9	66	4	3837
R1	52	10	0	20	0	15	0	0	0	0	0	0	97
R10	29	64	0	15	2	13	2	0	0	0	0	0	125
R2	223	29	0	84	0	58	0	34	0	0	6	0	434
R3	78	48	0	73	0	58	2	4	0	0	5	0	268
R4	240	35	0	75	0	24	0	0	0	2	3	0	379
R5	240	45	1	246	0	49	44	2	0	0	5	0	632
R6	148	67	2	88	0	64	0	0	0	0	0	0	369
R7	50	21	1	37	0	21	0	0	0	0	3	0	133
R8	42	14	0	19	0	33	1	0	0	0	7	0	116
R9	97	27	1	51	0	61	0	2	0	0	1	0	240
TOTAL	2089	927	51	960	3	717	63	123	1586	11	96	4	6630

B.(2) Disposition of FOIA Requests -- Other Reasons for Full Denials Based on Reasons Other than Exemptions		
	Description of Other Reasons for Denials from Chart B.(1) & Number of Times Those Reasons Were Relied Upon	TOTAL
HQ	Directed Requester to Another Entity Subject to the FOIA 2 Litigation 2	4
TOTAL		4

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	0	3	40	85	301	503	30	1	93	2	37	29	0	1
R1	0	0	0	1	3	5	1	0	0	0	0	0	0	6
R10	0	4	2	34	20	58	1	0	10	1	7	0	0	0
R2	0	0	0	7	12	11	8	0	1	0	0	0	0	3
R3	0	0	0	12	15	37	6	0	2	0	1	0	0	11
R4	0	0	0	4	10	29	5	0	1	0	0	0	0	0
R5	0	0	0	3	19	34	9	0	5	2	1	1	0	6
R6	0	1	1	11	31	49	10	0	3	0	1	0	0	6
R7	0	0	1	10	5	10	3	0	1	1	0	0	0	1
R8	0	0	0	2	5	10	4	0	1	0	0	0	0	0
R9	0	0	0	7	8	21	2	0	0	0	1	0	0	2
TOTAL	0	8	44	176	429	767	79	1	117	6	48	30	0	36

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed and Pending FOIA Appeals				
	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	5	132	130	7
TOTAL	5	132	130	7

B. Disposition of Administrative Appeals All Processed Appeals					
	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	35	20	27	48	130
TOTAL	35	20	27	48	130

C.(1) Reasons for Denial on Appeal 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	0	0	2	2	27	26	9	0	5	0	4	1	0	0
TOTAL	0	0	2	2	27	26	9	0	5	0	4	1	0	0

C.(2) Reasons for Denial on Appeal Reasons Other than Exemptions												
	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	
HQ	3	2	2	3	1	0	0	6	0	3	39	
TOTAL	3	2	2	3	1	0	0	6	0	3	39	

C.(3) Reasons for Denial on Appeal Other Reasons		
	Description of Other Reasons for Denials from Chart C.(2) & Number of Times Those Reasons Were Relied Upon	TOTAL
HQ	Moot 39	39
TOTAL		39

C.(4) Response Time for Administrative Appeals				
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	15.0	13.66	< 1	30.0
TOTAL	15.0	13.66	< 1	30.0

C.(5) Ten Oldest Pending Administrative Appeals										
	10th Oldest Appeal and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal and Number of Days Pending
HQ				2022-09-29 1	2022-09-28 2	2022-09-28 2	2022-09-26 4	2022-09-14 12	2022-09-13 13	2022-09-09 15
TOTAL				2022-09-29 1	2022-09-28 2	2022-09-28 2	2022-09-26 4	2022-09-14 12	2022-09-13 13	2022-09-09 15

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

A. Processed Requests -- Response Time for All Processed Perfected Requests												
	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	20.0	52.83	< 1	1202.0	224.0	417.92	1.0	2242.0	-	-	-	-
R1	11.0	21.25	1.0	542.0	153.0	191.24	3.0	579.0	-	-	-	-
R10	16.5	21.32	2.0	132.0	127.0	251.41	7.0	1013.0	-	-	-	-
R2	16.5	96.83	< 1	1365.0	45.0	113.54	1.0	1372.0	308.5	308.5	46.0	571.0
R3	18.0	48.08	1.0	521.0	51.0	77.36	6.0	217.0	-	-	-	-
R4	12.0	13.73	1.0	88.0	18.0	31.8	1.0	370.0	-	-	-	-
R5	10.0	16.34	< 1	300.0	35.0	75.81	< 1	449.0	83.0	83.0	1.0	165.0
R6	18.5	31.16	< 1	352.0	20.0	40.43	3.0	1209.0	-	-	-	-
R7	13.0	18.86	< 1	647.0	11.0	11.0	11.0	11.0	-	-	-	-
R8	4.0	6.4	< 1	27.0	20.5	24.6	< 1	122.0	-	-	-	-
R9	20.0	41.57	3.0	507.0	142.0	120.67	30.0	190.0	-	-	-	-
TOTAL	17.0	40.86	< 1	1365.0	47.0	195.45	< 1	2242.0	105.5	195.75	1.0	571.0

B. Processed Requests Response Time for Perfected Requests in Which Information Was Granted												
	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	20.0	53.95	< 1	1096.0	173.0	355.2	4.0	1751.0	-	-	-	-
R1	13.0	27.74	1.0	542.0	244.0	240.0	7.0	579.0	-	-	-	-
R10	19.5	25.8	3.0	132.0	127.0	251.23	9.0	1013.0	-	-	-	-
R2	28.0	144.77	2.0	1365.0	46.0	125.54	3.0	1372.0	46.0	46.0	46.0	46.0
R3	33.0	48.77	2.0	404.0	53.0	81.54	6.0	217.0	-	-	-	-
R4	12.0	13.95	1.0	88.0	19.0	32.77	1.0	298.0	-	-	-	-
R5	16.0	24.6	1.0	300.0	79.0	118.69	8.0	449.0	165.0	165.0	165.0	165.0
R6	20.0	41.51	< 1	352.0	40.0	59.69	4.0	1209.0	-	-	-	-
R7	16.0	26.51	1.0	647.0	11.0	11.0	11.0	11.0	-	-	-	-
R8	10.0	10.09	1.0	20.0	22.0	30.91	1.0	122.0	-	-	-	-
R9	24.5	51.09	4.0	507.0	166.0	166.0	142.0	190.0	-	-	-	-
TOTAL	20.0	46.93	< 1	1365.0	60.0	184.0	1.0	1751.0	105.5	105.5	0	165.0

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	822	337	79	58	39	25	26	15	6	6	20	11	39	1483
R1	64	8	2	0	0	1	0	0	0	0	0	0	1	76
R10	58	8	5	1	1	0	1	0	0	0	0	0	0	74
R2	39	18	5	3	1	0	0	2	0	0	0	2	5	75
R3	134	47	20	19	3	5	4	1	2	0	5	7	3	250
R4	118	9	0	1	1	0	0	0	0	0	0	0	0	129
R5	381	41	12	11	6	1	0	0	1	0	3	0	0	456
R6	95	28	9	5	2	3	0	1	1	0	2	2	0	148
R7	112	14	3	0	1	0	0	0	0	0	0	0	1	131
R8	67	1	0	0	0	0	0	0	0	0	0	0	0	68
R9	120	46	31	9	11	3	3	3	3	1	3	1	1	235
TOTAL	2010	557	166	107	65	38	34	22	13	7	33	23	50	3125

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	63	52	30	28	24	22	17	14	15	11	36	37	234	583
R1	3	2	1	2	0	0	1	2	1	0	4	2	3	21
R10	7	0	6	4	6	1	2	0	0	0	7	4	14	51
R2	32	109	50	34	12	13	2	16	5	2	16	7	25	323
R3	1	2	5	2	1	0	0	1	0	1	1	0	0	14
R4	156	47	19	5	5	3	6	2	2	1	3	1	0	250
R5	50	43	19	13	12	5	3	0	0	1	20	3	3	172
R6	115	40	29	13	10	7	2	1	0	1	1	1	1	221
R7	1	0	0	0	0	0	0	0	0	0	0	0	0	1
R8	24	17	3	2	1	0	1	0	0	0	0	0	0	48
R9	0	1	0	0	0	0	0	1	0	1	0	0	0	3
TOTAL	452	313	162	103	71	51	34	37	23	18	88	55	280	1687

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
R2	0	0	1	0	0	0	0	0	0	0	0	0	1	2
R5	1	0	0	0	0	0	0	0	1	0	0	0	0	2
TOTAL	1	0	1	0	0	0	0	0	1	0	0	0	1	4

D. Pending Requests All Pending Perfected Requests									
	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	449	125.0	264.74	881	581.0	617.1	5	1363.0	944.4
R1	2	4.0	4.0	3	22.0	61.0	0	-	-
R10	2	36.0	36.0	47	182.0	310.47	0	-	-
R2	18	56.0	125.06	106	118.0	213.65	0	-	-
R3	71	52.0	115.66	6	68.0	62.33	0	-	-
R4	10	4.0	19.6	74	51.5	81.42	0	-	-
R5	34	9.0	17.32	26	31.5	83.73	0	-	-
R6	26	20.5	81.27	45	22.0	60.04	0	-	-
R7	19	10.0	11.63	2	20.5	20.5	0	-	-
R8	1	13.0	13.0	10	22.5	67.1	0	-	-
R9	52	22.5	56.06	1	22.0	22.0	0	-	-
TOTAL	684	66.0	198.49	1201	397.0	493.83	5	1363.0	944.4

E. Pending Requests Ten Oldest Pending Perfected Requests										
	10th Oldest Request and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request and Number of Days Pending
HQ	2016-08-31 1519	2016-07-11 1556	2016-06-16 1572	2016-06-02 1582	2016-04-27 1606	2016-04-11 1619	2015-12-24 1691	2015-12-10 1702	2015-06-12 1826	2015-06-04 1832
R1						2022-09-26 3	2022-09-14 5	2022-08-16 22	2022-02-22 154	2021-05-28 7
R10	2020-09-09 495	2020-09-01 429	2020-07-17 433	2020-01-09 680	2019-11-12 713	2019-10-30 697	2019-10-30 710	2017-11-07 1222	2016-04-25 1480	2016-04-19 1500
R2	2020-04-17 611	2020-03-13 631	2020-03-10 636	2020-02-27 647	2020-02-27 644	2020-01-22 670	2020-01-07 561	2019-04-15 849	2019-01-15 869	2017-03-15 1255
R3	2021-09-13 262	2021-08-19 278	2021-07-19 257	2021-02-22 404	2021-02-16 386	2021-01-28 420	2020-12-17 9	2020-12-10 450	2020-09-03 513	2020-03-13 635
R4	2022-03-09 144	2022-02-17 156	2022-01-31 169	2022-01-06 184	2022-01-06 184	2022-01-03 187	2021-03-16 325	2020-07-14 552	2019-09-16 751	2019-08-07 722
R5	2022-06-06 76	2022-05-09 87	2022-04-27 106	2022-04-13 117	2022-03-29 48	2022-03-24 115	2022-01-12 180	2021-12-09 200	2021-06-14 324	2020-03-30 623
R6	2022-06-16 73	2022-06-10 76	2022-05-18 92	2022-05-18 92	2022-05-05 101	2021-10-26 224	2021-02-16 365	2020-12-09 434	2020-07-23 546	2016-06-14 1562
R7	2022-08-22 4	2022-08-16 6	2022-08-16 22	2022-07-20 19	2022-07-12 18	2022-07-05 10	2022-06-27 4	2022-06-13 13	2022-06-08 13	2022-03-30 39
R8	2022-09-19 0	2022-09-06 13	2022-08-31 17	2022-08-26 23	2022-08-23 17	2022-08-16 22	2022-07-27 42	2022-06-30 64	2022-05-20 91	2021-01-04 394
R9	2022-05-02 105	2022-03-10 141	2022-03-07 144	2022-01-24 173	2022-01-07 179	2021-10-22 233	2021-10-19 236	2021-10-19 236	2021-07-19 294	2021-05-10 348
TOTAL	2016-06-14 1562	2016-06-02 1582	2016-04-27 1606	2016-04-25 1480	2016-04-19 1500	2016-04-11 1619	2015-12-24 1691	2015-12-10 1702	2015-06-12 1826	2015-06-04 1832

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing					
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
HQ	5	220	2.0	3.39	224
TOTAL	5	220	2.0	3.39	224

B. Requests for Fee Waiver				
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
HQ	338	402	0.0	0.09
TOTAL	338	402	0.0	0.09

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	52	24.95	76.95	\$13,444,704.00	\$981,056.00	\$14,425,760.00
R1	4	0.0	4.0	\$698,880.00	\$0.00	\$698,880.00
R10	6	5.0	11.0	\$1,921,920.00	\$0.00	\$1,921,920.00
R2	2	9.9	11.9	\$2,079,168.00	\$0.00	\$2,079,168.00
R3	7	3.14	10.14	\$1,771,661.00	\$0.00	\$1,771,661.00
R4	10	0.0	10.0	\$1,747,200.00	\$0.00	\$1,747,200.00
R5	13	24.1	37.1	\$6,482,112.00	\$0.00	\$6,482,112.00
R6	6	10.75	16.75	\$2,926,560.00	\$0.00	\$2,926,560.00
R7	1	5.2	6.2	\$1,083,264.00	\$0.00	\$1,083,264.00
R8	3	4.5	7.5	\$1,310,400.00	\$0.00	\$1,310,400.00
R9	2	5.74	7.74	\$1,352,333.00	\$0.00	\$1,352,333.00
TOTAL	106	93.28	199.28	\$34,818,202.00	\$981,056.00	\$35,799,258.00

* The personnel data in this chart was produced by a FOIA personnel survey EPA conducted at the end of the Fiscal Year.

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
HQ	\$59,953.48	0.45
R1	\$4,179.90	0.60
R10	\$21,610.17	1.12
R2	\$10,291.92	0.50
R3	\$6,411.50	0.36
R4	\$262.00	0.01
R5	\$19,848.50	0.31
R6	\$23,544.00	0.80
R7	\$6,309.00	0.58
R8	\$7,222.15	0.55
R9	\$37,503.13	2.77
TOTAL	\$197,135.75	0.57

XI. FOIA REGULATIONS

A. Number of Times Subsection (c) Used	
	Number of Times Subsection (c) Used
R2	1
TOTAL	1

B. Number of Subsection (a)(2) Postings		
	Number of Items Posted by FOIA Office	Number of Items Posted by Program
HQ	29416	0
R1	2777	0
R10	12952	0
R2	9085	0
R3	5727	0
R4	9064	0
R5	9154	0
R6	9300	0
R7	1268	0
R8	10597	0
R9	11332	0
TOTAL	110672	0

* This table reflects EPA records made available in FY 2022 for public inspection on FOIAonline.gov.

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals		
	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
HQ	1195	0
R1	2	0
R10	42	0
R2	95	0
R3	57	0
R4	49	0
R5	25	0
R6	36	0
R7	3	0
R8	6	0
R9	27	0
TOTAL	1537	0

B. Consultations on FOIA Requests Received, Processed, and Pending Consultations				
	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	14	54	63	5
R1	0	1	1	0
R10	0	1	1	0
R2	0	2	1	1
R3	0	1	1	0
R4	0	1	1	0
R5	0	1	1	0
R9	0	1	1	0
TOTAL	14	62	70	6

* After reviewing its database, EPA adjusted the Number of Consultations Pending as of the Start of the Fiscal Year for HQ.

C. Consultations on FOIA Requests Ten Oldest Consultations Received from Other Agencies and Pending										
	10th Oldest Consultation and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation and Number of Days Pending
HQ						2022-09-21 7	2022-08-04 40	2022-07-22 49	2022-07-06 61	2022-05-04 103
R2										2022-09-08 16
TOTAL					2022-09-21 7	2022-09-08 16	2022-08-04 40	2022-07-22 49	2022-07-06 61	2022-05-04 103

D. Comparison of Numbers of Requests from Previous and Current Annual Report Requests Received, Processed, and Backlogged				
	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
HQ	3698	3813	4061	3837
R1	91	81	93	97
R10	161	114	195	125
R2	348	403	336	434
R3	288	286	283	268
R4	417	429	412	379
R5	628	611	672	632
R6	352	384	378	369
R7	171	145	180	133
R8	114	113	115	116
R9	217	257	218	240
TOTAL	6485	6636	6943	6630

	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
HQ	1200	1195
R1	11	2
R10	46	42
R2	113	95
R3	33	57
R4	17	49
R5	39	25
R6	19	36
R7	0	3
R8	4	6
R9	18	27
TOTAL	1500	1537

* DOJ requires, for consistency across agencies, that the annual report backlog calculation account for only 20-day or 30-day statutory response timeframes. EPA's data reported here complies with DOJ's requirement for the annual report. Elsewhere, internally, EPA reports its backlog based on a calculation that accounts for alternative timeframes to process requests under unusual circumstances and reflecting EPA's communications with requesters as provided in § 552(a)(6)(B)(ii).

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report Appeals Received, Processed, and Backlogged				
	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
HQ	154	132	160	130
TOTAL	154	132	160	130

	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

* For FY 2021 and FY 2022, the EPA did not have any backlogged administrative appeals.