

# EPA FOIA ANNUAL REPORT

FOR  
10/01/2015  
THROUGH  
09/30/2016

The following **Annual Freedom of Information Act** report covers the Period 10/01/2015, through 09/30/2016, 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, Libraries and Accessibility Division, 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. 1. Submit a FOIA request directly to EPA though FOIAonline at:

<https://foiaonline.regulations.gov/foia/action/public/request/publicPreCreate>

2. Send a FOIA request to Headquarters or a regional office through regular mail or via courier services. Both addresses are available at: <https://www.epa.gov/foia/forms/contact-us-about-freedom-information-act-and-foia-requests>

3. For information regarding a specific property you may obtain that information immediately, without filing a FOIA request, by using MyProperty. The address is: [www.epa.gov/myproperty](http://www.epa.gov/myproperty).

## 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 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
41 U.S.C. § 253b(m)(1)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012)	R6 : 1 R7 : 2	3
42 U.S.C. 300i-2(a)(3) (Terrorist and Other Intentional Acts)	Vulnerability assessments	N/A	HQ : 2	2
42 USC 7412 (7)(H) (Clean Air Act)	Emergency response plans	N/A	R4 : 3	3
5 U.S.C. 107(a) (Ethics and Govt Act of 1978)	Financial disclosure information pertaining to certain	Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012)	HQ : 1 R4 : 1 R9 : 1	3
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

**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	977	2160	2103	1034
R1	28	304	307	25
R10	82	396	398	80
R2	350	2091	2193	248
R3	185	808	861	132
R4	134	791	847	78
R5	137	1691	1687	141
R6	94	728	677	145
R7	31	451	438	44
R8	55	300	302	53
R9	76	683	685	74
TOTAL	2149	10403	10498	2054

\* In the FY2015 Annual Report, the agency reported overall number of requests pending at the end of FY2015 as 2140. The correct number is 2149.

<b>B.(1) Disposition of FOIA Requests -- All Processed Requests</b>													
				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	1170	313	55	195	7	168	15	31	43	5	85	16	2103
R1	147	17	2	93	1	36	2	1	1	0	7	0	307
R10	116	92	1	88	0	77	10	1	2	0	10	1	398
R2	1643	13	1	340	0	67	2	63	33	0	31	0	2193
R3	261	98	3	384	1	62	14	2	3	5	28	0	861
R4	319	104	0	309	8	75	1	8	5	0	18	0	847
R5	598	30	0	875	1	111	19	4	4	7	37	1	1687
R6	299	16	2	261	1	82	0	0	1	0	15	0	677
R7	280	24	3	88	0	36	0	0	0	0	7	0	438
R8	166	21	0	40	1	62	0	0	3	1	7	1	302
R9	180	39	0	389	4	44	10	4	0	3	12	0	685
TOTAL	5179	767	67	3062	24	820	73	114	95	21	257	19	10498

<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
HQ	Litigation 16	16
R10	Litigation 1	1
R5	Litigation 1	1
R8	Litigation 1	1
TOTAL		19

**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	1	22	77	68	115	25	0	52	3	11	8	0	6
R1	0	0	0	3	6	8	1	0	1	0	0	1	0	1
R10	0	0	0	4	14	66	3	0	0	0	0	0	0	0
R2	0	0	0	0	1	0	0	0	0	0	0	0	0	0
R3	0	2	0	38	14	42	4	1	0	7	0	0	0	23
R4	0	0	4	37	63	67	26	0	9	0	0	0	0	1
R5	0	0	0	3	12	7	5	0	1	1	0	0	0	3
R6	0	0	1	4	8	8	0	0	0	0	0	0	0	0
R7	0	1	2	8	14	11	6	0	2	1	0	0	0	0
R8	0	0	0	0	6	7	2	0	0	0	0	0	0	0
R9	0	0	1	11	23	15	6	0	0	0	0	0	0	4
TOTAL	0	4	30	185	229	346	78	1	65	12	11	9	0	38

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

<b>A. Received, Processed and Pending FOIA Appeals</b>				
	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	183	193	250	126
TOTAL	183	193	250	126

\* In the FY2015 Annual Report, the agency reported overall number of Administrative Appeals pending at the end of FY2015 as 185. The correct number is 183.

<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	65	47	37	101	250
TOTAL	65	47	37	101	250

<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
HQ	0	0	2	2	6	8	1	0	2	0	1	0	0	0
TOTAL	0	0	2	2	6	8	1	0	2	0	1	0	0	0

<b>C.(2) Reasons for Denial on Appeal Reasons Other than Exemptions</b>													
	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	11	3	31	28	3	7	0	14	13	3	8		
TOTAL	11	3	31	28	3	7	0	14	13	3	8		

<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
HQ	Appeal Withdrawn 2 Moot 4 Unable to Locate or Contact Requester 2	8
TOTAL		8

<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	55.50	270.80	< 1	2660
TOTAL	55.50	270.80	< 1	2660

<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	2012-02-02 1171	2011-12-05 1211	2011-10-05 1251	2011-08-03 1295	2011-03-23 1388	2011-02-17 1411	2010-11-23 1469	2010-07-26 1552	2010-04-07 1628	2010-04-02 1631
TOTAL	2012-02-02 1171	2011-12-05 1211	2011-10-05 1251	2011-08-03 1295	2011-03-23 1388	2011-02-17 1411	2010-11-23 1469	2010-07-26 1552	2010-04-07 1628	2010-04-02 1631

**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	19	27.84	< 1	255	138	267.87	< 1	2011	54	219.14	11	1678
R1	9	11.08	< 1	87	50	56.62	19	153	-	-	-	-
R10	12	13.42	< 1	50	68	115.86	4	913	18.50	49.50	17	144
R2	5	12.12	< 1	548	125.50	238.79	19	807	22.50	23.25	7	41
R3	20	22.85	< 1	134	83.50	205.92	16	1112	162	269.75	3	752
R4	24	28.15	< 1	180	102	142.65	19	685	1	6	< 1	16
R5	15	15.55	< 1	71	45	82.52	1	696	20	45.14	10	149
R6	4	9.85	< 1	45	24	38.14	< 1	728	23	67.29	12	355
R7	16.50	17.02	< 1	92	37	53.60	< 1	338	20	20	20	20
R8	7.50	10.68	< 1	224	19	81.52	< 1	1133	42	53.20	20	142
R9	16	16.37	< 1	69	43	63.59	24	218	125	125	125	125
TOTAL	15	18.24	< 1	548	46	151.98	< 1	2011	25	126.11	< 1	1678

<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	19	27.69	< 1	255	125	252.09	< 1	2011	56	341.42	18	1678
R1	12	12.96	< 1	87	52.50	60.18	19	153	-	-	-	-
R10	16	15.79	< 1	45	85.50	128.37	5	881	20	60.33	17	144
R2	4	11.19	< 1	548	98	179.99	20	714	22.50	23.25	7	41
R3	23	27.18	3	134	91	241.47	16	1112	317	357.33	3	752
R4	28	33.29	< 1	180	102	157.34	19	685	1	1	< 1	< 1
R5	17	17.53	3	71	48	96.10	13	696	19	16.67	10	21
R6	13	15.56	< 1	45	28	54.99	2	728	189	189	23	355
R7	14	15.15	1	87	36	55.14	< 1	338	20	20	20	20
R8	7	11	< 1	224	20	58.93	< 1	381	42	34.67	20	42
R9	19	18.69	< 1	56	43	67.20	24	218	125	125	125	125
TOTAL	14	18.78	< 1	548	58	162.86	< 1	2011	34	185.48	< 1	1678



**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	725	311	92	40	23	19	9	6	11	7	8	0	0	1251
R1	252	25	2	1	1	0	0	0	0	0	0	0	0	281
R10	205	34	5	0	0	0	0	0	0	0	0	0	0	244
R2	1612	274	33	16	8	6	1	3	1	2	6	0	2	1964
R3	382	253	40	19	3	0	2	0	0	0	0	0	0	699
R4	299	314	93	21	18	1	2	1	3	0	0	0	0	752
R5	1319	224	6	2	0	0	0	0	0	0	0	0	0	1551
R6	21	4	1	0	0	0	0	0	0	0	0	0	0	26
R7	221	124	13	0	2	0	0	0	0	0	0	0	0	360
R8	176	21	0	0	0	0	0	0	0	0	1	0	0	198
R9	454	158	3	1	0	0	0	0	0	0	0	0	0	616
TOTAL	5666	1742	288	100	55	26	14	10	15	9	15	0	2	7942

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	101	99	65	42	29	27	25	15	16	19	77	68	189	772
R1	2	9	8	2	2	1	0	2	0	0	0	0	0	26
R10	26	28	14	13	16	10	4	3	4	3	12	3	8	144
R2	2	11	17	11	5	6	4	2	4	1	11	5	27	106
R3	1	14	26	13	14	7	3	5	3	1	6	0	17	110
R4	1	10	8	6	1	21	4	4	0	1	9	8	2	75
R5	16	20	26	3	5	2	8	0	1	1	2	0	5	89
R6	236	292	58	16	7	10	6	0	1	1	3	1	12	643
R7	9	27	15	5	6	2	1	0	0	0	2	1	0	68
R8	51	16	10	1	0	1	1	1	1	1	2	6	4	95
R9	0	18	8	5	3	0	1	1	0	1	2	0	0	39
TOTAL	445	544	255	117	88	87	57	33	30	29	126	92	264	2167

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	4	3	5	2	0	3	1	0	0	0	1	0	2	21
R10	3	0	0	0	0	0	0	1	0	0	0	0	0	4
R2	2	1	1	0	0	0	0	0	0	0	0	0	0	4
R3	2	0	0	0	0	0	0	0	0	0	0	1	1	4
R4	3	0	0	0	0	0	0	0	0	0	0	0	0	3
R5	4	1	0	0	1	0	0	1	0	0	0	0	0	7
R6	3	3	0	0	0	0	0	0	0	0	0	1	0	7
R7	1	0	0	0	0	0	0	0	0	0	0	0	0	1
R8	2	0	2	0	0	0	0	1	0	0	0	0	0	5
R9	0	0	0	0	0	0	1	0	0	0	0	0	0	1
TOTAL	24	8	8	2	1	3	2	3	0	0	1	2	3	57

<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	469	64	82.52	489	397	453.25	18	248	259.89
R1	14	8	15.64	9	38	151.89	0	-	-
R10	15	7	13.20	61	87	149.44	1	152	152
R2	101	66	98.03	130	372	383.47	4	193.50	178.75
R3	98	15.50	28.18	18	662	616	8	655.50	636.25
R4	70	12	23.84	6	259	205.50	1	1	1
R5	108	11	26.10	13	33	93.15	9	164	120.11
R6	28	5	8.57	116	15	48.51	1	145	145
R7	32	8.50	34.75	12	71	74.75	0	-	-
R8	14	9	13.79	29	70	114.21	9	285	279
R9	66	7	12.82	8	82.50	214.88	0	-	-
TOTAL	1015	22	57.80	891	309	344.62	51	252	281.82

<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
HQ	2011-07-28 1299	2011-05-12 1352	2011-03-09 1398	2011-01-10 1438	2010-12-20 1451	2010-12-20 1451	2010-12-20 1451	2010-11-16 1474	2010-10-08 1499	2008-08-21 2034
R1	2016-09-07 17	2016-08-31 10	2016-08-29 7	2016-08-17 31	2016-08-04 40	2016-08-02 42	2016-07-26 38	2016-07-12 57	2016-05-03 105	2012-03-21 1138
R10	2015-03-06 397	2015-02-17 313	2015-02-06 416	2015-02-03 375	2014-09-23 493	2014-06-23 500	2014-04-17 525	2014-03-20 637	2014-02-25 654	2013-07-30 415
R2	2014-05-27 590	2014-05-08 3	2014-04-09 623	2014-04-08 624	2014-04-02 628	2014-02-06 666	2014-01-29 15	2014-01-22 677	2013-12-24 695	2013-11-27 695
R3	2014-01-16 680	2014-01-14 682	2014-01-14 682	2013-11-20 718	2013-10-18 4	2013-09-16 763	2013-08-27 776	2013-05-23 842	2013-05-06 855	2013-02-22 906
R4	2016-05-31 86	2016-05-25 89	2016-05-19 26	2016-04-28 108	2015-10-22 229	2015-10-13 244	2015-10-08 246	2015-08-28 274	2015-08-26 276	2015-06-17 325
R5	2016-02-02 169	2016-01-28 172	2016-01-27 170	2016-01-25 150	2016-01-20 178	2016-01-20 178	2016-01-20 177	2016-01-19 179	2015-06-10 16	2014-02-13 588
R6	2016-02-24 154	2016-02-03 150	2016-02-03 94	2016-01-19 179	2015-11-16 221	2015-10-26 235	2015-10-16 227	2015-03-16 59	2015-02-13 401	2012-02-09 950
R7	2016-07-07 60	2016-06-21 71	2016-06-21 71	2016-06-06 74	2016-04-21 113	2016-04-21 113	2016-03-09 144	2016-03-07 52	2016-03-03 133	2014-01-02 690
R8	2015-08-17 283	2015-08-14 284	2015-08-13 285	2015-08-13 285	2015-08-12 286	2015-08-11 287	2015-08-11 287	2015-08-11 287	2015-02-17 63	2014-03-25 632
R9	2016-06-14 76	2016-05-25 89	2016-05-19 77	2016-05-05 10	2016-03-11 142	2016-02-09 158	2016-01-22 29	2015-09-25 255	2015-05-15 7	2011-10-04 1089
TOTAL	2011-07-28 1299	2011-05-12 1352	2011-03-09 1398	2011-01-10 1438	2010-12-20 1451	2010-12-20 1451	2010-12-20 1451	2010-11-16 1474	2010-10-08 1499	2008-08-21 2034

\* FOIA requests may have been tolled for clarification or assurance of payment.

## 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	25	78	5	5.94	87
R1	0	6	2	4.83	5
R10	5	15	8	8.50	11
R2	7	25	1.50	3.50	30
R3	1	24	2	4.44	23
R4	4	22	1	3.42	23
R5	16	29	1	3.36	44
R6	7	18	6	5.72	23
R7	1	10	1	2.64	11
R8	2	15	2	2.59	17
R9	1	26	3	3.96	24
TOTAL	69	268	3	4.74	298

<b>B. Requests for Fee Waiver</b>				
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
HQ	140	111	6	8.13
R1	1	11	3	3.33
R10	15	27	6.50	6.93
R2	18	8	3	5.04
R3	18	25	5	6.07
R4	10	24	4.50	6
R5	20	68	6	6.57
R6	3	28	4	4.77
R7	8	10	4	4.11
R8	9	26	2	3.49
R9	10	31	4	4.85
TOTAL	252	369	5	6.58

**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	25	2.48	27.48	\$3,973,651.97	\$520,565.76	\$4,494,217.73
R1	0	0.31	0.31	\$43,380.48	\$0.00	\$43,380.48
R10	5	0.84	5.84	\$844,473.34	\$0.00	\$844,473.34
R2	2	0.3	2.3	\$332,583.68	\$0.00	\$332,583.68
R3	3	0.43	3.43	\$495,983.49	\$0.00	\$495,983.49
R4	10	0.27	10.27	\$1,340,456.83	\$0.00	\$1,340,456.83
R5	14	0.94	14.94	\$2,160,347.90	\$0.00	\$2,160,347.90
R6	4	0.54	4.54	\$652,153.22	\$0.00	\$652,153.22
R7	23	0.39	23.39	\$345,597.82	\$0.00	\$345,597.82
R8	1	0.32	1.32	\$190,874.11	\$0.00	\$190,874.11
R9	2	0.88	2.88	\$416,452.61	\$0.00	\$416,452.61
TOTAL	89	7.7	96.7	\$10,795,955.46	\$520,565.76	\$11,316,521.22

**X. FEES COLLECTED FOR PROCESSING REQUESTS**

	Total Amount of Fees Collected	Percentage of Total Costs
HQ	\$45,798.68	0.010
R1	\$14,510.11	0.330
R10	\$21,642.26	0.030
R2	\$13,489.95	0.040
R3	\$12,659.83	0.030
R4	\$12,733.22	0.010
R5	\$46,305.18	0.020
R6	\$18,811.16	0.030
R7	\$15,550.24	0.040
R8	\$4,830.76	0.030
R9	\$34,485.72	0.080
TOTAL	\$240,817.11	0.020

## XI. FOIA REGULATIONS

1. For more information, please consult the following website:

<http://www.epa.gov/foia/foiaregs.htm>

### XI.A. Number of times subsection (C) Used

Agency / Component	Number of Times Subsection (C) Used
EPA	0
AGENCY OVERALL	0

### XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of (a)(2) Records Posted by the FOIA Office	Number of (a)(2) Records Posted by Program Offices
EPA	0	1,232
AGENCY OVERALL	0	1,232

**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	808	113
R1	7	0
R10	48	0
R2	208	0
R3	59	0
R4	24	0
R5	34	0
R6	41	0
R7	17	0
R8	29	0
R9	9	0
TOTAL	1284	113

<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	2	13	13	2
R10	0	8	8	0
R5	1	1	2	0
R8	0	1	0	1
TOTAL	3	23	23	3

<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
HQ									2015-07-07 312	2015-05-05 355
R8										2016-09-14 12
TOTAL								2016-09-14 12	2015-07-07 312	2015-05-05 355

<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
HQ	1955	2160	1912	2103
R1	293	304	288	307
R10	456	396	544	398
R2	2227	2091	2274	2193
R3	951	808	1278	861
R4	889	791	842	847
R5	1798	1691	1780	1687
R6	686	728	699	677
R7	472	451	489	438
R8	307	300	310	302
R9	876	683	862	685
TOTAL	10910	10403	11278	10498

	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	834	808
R1	3	7
R10	51	48
R2	204	208
R3	107	59
R4	65	24
R5	16	34
R6	26	41
R7	4	17
R8	31	29
R9	14	9
TOTAL	1355	1284

<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
HQ	222	193	228	250
TOTAL	222	193	228	250

	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
HQ	174	113
TOTAL	174	113