United States Environmental Protection Agency
Freedom of Information Act
Annual Report

Fiscal Year 2021

EPA FOIA ANNUAL REPORT
FOR
10/01/2020
THROUGH
09/30/2021

The following **Annual Freedom of Information Act** report covers the
Period 10/01/2020, through 09/30/2021, as required by 5 U.S.C. 552.

I.   BASIC INFORMATION REGARDING REPORT

1.   Name, Title, Address, and Telephone Number

Timothy Epp

National FOIA Officer

Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

2025662162

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.   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 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
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 : 27 R4 : 1	28
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 : 12	12
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	R6 : 1 R9 : 1	2

42 U.S.C. § 7412(r)(7)(H)(V) (Chemical Safety Information Site Security and Fuels Regulatory Relief Act	Chemical safety information		R6 : 2	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
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	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).	HQ : 2	2

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	1752	3698	4061	1389
R1	21	91	93	19
R10	92	161	195	58
R2	137	348	336	149
R3	52	288	283	57
R4	34	417	412	39
R5	122	628	672	78
R6	79	352	378	53
R7	17	171	180	8
R8	15	114	115	14
R9	37	217	218	36
TOTAL	2358	6485	6943	1900

* 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	1867	753	24	266	0	335	21	115	537	24	102	17	4061
R1	51	12	1	17	0	7	4	0	0	0	1	0	93
R10	47	60	2	34	0	43	1	0	0	0	5	3	195
R2	194	16	5	58	0	36	0	22	0	0	5	0	336
R3	103	44	2	68	1	58	1	1	0	0	5	0	283
R4	231	46	0	81	2	45	0	1	0	0	6	0	412
R5	245	44	1	272	0	66	25	10	0	0	8	1	672
R6	126	57	0	105	0	88	0	0	0	1	1	0	378
R7	64	31	0	44	0	40	0	0	0	0	1	0	180
R8	39	25	5	16	0	22	1	0	1	1	5	0	115
R9	71	41	0	64	0	37	0	0	0	1	4	0	218
TOTAL	3038	1129	40	1025	3	777	53	149	538	27	143	21	6943

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	Litigation 17	17
R10	Litigation 3	3
R5	Litigation 1	1
TOTAL		21

	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	4	42	116	376	624	53	5	121	4	35	58	0	5
R1	0	0	0	5	7	6	0	0	0	0	0	0	0	2
R10	0	2	0	32	22	64	0	0	2	0	0	0	0	0
R2	0	0	0	6	10	10	8	0	2	0	0	0	0	0
R3	0	0	0	21	25	36	7	0	1	0	2	0	0	8
R4	0	0	1	5	18	34	6	0	0	0	0	0	0	2
R5	0	0	0	3	18	38	6	1	3	0	1	1	0	5
R6	1	0	3	14	20	38	3	1	0	0	1	0	0	9
R7	0	1	0	11	8	19	4	0	0	0	1	0	0	1
R8	0	0	0	13	10	17	4	0	2	0	0	0	0	0
R9	0	0	1	5	15	32	4	0	0	0	0	0	0	2
TOTAL	2	7	47	231	529	918	95	7	131	4	40	59	0	34

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

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	11	154	160	5
TOTAL	11	154	160	5

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

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	48	17	25	70	160
TOTAL	48	17	25	70	160

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	0	7	20	32	8	0	2	0	3	1	0	0
TOTAL	0	0	0	7	20	32	8	0	2	0	3	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	2	2	15	7	1	0	1	1	1	1	52
TOTAL	2	2	15	7	1	0	1	1	1	1	52

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 48 Appeal Withdrawn 3 Untimely 1	52
TOTAL		52

C.(4) Response Time for Administrative Appeals				
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	18.0	17.78	< 1	448.0
TOTAL	18.0	17.78	< 1	448.0

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	N/A	N/A	N/A	N/A	N/A	2021-09-24 4	2021-09-23 5	2021-09-22 6	2021-09-13 13	2021-09-13 13
TOTAL	N/A	N/A	N/A	N/A	N/A	2021-09-24 4	2021-09-23 5	2021-09-22 6	2021-09-13 13	2021-09-13 13

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	10.0	67.28	< 1	1304.0	212.0	337.01	< 1	1831.0	957.0	797.46	9.0	1054.0
R1	14.0	20.3	< 1	490.0	33.0	50.46	21.0	127.0	N/A	N/A	N/A	N/A
R10	20.0	34.98	1.0	206.0	164.0	249.71	10.0	961.0	N/A	N/A	N/A	N/A
R2	11.0	113.98	< 1	1347.0	54.5	99.71	4.0	1700.0	N/A	N/A	N/A	N/A
R3	18.0	38.33	1.0	331.0	80.0	196.05	9.0	1743.0	1870.0	1870.0	1870.0	1870.0
R4	13.0	17.11	< 1	273.0	14.0	29.29	< 1	360.0	7.0	7.0	7.0	7.0
R5	13.0	22.31	< 1	402.0	30.0	84.25	< 1	1676.0	23.0	23.0	23.0	23.0
R6	21.0	40.83	1.0	317.0	22.0	76.68	3.0	713.0	82.0	82.0	82.0	82.0
R7	15.0	19.92	< 1	125.0	15.0	477.0	7.0	1126.0	N/A	N/A	N/A	N/A
R8	8.0	7.69	< 1	24.0	23.0	43.63	4.0	341.0	N/A	N/A	N/A	N/A
R9	20.0	50.6	3.0	364.0	262.0	262.0	262.0	262.0	4.0	4.0	4.0	4.0
Total	14	52.55	< 1	1347.0	58.0	184.47	< 1	1831.0	868.5	686.28	4.0	1870.0

B. Processed Requests Response Time for Perfected Requests in Which Information Was Granted

	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	9.0	54.89	< 1	1244.0	164.5	297.61	3.0	1787.0	867.0	723.22	9.0	1054.0
R1	16.5	25.67	< 1	490.0	33.0	46.0	21.0	127.0	N/A	N/A	N/A	N/A
R10	20.0	40.2	2.0	206.0	126.0	214.37	10.0	961.0	N/A	N/A	N/A	N/A
R2	19.0	191.42	1.0	1347.0	58.0	109.9	6.0	1700.0	N/A	N/A	N/A	N/A
R3	28.0	45.03	2.0	331.0	80.5	211.38	9.0	1743.0	1870.0	1870.0	1870.0	1870.0
R4	13.0	17.25	2.0	273.0	14.0	32.63	1.0	360.0	7.0	7.0	7.0	7.0
R5	16.0	30.99	2.0	402.0	61.0	134.84	11.0	1676.0	23.0	23.0	23.0	23.0
R6	36.0	54.94	2.0	228.0	41.5	125.71	12.0	713.0	82.0	82.0	82.0	82.0
R7	19.0	28.34	1.0	125.0	15.0	477.0	7.0	1126.0	N/A	N/A	N/A	N/A
R8	12.0	11.32	< 1	22.0	27.0	42.82	10.0	209.0	N/A	N/A	N/A	N/A
R9	37.0	64.83	5.0	364.0	262.0	262.0	262.0	262.0	4.0	4.0	4.0	4.0
TOTAL	14.0	50.92	< 1	1347.0	66.0	176.63	1.0	1787.0	824.5	606.79	4.0	1870.0

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	1862	313	103	55	45	28	17	22	17	10	44	25	165	2706
R1	73	4	0	2	0	0	0	0	0	0	0	0	1	80
R10	78	29	5	4	0	8	2	2	2	1	1	0	0	132
R2	28	7	2	0	1	0	0	0	2	0	2	0	5	47
R3	139	50	26	12	10	6	6	2	3	2	4	1	0	261
R4	153	33	2	3	1	0	0	0	0	0	1	0	0	193
R5	374	72	18	9	4	1	3	3	0	2	3	3	1	493
R6	141	66	32	22	7	11	3	7	3	3	4	1	0	300
R7	130	23	10	5	1	3	1	0	0	0	0	0	0	173
R8	63	2	0	0	0	0	0	0	0	0	0	0	0	65
R9	109	31	23	13	8	4	6	5	5	2	6	3	0	215
TOTAL	3152	630	221	125	77	61	38	41	32	20	65	33	172	4665

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	39	58	45	33	28	22	12	9	14	9	59	35	184	547
R1	0	7	3	1	0	0	2	0	0	0	0	0	0	13
R10	6	9	1	4	5	3	2	0	4	1	8	5	15	63
R2	28	59	56	30	18	19	9	6	7	5	12	7	10	266
R3	2	5	1	2	2	1	0	1	0	0	3	1	1	19
R4	140	36	11	6	8	10	1	2	0	0	2	1	0	217
R5	44	64	8	9	5	4	10	4	4	1	6	2	7	168
R6	34	19	6	2	3	0	1	1	0	0	3	1	6	76
R7	4	0	0	0	0	0	0	0	0	0	0	0	3	7
R8	21	16	2	4	1	2	0	1	0	0	1	1	0	49
R9	0	0	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL	318	273	133	91	70	61	37	24	29	16	95	53	226	1426

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	0	0	0	0	0	0	1	0	0	0	0	11	13
R3	0	0	0	0	0	0	0	0	0	0	0	0	1	1
R4	1	0	0	0	0	0	0	0	0	0	0	0	0	1
R5	0	1	0	0	0	0	0	0	0	0	0	0	0	1
R6	0	0	0	0	1	0	0	0	0	0	0	0	0	1
R9	1	0	0	0	0	0	0	0	0	0	0	0	0	1
TOTAL	3	1	0	0	1	0	0	1	0	0	0	0	12	18

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	386	158.0	282.61	950	509.0	553.96	4	1118.5	902.0
R1	2	8.0	8.0	15	87.0	122.93	0	N/A	N/A
R10	6	10.5	15.33	51	164.0	295.2	0	N/A	N/A
R2	15	129.0	471.27	129	111.0	183.04	2	179.5	179.5
R3	46	70.0	122.48	9	10.0	32.33	0	N/A	N/A
R4	6	5.5	5.0	32	40.5	91.19	0	N/A	N/A
R5	24	5.0	24.75	54	101.5	127.35	0	N/A	N/A
R6	15	33.0	79.6	35	19.0	35.29	0	N/A	N/A
R7	8	6.5	6.38	0	N/A	N/A	0	N/A	N/A
R8	2	3.0	3.0	11	10.0	27.0	0	N/A	N/A
R9	35	29.0	63.0	1	89.0	89.0	0	N/A	N/A
TOTAL	545	88.0	231.15	1287	362.0	449.48	6	725.0	661.17

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	2015-11-05 1475	2015-08-26 1523	2015-08-06 1538	2015-07-29 1543	2015-06-12 1576	2015-06-04 1582	2014-05-06 1847	2014-03-07 1893	2013-07-09 2051	2013-05-16 2094
R1	2021-07-15 53	2021-05-28 7	2021-05-21 87	2021-05-20 91	2021-02-19 155	2020-12-03 201	2020-11-10 217	2020-09-30 247	2020-06-03 331	2020-04-03 369
R10	2019-10-30 447	2019-10-25 476	2019-08-22 512	2019-06-26 522	2019-01-28 656	2018-09-14 655	2018-08-13 778	2017-11-07 972	2016-04-25 1230	2016-04-19 1250
R2	2019-01-15 619	2018-11-21 642	2018-10-18 735	2018-05-24 817	2017-10-10 992	2017-10-10 992	2017-06-23 1014	2017-03-31 1126	2017-03-15 1005	2016-12-21 1193
R3	2020-09-30 247	2020-09-24 252	2020-09-15 258	2020-09-03 263	2020-08-28 268	2020-06-23 316	2020-06-17 315	2020-05-13 340	2020-03-16 384	2020-03-13 385
R4	2021-05-12 97	2021-04-29 105	2021-03-22 131	2021-03-16 75	2021-02-26 150	2021-02-02 166	2020-07-14 302	2020-06-01 333	2019-09-16 501	2019-08-07 472
R5	2020-10-22 224	2020-10-21 219	2020-10-01 141	2020-09-14 243	2020-09-10 238	2020-09-03 266	2020-04-13 363	2020-04-01 375	2020-01-13 408	2019-12-12 399
R6	2021-05-17 51	2021-05-10 98	2021-04-23 104	2021-04-22 109	2021-02-19 155	2021-02-16 137	2020-12-09 184	2020-12-04 204	2020-09-04 255	2020-07-23 296
R7	N/A	N/A	2021-09-29 1	2021-09-22 3	2021-09-20 7	2021-09-20 6	2021-09-16 2	2021-09-15 9	2021-09-13 12	2021-09-07 11
R8	2021-09-21 5	2021-09-21 5	2021-09-17 1	2021-09-14 10	2021-09-13 9	2021-09-13 11	2021-08-12 34	2021-08-10 36	2021-05-27 40	2021-01-04 144
R9	2021-06-04 80	2021-05-21 89	2021-05-10 99	2021-05-10 98	2021-05-03 102	2021-03-23 132	2021-03-17 136	2021-01-06 184	2020-07-28 290	2020-05-05 350
TOTAL	2015-11-05 1475	2015-08-26 1523	2015-08-06 1538	2015-07-29 1543	2015-06-12 1576	2015-06-04 1582	2014-05-06 1847	2014-03-07 1893	2013-07-09 2051	2013-05-16 2094

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
A. Requests for Expedited Processing					
HQ	3	129	7.0	9.31	85
R10	0	12	2.5	7.42	10
R2	1	13	4.0	6.79	11
R3	0	23	4.0	5.52	19
R4	1	22	6.0	5.96	21
R5	1	11	2.5	3.33	11
R6	0	11	6.0	9.55	7
R7	0	8	4.0	5.13	7
R8	0	5	2.0	3.6	5
R9	1	3	3.5	3.5	4
TOTAL	7	237	6.0	7.77	180

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
B. Requests for Fee Waiver				
HQ	168	260	>1	0.04
R1	13	10	>1	0.0
R10	20	24	>1	0.89
R2	16	22	>1	0.0
R3	15	30	>1	0.02
R4	26	43	>1	0.04
R5	15	37	>1	0.0
R6	16	24	>1	0.05
R7	12	8	>1	0.05
R8	8	5	>1	0.0
R9	12	21	>1	0.0
TOTAL	321	484	>1	0.08

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	55	36.95	91.95	$16,065,504.00	$1,728,168.00	$17,793,672.00
R1	1	4.0	5.0	$873,600.00	$0.00	$873,600.00
R10	5	4.7	9.7	$1,694,784.00	$0.00	$1,694,784.00
R2	2	9.4	11.4	$1,991,808.00	$0.00	$1,991,808.00
R3	8	2.85	10.85	$1,895,712.00	$0.00	$1,895,712.00
R4	10	10	20	$3,494,400.00	$0.00	$3,494,400.00
R5	13	7.85	20.85	$3,642,912.00	$0.00	$3,642,912.00
R6	6	15.5	21.5	$3,756,480.00	$0.00	$3,756,480.00
R7	1	3.57	4.57	$798,470.40	$0.00	$798,470.40
R8	3	3.75	6.75	$1,179,360.00	$0.00	$1,179,360.00
R9	2	5.74	7.74	$1,352,332.80	$0.00	$1,352,332.80
TOTAL	106	104.31	210.31	$36,745,363.20	$1,728,168.00	$38,473,531.20

* 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	$14,443.50	0.0900
R1	$1,479.75	0.1700
R10	$1,355.50	0.0800
R2	$603.08	0.0300
R3	$952.50	0.0500
R4	$15.25	0.0000
R5	$5,411.16	0.1500
R6	$3,312.40	0.0900
R7	$903.00	0.1100
R8	$425.00	0.0400
R9	$8,019.88	0.5900
TOTAL	$36,921.02	0.1000

XI. FOIA REGULATIONS

A. Number of Times Subsection (c) Used	
	Number of Times Subsection (c) Used
HQ	1
R2	1
TOTAL	2

B. Number of Subsection (a)(2) Postings		
	Number of Items Posted by FOIA Office	Number of Items Posted by Program
HQ	28381	587
R1	2092	0
R10	8153	0
R2	9772	0
R3	10457	0
R4	3350	0
R5	15638	0
R6	6778	0
R7	3616	0
R8	9065	0
R9	13681	0
TOTAL	110983	587

EPA proactively releases large volumes of data and documents during each fiscal year. This table accounts for a larger number of categories than included in the FY 2020 FOIA Annual Report. This table reflects EPA records made available in FY 2021 for public inspection at:

https://foiaonline.gov/foiaonline/action/public/home;
- Notices of Intent to Sue
  https://www.epa.gov/ogc/notices-intent-sue-us-environmental-protection-agency-epa;
- Complaints and Petitions for Review
  https://www.epa.gov/ogc/complaints-and-petitions-review; and
- National Service Center for Environmental Publications
  https://www.epa.gov/nscep.

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	1200	N/A
R1	11	N/A
R10	46	N/A
R2	113	N/A
R3	33	N/A
R4	17	N/A
R5	39	N/A
R6	19	N/A
R8	4	N/A
R9	18	N/A
TOTAL	1500	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	28	35	50	13
R10	0	5	5	0
R2	1	2	3	0
R3	0	1	1	0
R4	0	1	1	0
R5	1	1	2	0
R9	0	1	1	0
TOTAL	30	46	63	13

After reviewing its database, EPA adjusted the number of consults pending as of the start of the Fiscal Year for the following components: HQ and Region 5.

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	2021-07-16 53	2021-07-09 58	2021-06-04 81	2020-10-21 234	2019-10-01 498	2019-07-26 544	2019-07-22 548	2019-04-19 612	2019-04-19 612	2019-04-15 616
TOTAL	2021-07-16 53	2021-07-09 58	2021-06-04 81	2020-10-21 234	2019-10-01 498	2019-07-26 544	2019-07-22 548	2019-04-19 612	2019-04-19 612	2019-04-15 616

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	4254	3698	4971	4061
R1	121	91	141	93
R10	190	161	157	195
R2	331	348	342	336
R3	219	288	210	283
R4	358	417	388	412
R5	659	628	702	672
R6	319	352	313	378
R7	128	171	124	180
R8	95	114	94	115
R9	217	217	223	218
TOTAL	6891	6485	7665	6943

	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	1459	1200
R1	3	11
R10	65	46
R2	96	113
R3	23	33
R4	15	17
R5	55	39
R6	42	19
R7	1	0
R8	5	4
R9	22	18
TOTAL	1783	1500

* 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	180	154	239	160
TOTAL	180	154	239	160

	Number of Backlogged Appeals as of End ofthe Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
HQ	1	0
TOTAL	1	0