

To: Shirley Blair (EPA)

Subject: Letter from counsel for Public Record Media, RE FOIA Appeal EPA-HQ-2017-007502

February 7, 2017

Dear Ms. Blair,

Please find attached a letter from counsel for Public Record Media regarding FOIA Appeal EPA-HQ-2017-007502.

Mr. Haines, counsel in this matter, can be reached at 612-743-7781.

Best,

Matt Ehling
Executive Director
Public Record Media

JT HAINES

LAW & ADVOCACY

February 6, 2018

Via E-Mail

Ms. Shirley Blair
General Law Office
US Environmental Protection Agency
blair.shirley@epa.gov

RE: Appeal Number EPA-HQ-2017-007502 (Request Number EPA-R5-2017-005742)

Dear Ms. Blair,

On March 28, 2017, my client Public Record Media properly submitted a Freedom of Information Act (5 U.S.C. § 552) request to the Region 5 office of the U.S. Environmental Protection Agency (EPA). The request was submitted as part of news gathering and is attached for reference.

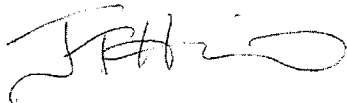
On May 15, 2017, Public Record Media delivered an administrative appeal to EPA Freedom of Information Staff, seeking administrative review of EPA's failure to timely respond to the March 28, 2017 request. The right to administrative review is established by the FOIA, and EPA's appeals procedures as set out in the Code of Federal Regulations, found at Title 40, Chapter I, Subchapter A, Part 2, §2.1.04. The appeal is attached for reference.

On May 19, 2017, you confirmed receipt of the administrative appeal on behalf of the agency, assigned Appeal Number EPA-HQ-2017-007502 (and Request Number EPA-R5-2017-005742), and stated that the request and appeal were being assigned to counsel for processing.

Nearly a year has elapsed and still no records have been produced or determination communicated to my client. FOIA requires federal agencies to make a determination about the release of information requested under FOIA within 20 business days of a request, and also to notify the requester of that determination. 5 U.S.C. § 552(6)(A)(i). Obviously we are long past any reasonable response timeline to the initial request and administrative appeal, and as such we expect a prompt reply to this letter and production of the responsive data.

Please reach me at the contact information below. Thank you.

Sincerely,



JT Haines
Haines Law, PLLC

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