



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
GENERAL COUNSEL

August 8, 2019

Via Email

Andrea Issod
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Re: Twelfth Interim Production, *Sierra Club v. EPA* (3:18-cv-3472); FOIA Requests EPA-HQ-2017-009482, EPA-HQ-2017-009615, EPA-HQ-2017-009684, and EPA-HQ-2018-007559

Dear Ms. Issod,

This letter concerns an interim production of records responsive to the above-referenced case. Consistent with the Court's March 20, 2019 Order, EPA has completed review of the records in "Tier 7." After review, 493 records are released in full, 608 are released with redaction, and 5 records are withheld in full. EPA is also producing the calendars for Christian Palich and Troy Lyons with some redaction.

Some of the withholdings in today's production are pursuant to Exemption 6 and/or 7(C) for personal privacy information. 5 U.S.C. §552(b)(6), (7)(C). The attached index describes the records that are withheld in full.

There are 40 "Tier 7" records that the Agency has processed, but that involve the equities of another agency. These records have been circulated for interagency consultation, but the other agency has not completed its review. The 25 "Tier 6" records in interagency consult referenced in the July 10 Production letter are still being processed by another agency as well. The EPA expects review will be complete for both sets of records prior to the next scheduled production.

The records are released as individual PDF documents organized by custodian in the Box.com folder titled "Sierra Club v. EPA, 18-cv-3472, ND Cal. - FOIA Productions." The released records will also be publicly available on FOIAonline at <https://foiaonline.gov/foiaonline/action/public/home> by searching the FOIA request number, EPA-HQ-2017-009482.

If you have any further questions regarding this production, please contact Assistant U.S. Attorney Adrienne Zack at 415.436.7031.

Sincerely,

/s/ Peter Bermes

Peter Bermes
Attorney-Advisor
Office of General Counsel
U.S. Environmental Protection Agency