



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of the Chief Information Officer
High Performance Computing and Communications

April 1, 2014

VIA FOIAonline

Lawrence Kogan
ITSSD

Re: FOIA Request No. DOC-NOAA-2014-000714

Dear Mr. Kogan:

This letter is in regards to your Freedom of Information Act (FOIA) request entered into FOIAonline on March 27, 2014, in which you requested records regarding enactment by the USEPA of a series of national greenhouse gas emission regulations.

You asked for a waiver of fees. Pursuant to procedures established in 15 CFR, Part 4.11(k), I will rely on the following factors in determining whether the statutory standard for granting a fee waiver has been met:

- 1) The subject of the requested records must concern identifiable operations or activities of the Federal Government.
- 2) The disclosable portions of the requested records must be meaningfully informative about Government operations or activities in order to be “likely to contribute” to and increase public understanding of those operations or activities.
- 3) The disclosure of the requested information must contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester. For example, tell us about publications or websites where the information will be posted.
- 4) The disclosure of the requested information is likely to contribute “significantly” to the public’s understanding of Government operations or activities.
- 5) Whether the requester has a commercial interest that would be furthered by the requester.
- 6) Whether any identified commercial interest of the requester is sufficiently great, in comparison with the public interest in disclosure, such that the disclosure is not primarily in the commercial interest of the requester.

After reviewing your request, I determined that your fee waiver justification did not provide us with all the necessary information to make an informed decision as to whether or not to

appropriately grant you a fee waiver for these specific records. If you would like further consideration of your fee waiver request, please explain in detail how disclosure of the records requested would satisfy all the requirements for a fee waiver. A detailed fee waiver justification should cover all information described in your request.

Please reply to this letter by April 22, 2014. The clock is stopped until you reply or the due date in this letter whichever comes first.

If the fee waiver is not granted your request will be processed under the “All Other” fee category. If convenient, simply use FOIAonline if you have an account. If not, the justification may be sent via electronic mail to wendy.schumacher@noaa.gov with a copy to foia@noaa.gov.

Sincerely,

/s/

Wendy Schumacher
NOAA Freedom of Information Officer