



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

**AUG 01 2014**

Mr. Lawrence Kogan  
Institute for Trade, Standards, and Sustainable Development (ITSSD)  
P.O. Box 223  
Princeton Junction NJ 08550

OFFICE OF  
AIR AND RADIATION

RE: Freedom of Information Act Request EPA-HQ-2014-008026

Dear Mr. Kogan:

This letter is in response to the above-referenced Freedom of Information Act (FOIA) request, submitted on June 30, 2014, to the U.S. Environmental Protection Agency (EPA), in which you asked for documents related to the 2009 *Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act*.

Based upon our review of the scope of records that would be responsive to your request --including the search and duplication costs-- we estimate that the fees will exceed the \$25.00 threshold for billing and notification. This estimate is based on the "other" fee category set out in EPA FOIA regulations at 40 C.F.R. § 2.107.

After consulting with relevant staff, we estimate that searching for documents potentially responsive to your FOIA request would total \$27,020.00. Our calculation is based on preliminary identification of staff who work on these issues and an estimate of the amount of time each person would need to perform a search for documents. We also estimate that to fully process the request as written would take 1 year, with an estimated completion date of August 1, 2015.

Under the FOIA regulations (40 C.F.R. § 2.107), when the Agency estimates that the total fee will be more than \$250.00, EPA may require advance payment up to the amount of the anticipated fee, except where it receives satisfactory assurance of full payment from a requester. We request your assurance to pay the \$27,020.00 fee in advance of processing your request. When a requester has been notified that the estimated fees will amount to more than \$250.00, EPA will do no more work on the request until the requester agrees to pay the anticipated fee.

You may want to consider narrowing your request. In an effort to assist you in this process, we would encourage you to consider whether any of the below options, with their associated costs and processing times, are satisfactory:

- Option A: Include only the 5 or 6 key staffers who worked on these issues in the search and have them search only for summary documents or final reports, not every draft or back and forth email about the subject. Estimated cost: \$3,880.00. Estimated total processing time: 4 months.
- Option B: Include all EPA staff who worked on these issues, no matter how briefly or marginally, and have them search only for summary documents or final reports, not every

draft or back and forth email about the subject. Estimated cost: \$9,076.00. Estimated total processing time: 6 months.

- Option C: Include only the 5 or 6 key staffers who worked on these issues in the search and have them search for all potentially responsive documents, including all correspondence. Estimated cost: \$9,700.00. Estimated total processing time: 10 months.

Please respond to this letter with your payment assurance for either the full amount, \$27,020.00, or indicate which option you would prefer within seven calendar days from the date of this letter. You may email me at [hyland.dana@epa.gov](mailto:hyland.dana@epa.gov) with your response. If we do not receive a response from you within this time period, we will consider your request to be voluntarily withdrawn. If you wish to request information connected to this request in the future, please reference the FOIA request number.

Sincerely,



Dana Hyland  
Climate Change Division