



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 22 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*.

Your 145-page FOIA request does not reasonably describe the records you are seeking in a way that will permit EPA employees to identify and locate them. Pursuant to 40 C.F.R. § 2.102(c), we would like to provide you the opportunity to clarify the records that you are seeking so that EPA can process your request. Given the content of this FOIA request and FOIA request EPA-HQ-2014-004938's clarifications, we would like to kindly request that that you clarify your request in a simple manner that would allow us to provide a response. It has not been helpful to provide an extremely lengthy response. In an effort to assist you in clarifying this FOIA request, we would encourage you to consider whether the below paragraph (excerpted from page 5 of your June 30 request) adequately summarizes your FOIA request:

This FOIA Request seeks disclosure of all "EPA climate science-related peer review files" [...] created, transmitted, stored and/or archived between January 1, 2005 through December 31, 2011, substantiating the specific measures EPA had taken, consistent with the highest and most rigorous standards applicable to highly influential scientific assessments ("HISAs") imposed by the Information Quality Act ("IQA") and the Office of Management and Budget ("OMB") and EPA IQA-implementing guidelines, to ensure the quality, integrity and reliability of all EPA- and third-party- developed and peer reviewed climate science-related assessments and reports upon which the Administrator primarily relied in reaching its 2009 positive Greenhouse Gas ("GHG") Endangerment and Cause or Contribute Findings under Clean Air Act ("CAA") Sec. 202(a)(1).

If you agree that this paragraph covers the documents you are seeking, please respond in the affirmative and EPA will begin to process your FOIA request.

If you do not agree that this paragraph adequately covers your request, we require further clarification so that we can process your request. As you are modifying your request, please consider that the FOIA does not require federal agencies to respond to questions.

In order to determine the scope of this request and respond to you within a reasonable time period, you have seven calendar days from the date of this letter to provide further clarification to your June 30 FOIA request. You may email me at hyland.dana@epa.gov with your clarification. 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

Dana Hyland
Climate Change Division

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This FOIA Request seeks disclosure of all "EPA climate science-related peer review files" [...] created, transmitted, stored and/or archived between January 1, 2002 through December 31, 2011, substantiating the specific measures EPA had taken, consistent with the highest and most rigorous standards applicable to highly influential scientific assessments ("HSAs") imposed by the Information Quality Act ("IQA") and the Office of Management and Budget ("OMB") and EPA IQA-implementing guidelines, to ensure the quality, integrity and reliability of all EPA- and third-party-developed and peer-reviewed climate science-related assessments and reports upon which the Administrator primarily relied in reaching its 2009 positive Greenhouse Gas ("GHG") Endangerment and Cause or Contribute Findings under Clean Air Act ("CAA") Sec. 202(a)(1).

If you agree that this paragraph covers the documents you are seeking, please respond in the affirmative and EPA will begin to process your FOIA request.

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