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Description of document: Each Environmental Protection Agency (EPA) Freedom of Information Act (FOIA) Backlog Reduction Plan or Strategy 2019-2022

Requested date: 27-December-2021

Release date: 11-February-2022

Posted date: 18-April-2022

Source of document: FOIA Request
National FOIA Office
US Environmental Protection Agency
1200 Pennsylvania Avenue NW (2310A)
Washington, DC 20460
[FOIAonline](#)

Preferred during COVID-19 pandemic:
[FOIAonline](#)

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

OFFICE OF
GENERAL COUNSEL

February 11, 2022

Re: Final Response Freedom of Information Act Request No. EPA-2022-001623

This response letter concerns the above-referenced FOIA request, received by the U.S. Environmental Protection Agency (EPA or Agency) on December 27, 2021, in which you requested:

A copy of each FOIA Backlog Reduction Plan, or FOIA Backlog Reduction Strategy, and each equivalent document discussing reduction of the FOIA Case Backlog. I am interested in internal documents rather than a document published online. I agree to limit this request to the results of a search of the records of the EPA Chief FOIA Officer. I limit this request to records between January 1, 2016 and present. I EXCLUDE from this request the Chief FOIA Officer reports transmitted to DOJ and published online, and the published FOIA Annual Reports transmitted to DOJ and published online.

Your request was assigned to the National FOIA Office (NFO) in the Office of General Counsel (OGC) for processing.

By email on December 29, 2021, Roberta White, OGC FOIA Coordinator, advised you that the NFO wanted to discuss your request during the week of January 10, 2022. On January 10, 2022, Patricia Weth, Assistant General Counsel in the NFO, Nicole Rementer, NFO Attorney-Adviser, and I virtually met with you to discuss the scope of your request. The NFO provided the following information relevant to your request: EPA's backlog reduction plan is built on the use of lean management techniques in conjunction with a long-term performance goal in the Agency's Strategic Plan. EPA's records at the national level include the Strategic Plan first issued in 2018 with the goal to eliminate the backlog of overdue FOIA requests, as well as documents that show office- and region-specific monthly and annual results and targets that cascade from the long-term performance goal. EPA is a decentralized FOIA processing agency, and each region and program office devise their individual plans to meet the office-level targets, which cascade from the EPA Strategic Plan.

Based on our conversation, you agreed EPA will satisfy your request by searching for and providing national FOIA program records created since 2018 that show the long-term

performance goals and cascading office-specific targets to reduce EPA's FOIA backlog, including EPA Strategic Plans, and reports on those metrics.

Search of Agency Records and Determination

The NFO concluded its search for records responsive to your request and located 54 responsive records. The following 54 records are released to you in full:

- FY 2018-22 EPA Strategic Plan, *available at* <https://www.epa.gov/planandbudget/fy-2018-2022-epa-strategic-plan> (last visited Feb. 1, 2022);
- Draft FY 2022-26 EPA Strategic Plan, *available at* <https://www.epa.gov/planandbudget/strategicplan> (last visited Feb. 1, 2022);
- EPA Monthly FOIA Backlog Reports (37 records);
- FOIA Quarterly Performance Review Slides (11 records);
- Annual office-specific backlog reduction plans for FY 2020-22 setting forth annual and monthly targets that cascade from the Strategic Plan goals (3 records); and
- Data Quality Record for Long-Term Performance Goal, Jan. 14, 2021.

Unfortunately, the NFO searched for, but did not locate, records for the full time frame. Specifically, the NFO did not locate: Monthly FOIA Backlog Reports for January 2018 to November 2018 and January 2019; FOIA Quarterly Performance Review slides for FY 2018 Q3, FY 2019 Q3, FY 2020 Q4, and FY 2021 Q2-3; and FY 2018-19 Monthly Backlog Reduction Goals by FOIA Program Office.

As we discussed on January 10, 2022, EPA FOIA processing is decentralized. Therefore, FOIA Program Offices in Headquarters and Regional Offices may have records reflecting their individual backlog plans, but you excluded such records from the scope of this request, EPA-2022-001623.

This letter constitutes a final response to your FOIA request. Your request has been granted in full. The billable costs to process your request amount to \$0.00.

Final Appeal Rights and Contact Information

You may appeal this determination by email at hq.foia@epa.gov, or by mail to the EPA's National FOIA Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460 or through FOIAonline if you are an account holder. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1200 Pennsylvania Avenue, N.W., WJC-N Building, Room 7309C, Washington, DC 20460.

Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals received after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." If you need any further assistance or would like to discuss any aspect of your request, you may seek assistance from EPA's FOIA Public Liaison

at hq.foia@epa.gov or call (202) 566-1667. You may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. For all media inquiries, please contact press@epa.gov.

If you have any questions concerning this response, please contact Roberta White of my staff at white.roberta@epa.gov.

Respectfully,



Digitally signed by
TIMOTHY EPP
Date: 2022.02.11
11:17:39 -05'00'

Timothy R. Epp
Associate General Counsel
National FOIA Office

Enclosures

[EXTERNAL EMAIL] Cautions: Do not click on links, open attachments, or provide information unless you are sure the message is legitimate and the content is safe. If you believe this email is suspicious, please forward it to TechSupport@epa.gov. This demonstration will be hosted by Tyler Technologies / Tyler Federal on the rMS-Teams, not by FOIAonline or EPA's MS-Teams. The meeting information is below.

The purpose of this demonstration is to provide an overview of Tyler Federal's FOIA Tracker/case management solution.

For more information on this FOIA request, you can look at their website at <https://www.yleritech.com/solutions/courts-public-safety/courts-wisconsin>. The litigation audio files are located at https://mail.usfca.nka.protect.on.outlook.com/?ui=1&ip%3A%2F%2Fwww.yleritech.com%2Fola/ion%2Fcourts-public-safety%2Fcou-to-justice%2Fm-ca-pia-ion-and-b%2Ffoiadata=0%7C01%7CKaren.Kelly%20mpg%7C9992602d861896df0889676ad0%7Cabdab18835267609097095a8667c0c0c0c0c637711652580897c7Cuknow%7CTWfbpGz38yJWtjwMclAwMDA.LCQ6qV2haHlCBTj6Lil1aHaW.LCXVCY6Mta%3D%7C3000%datat-BTL6yPEJ_dHP0pdLE22r3P_42P9VW8CswGAKM%3Dreserced=0.

-B ian

Microsoft Teams meeting

Join on your computer or mobile app

(b) (6)

From: [Thompson, Brian](#)
To: [christie.m.sharpe@cbp.dhs.gov](#); [sabrina.burroughs@cbp.dhs.gov](#); [Bouziane, Michele](#); [Lewis.Oleinick@dla.mil](#); [Nicole.Brugato@dla.mil](#); [JGoode@doc.gov](#); [bParsons@doc.gov](#); [KHaywood1@doc.gov](#); [Barbara.Gonzalez@DODIG.MIL](#); [Mark.Dorgan@DODIG.MIL](#); [rachel.spector](#); [Natasha.Alcantara@sol.doi.gov](#); [cindy.cafaro](#); [Schumacher, Wendy](#); [christopher.a.julka@navy.mil](#); [robin.patterson@navy.mil](#); [sally.hughes@usmc.mil](#); [Epp, Timothy](#); [Rementer, Nicole](#); [vanessa.lamb@fcc.gov](#); [Stephanie.Kost@fcc.gov](#); [rosborne@fira.gov](#); [travis.lewis@gsa.gov](#); [Muttamara, Fon](#); [Kelly, Karin](#); [Joseph.Scanlon@nara.gov](#); [Mark.Jeweler@nlrb.gov](#); [Synta.Keeling@nlrb.gov](#); [Stephanie.Blaney@nrc.gov](#); [Karen.Danoff@nrc.gov](#); [Perry.Camilla@pbqc.gov](#); [Gamez.Betty@pbqc.gov](#); [Christopher.holleman@sba.gov](#); [Oreoluwa.Fashola@sba.gov](#); [MaryAnn.Zimmerman@ssa.gov](#); [Linda.Frye@ssa.gov](#); [Torya.Mathes-Evans@ssa.gov](#); [Christopher.Oehrle@stb.gov](#); [Marquis.Toson@stb.gov](#); [Steve.Husk@usdoj.gov](#); [Anissa.Banks@usdoj.gov](#); [Wells, Jeffrey](#); [Grimm, Patrick](#)
Cc: [Johnson, Laura-S](#); [Wheeler, Ashley](#); [Edwards, Jeff](#)
Subject: FOIAonline Advisory Board Contacts & Case Management Solutions
Date: Friday, December 3, 2021 10:19:58 AM
Attachments: [Potential FOIA Case Management Solutions.pdf](#)
[FOIAonline Advisory Board Contacts.pdf](#)

[EXTERNAL EMAIL] Caution: Do not click on links, open attachments, or provide information unless you are sure the message is legitimate and the content is safe. If you believe this email is suspicious, please forward it to TechSupport@mspb.gov.

Good morning and happy Friday.

You are receiving this email because you are listed as a point of contact for your Agency/Department as a representative for the FOIAonline Advisory Board or your point-of-contact has asked that you be included in the emails and meeting invites for the FOIAonline Advisory Board. During our FOIAonline discussion this past Tuesday there was interest by many of you to have each other's contact information. Therefore, attached to this email you will see a PDF titled "FOIAonline Advisory Board Contacts". This is the most updated information we have and in some cases we have been asked to include multiple individuals from a single Agency/Department. If you have changes to your list and/or would like to designate a single point of contact, please let me know by COB Friday December 10th and include Laura Johnson and Ashley Wheeler in your response (both are cc'd on this email). If there are any changes I will send an updated list the week of December 13th.

In addition, you all should have received and will continue to receive invitations to participate in demonstrations from potential vendors that offer FOIA case management solutions. I have attached, as requested, a list of potential FOIA case management solutions and where I have it, the contact information for each. All of the ones for which I have contact information for have agreed to provide a demonstration by the end of January 2022 and I am working to schedule those. In addition, I am waiting to hear back from the remaining potential vendors on that list and will share updated contact information as it becomes available.

As always, if there anything that Jeff, Laura, Jasper or I can do for you or if you have any questions please do not hesitate to reach out.

-Brian

Brian Thompson | Director
eDiscovery Division

Office of Enterprise Information Programs (OEIP)
Office of Mission Support (OMS)
U.S. Environmental Protection Agency
phone: (202) 564-4256

Agency	Name	Advisory Board	Email
CBP (1)	Christie Sharpe	Yes	christie.m.sharpe@cbp.dhs.gov
	Sabrina Burroughs	Yes	sabrina.burroughs@cbp.dhs.gov
CSB (2)	Michele Bouziane	Yes	Michele.Bouziane@csb.gov
DLA (3)	Oleinick, Lewis	Yes	Lewis.Oleinick@dla.mil
	Brugato, Nicole Laureen	Yes	Nicole.Brugato@dla.mil
DOC (4)	Jennifer Goode	Yes	JGoode@doc.gov
	Bobbie Parsons	Yes	bParsons@doc.gov
	Kenyetta Haywood	Yes	KHaywood1@doc.gov
DOD-OIG (5)	Barbara Gonzalez	Yes	Barbara.Gonzalez@DODIG.MIL
	Mark Dorgan	Yes	Mark.Dorgan@DODIG.MIL
DOI (6)	Rachel Spector	Yes	rachel.spector@sol.doi.gov
	Natasha Alcantara	Yes	Natasha.Alcantara@sol.doi.gov
	Cindy Cafaro	Yes	cindy.cafaro@sol.doi.gov
	Wendy Schumacher	Yes	wendy.schumacher@sol.doi.gov
DON (7)	Chris Julka	Yes	christopher.a.julka@navy.mil
	Robin Patterson	Yes	robin.patterson@navy.mil
	Sally Hughs	Yes	sally.hughes@usmc.mil
EPA (8)	Tim Epp	Yes	Epp.Timothy@epa.gov
	Nicole Rementer	Yes	Rementer.nicole@epa.gov
FCC (9)	Vanessa Lamb	Yes	vanessa.lamb@fcc.gov
	Stephanie Kost	Yes	Stephanie.Kost@fcc.gov
FLRA (10)	Rebecca J. Osborne	Yes	rosborne@flra.gov
GSA (11)	Travis Lewis	Yes	travis.lewis@gsa.gov
MSPB (12)	Fon Muttamara	Yes	Fon.Muttamara@mspb.gov
	Kelly, Karin	Yes	Karin.Kelly@mspb.gov
NARA-GC (13)	Joseph Scanlon	Yes	Joseph.Scanlon@nara.gov
NLRB (14)	Mark Jeweler	Yes	Mark.Jeweler@nlrb.gov
	Synta Keeling	Yes	Synta.Keeling@nlrb.gov
NRC (15)	Stephanie Blaney	Yes	Stephanie.Blaney@nrc.gov
	Karen Danoff	Yes	Karen.Danoff@nrc.gov
PBGC (16)	Camilla Perry	Yes	Perry.Camilla@pbgc.gov
	Betty Gamez	Yes	Gamez.Betty@pbgc.gov
SBA (17)	Christopher Holleman	Yes	Christopher.holleman@sba.gov
	Oreoluwa Fashola	Yes	Oreoluwa.Fashola@sba.gov
SSA (18)	Mary Ann Zimmerman	Yes	MaryAnn.Zimmerman@ssa.gov
	Linda Frye	Yes	Linda.Frye@ssa.gov
	Torya Mathes-Evans	Yes	Torya.Mathes-Evans@ssa.gov
STB (19)	Christopher Oehrle	Yes	Christopher.Oehrle@stb.gov
	Toson Marquis	Yes	Marquis.Toson@stb.gov
USPC -DOJ (20)	Steve Husk	Yes	Steve.Husk@usdoj.gov
	Anissa Bank	Yes	Anissa.Banks@usdoj.gov

FOIA Case Management Solutions

Name of Company	Email	POC	POC Email
AINS – FOIAXpress	https://www.ains.com/foiexpress/	Pam Ackley VP Product Services AINS	Packley@ains.com
Armedia FOIA	https://armedia.com/solution/foia/		
GovQA	https://www.govqa.com/		
JustFOIA	https://www.justfoia.com/		
Merpsystems (VFOIA Tracker)	https://www.merpsystems.com/foia-solution	Prem Nair	pnair@merpsystems.com
Secure Release (Deloitte)	https://www.relativity.com/data-solutions/customizations/app-hub/secure-release/	Sue Seeley Managing Director Deloitte Risk & Financial Advisory	sseeley@deloitte.com
Tyler Tech (TylerFederal)	https://www.tylertech.com/solutions/courts-public-safety/courts-justice/investigations-audits/foia	Marshall Hamilton Account Executive Tyler Technologies – Federal Division 703-463-4207 www.tylertech.com	marshall.hamilton@tylerfederal.com

From: [Thompson, BrianK](#)
To: [Edwards, Jeff](#); [Johnson, Laura-S](#); [Jones, Jasper](#); [Perkins, Shannon](#)
Subject: FOIAonline Next Steps and Future
Date: Thursday, November 18, 2021 3:43:55 PM

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Good afternoon,

I am reaching out to announce that EPA, in consultation with the Office of the Federal Chief Information Officer, has decided to sunset the FOIAonline Shared Service by the end of FY23.

We are sharing this notice at our earliest opportunity and I want to assure you that we will continue to support your FOIA requests and case management needs until that time. Moreover, we will provide assistance to you during the off-boarding process and support migration efforts as we all work to ensure everyone succeeds and stays well informed.

We will be holding an initial meeting for the FOIAonline partners on Tuesday, November 30th to discuss this decision, listen to your needs and questions, and provide our high level plans for the next two years so you can begin your program's transition. I want to reiterate that our team will continue to work with each of you and your programs over the next two years to assist you in the ongoing operations of FOIAonline and your transition to whatever alternative FOIA case management solution you select.

Thank you, and as always, please feel free to reach out to me at any time.

-Brian

Brian Thompson | Director

eDiscovery Division
Office of Enterprise Information Programs (OEIP)
Office of Mission Support (OMS)
U.S. Environmental Protection Agency
phone: (202) 564-4256

[illegible]

From: [Thompson, BrianK](#)
To: [Thompson, BrianK](#)
Cc: [Edwards, Jeff](#); [Johnson, Laura-S](#); [Jones, Jasper](#); [Perkins, Shannon](#); [Wells, Jeffrey](#); [Grimm, Patrick](#); [Noga, Vaughn](#)
Subject: Follow up: FOIAonline Next Steps Meeting
Date: Wednesday, December 1, 2021 2:59:56 PM

[EXTERNAL EMAIL] Caution: Do not click on links, open attachments, or provide information unless you are sure the message is legitimate and the content is safe. If you believe this email is suspicious, please forward it to TechSupport@mspb.gov.

Good afternoon,

I wanted to again thank everyone for your time yesterday and the terrific discussion that we had. The FOIAonline program staff will be working to get a lot of the information requested out by the end of this week.

- All FOIAonline user main POCs will be receiving a list of all main POCs by Friday.
- All FOIAonline user main POCs will be receiving a list of potential vendors we are currently aware of by Friday.
- Everyone on this email chain will be receiving invitations to demonstrations by some of the potential vendors of their solutions/tools (those that have responded to our inquiries). This will begin once dates/times are set.

I also want to make another pitch for everyone to attend the Chief FOIA Officer Technology Committee's NexGen FOIA Tech Showcase in February. After yesterday's call I reached back out to the Technology Committee to make sure I understood the types of potential vendors/solutions that will be present at the showcase. I am letting you know that case management solutions **will** be present at the showcase.

You can read the [blog post here](#) where the Technology Committee first announced the RFI's publication ([link to RFI](#)). It is a multi-faceted RFI that seeks vendor submissions on 7 different topics, including case management. The deadline was extended from 11/23 to 12/8 due to the Thanksgiving shuffle and so far there are about 9 sets of submissions from vendors, most of which cover more than a single topic. It is anticipated that additional submissions will come in over the next 7 days and the Technology Committee is excited with the submissions thus far.

Jeff, Laura, Jasper and I are committed to helping you make this transition as smooth and seamless as possible. Please do not hesitate to reach out with any questions. We expect to have our next Partner meeting in mid-January to provide additional information, outline our next steps, and continue to listen to your feedback and answer outstanding questions. We will also be holding a Change Control Board meeting the week of December 13th to discuss requirements and needs surrounding Record Schedules that may impact exports, migrations and the transitions. In addition, beginning in January and continuing through March, we will reach out to schedule a one-on-one technical consultation with each partners for an hour, if they feel that would be helpful.

Thank you,

-Brian

Brian Thompson | Director

eDiscovery Division

Office of Enterprise Information Programs (OEIP)

Office of Mission Support (OMS)

U.S. Environmental Protection Agency

phone: (202) 564-4256

From: [Kelly, Karin](#)
To: [Muttamara, Fon](#); [Everling, Jennifer](#)
Subject: FW: FOIAonline Next Steps and Future
Date: Thursday, November 18, 2021 3:54:00 PM

I'm not sure if you received this...

From: Thompson, BrianK <Thompson.BrianK@epa.gov>
Sent: Thursday, November 18, 2021 3:44 PM
To: Edwards, Jeff <Edwards.Jeff@epa.gov>; Johnson, Laura-S <Johnson.Laura-S@epa.gov>; Jones, Jasper <Jones.Jasper@epa.gov>; Perkins, Shannon <perkins.shannon@epa.gov>
Subject: FOIAonline Next Steps and Future

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Good afternoon,

I am reaching out to announce that EPA, in consultation with the Office of the Federal Chief Information Officer, has decided to sunset the FOIAonline Shared Service by the end of FY23.

We are sharing this notice at our earliest opportunity and I want to assure you that we will continue to support your FOIA requests and case management needs until that time. Moreover, we will provide assistance to you during the off-boarding process and support migration efforts as we all work to ensure everyone succeeds and stays well informed.

We will be holding an initial meeting for the FOIAonline partners on Tuesday, November 30th to discuss this decision, listen to your needs and questions, and provide our high level plans for the next two years so you can begin your program's transition. I want to reiterate that our team will continue to work with each of you and your programs over the next two years to assist you in the ongoing operations of FOIAonline and your transition to whatever alternative FOIA case management solution you select.

Thank you, and as always, please feel free to reach out to me at any time.

-Brian

Brian Thompson | Director
eDiscovery Division
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phone: (202) 564-4256

From: [Everling, Jennifer](#)
To: [Kelly, Karin](#); [Muttamara, Fon](#)
Subject: RE: FOIAonline Next Steps and Future
Date: Friday, November 19, 2021 6:50:29 AM

I got it, and also the meeting invite to discuss this decision. I'll attend the meeting with you (I believe (b) (6)) and then we'll have some information to consider after the holidays to help us decide MSPB's direction ...

(just one.more.thing . . . sigh)

From: Kelly, Karin <Karin.Kelly@mspb.gov>
Sent: Thursday, November 18, 2021 3:54 PM
To: Muttamara, Fon <Fon.Muttamara@mspb.gov>; Everling, Jennifer <Jennifer.Everling@mspb.gov>
Subject: FW: FOIAonline Next Steps and Future

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From: Thompson, BrianK <Thompson.BrianK@epa.gov>
Sent: Thursday, November 18, 2021 3:44 PM
To: Edwards, Jeff <Edwards.Jeff@epa.gov>; Johnson, Laura-S <Johnson.Laura-S@epa.gov>; Jones, Jasper <Jones.Jasper@epa.gov>; Perkins, Shannon <perkins.shannon@epa.gov>
Subject: FOIAonline Next Steps and Future

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Thank you, and as always, please feel free to reach out to me at any time.

-Brian

Brian Thompson | Director

eDiscovery Division

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Office of Mission Support (OMS)

U.S. Environmental Protection Agency

phone: (202) 564-4256

From: [Everling, Jennifer](#)
To: [Kelly, Karin](#); [Muttamara, Fon](#)
Subject: RE: FOIAonline Next Steps and Future
Date: Friday, November 19, 2021 3:38:01 PM

Also, I briefed Bill on this today, as he did not receive the email from Brian. I have forwarded it to him so he has the communication. Thanks.

From: Everling, Jennifer
Sent: Friday, November 19, 2021 6:50 AM
To: Kelly, Karin <Karin.Kelly@mspb.gov>; Muttamara, Fon <Fon.Muttamara@mspb.gov>
Subject: RE: FOIAonline Next Steps and Future

I got it, and also the meeting invite to discuss this decision. I'll attend the meeting with you (I believe (b) (6) [REDACTED]), and then we'll have some information to consider after the holidays to help us decide MSPB's direction ...

(just one.more.thing . . . sigh)

From: Kelly, Karin <Karin.Kelly@mspb.gov>
Sent: Thursday, November 18, 2021 3:54 PM
To: Muttamara, Fon <Fon.Muttamara@mspb.gov>; Everling, Jennifer <Jennifer.Everling@mspb.gov>
Subject: FW: FOIAonline Next Steps and Future

I'm not sure if you received this...

From: Thompson, BrianK <Thompson.BrianK@epa.gov>
Sent: Thursday, November 18, 2021 3:44 PM
To: Edwards, Jeff <Edwards.Jeff@epa.gov>; Johnson, Laura-S <Johnson.Laura-S@epa.gov>; Jones, Jasper <Jones.Jasper@epa.gov>; Perkins, Shannon <perkins.shannon@epa.gov>
Subject: FOIAonline Next Steps and Future

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-Brian

Brian Thompson | Director

eDiscovery Division

Office of Enterprise Information Programs (OEIP)

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U.S. Environmental Protection Agency

phone: (202) 564-4256

From: [Thompson, BrianK](#)
To: [Thompson, BrianK](#)
Cc: [Edwards, Jeff](#); [Johnson, Laura-S](#); [Jones, Jasper](#); [Perkins, Shannon](#)
Subject: RE: FOIAonline Next Steps and Future
Date: Tuesday, November 30, 2021 11:13:28 AM
Attachments: [Partner Meeting Agenda 11.30.2021.pdf](#)

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Good morning everyone,

Attached, please find an agenda for today's 1:00pm ET meeting. I look forward to our discussion in a few hours.

-Brian

Brian Thompson | Director

eDiscovery Division
Office of Enterprise Information Programs (OEIP)
Office of Mission Support (OMS)
U.S. Environmental Protection Agency
phone: (202) 564-4256

-----Original Appointment-----

From: Thompson, BrianK

Sent: Thursday, November 18, 2021 3:59 PM

To: Thompson, BrianK; Edwards, Jeff; Johnson, Laura-S; christie.m.sharpe@cbp.dhs.gov; Bennett, Amy; sabrina.burroughs@cbp.dhs.gov; Bouziane, Michele; Tamara.Qureshi@csb.gov; Lewis.Oleinick@dla.mil; kathy.Dixon@dla.mil; Teresa.W.Smith@dla.mil; Williams, Darrell M CIV OSD ODAM (USA); bParsons@doc.gov; JGoode@doc.gov; Barbara.Gonzalez@DODIG.MIL; Mark.Dorgan@DODIG.MIL; Searle.Slutskin@DODIG.MIL; rachel.spector; christopher.a.julka@navy.mil; Moubleaux, Joan; Weth, Patricia; Rementer, Nicole; vanessa.lamb@fcc.gov; Stephanie.Kost@fcc.gov; Benish.Shah@fcc.gov; rosborne@flra.gov; travis.lewis@gsa.gov; kimberly.veach@gsa.gov; Jennifer.Everling@mspb.gov; Fon.Muttamara@mspb.gov; Karin.Kelly@mspb.gov; Joseph.Scanlon@nara.gov; jeannette.wise@nara.gov; Mark.Jeweler@nlrb.gov; Julie.Yarbrough@nlrb.gov; Synta.Keeling@nlrb.gov; Stephanie.Blaney@nrc.gov; Karen.Danoff@nrc.gov; Lezlie.Colbert@nrc.gov; tina.ennis@nrc.gov; Perry.Camilla@pbgc.gov; Oreoluwa.Fashola@sba.gov; melinda.jones@sba.gov; Mary.Ann.Zimmerman@ssa.gov; Lorrell.Woods@ssa.gov; Anthony.Tookes@ssa.gov; Torya.Mathes-Evans@ssa.gov; Stan.Cierlitsky@ssa.gov; Navdeep.Sarai@ssa.gov; Monica.de.los.Reyes@ssa.gov; Josue.Vega@ssa.gov; Lawrence.E.Walker.II@ssa.gov; Nianti.Colon-Torres@ssa.gov; Linda.Frye@ssa.gov; Christopher.Oehrle@stb.gov; Marquis.Toson@stb.gov; Schumacher, Wendy; Alcantara, Natasha Y; Haywood, Kenyetta (Federal); Krapels, Helen (USPC); Epp, Timothy; cindy.cafaro;

robin.patterson@navy.mil; sally.hughes@usmc.mil; Gamez.Betty@pbgc.gov;
Christopher.holleman@sba.gov; Steve.Husk@usdoj.gov; Anissa.Banks@usdoj.gov; Wells, Jeffrey;
Grimm, Patrick

Cc: Jones, Jasper; Perkins, Shannon; Julka, Christopher A CIV USN DONCIO WASHINGTON DC (USA);
Reagan, Sarah; Stewart, Tyler J CIV DLA INFO OPERATIONS (USA); Wheeler, Ashley; Alvarez, Nelson R
CIV DLA INFO OPERATIONS (USA); Gulamali, Adil; Hickey, Tammy J CIV OSD OATSD (PCLT) (USA);
Fuentes, Tonya R (Toni) CIV OSD OATSD (PCLT) (USA); Joshua Cooper; Rhonda Martinez; Sherice
Mariani; Peters, Noah; Moore, Angela G; Saul, Lindsey A CIV DLA INFO OPERATIONS (USA); Chickris,
Peter; Mansfield, Judith R CIV DLA INFO OPERATIONS (USA)

Subject: FOIAonline Next Steps and Future

When: Tuesday, November 30, 2021 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Discuss this decision to sunset FOIAonline by FY23

Microsoft Teams meeting

Join on your computer or mobile app

(b) (6)

(b) (6)

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

[Learn More](#) | [Meeting options](#)

*FOIAonline Partner Meeting
Sunsetting Overview and Next Steps*

November 30, 2021

1:00pm – 2:00pm

Teams Meeting

Agenda

- I. Sunset Announcement
- II. Meeting Purpose and Structure
- III. Sunsetting Decision Rationale
- IV. Overview of Sunsetting Schedule
- V. FOIAonline Sunsetting Support
 - a. Partner input and feedback will help drive the communications and FOIAonline support elements of this transition.
 - b. Partner needs/concerns/questions/requests related to sunsetting should be sent to our FOIAonline team (Jeff, Jasper, and Laura). This allows for a central focal point for these communications and allows our contractors and help desk to maintain focus on everyday operations. Please don't go through our contractors or help desk, as they need to maintain focus on everyday FOIAonline operations.
- VI. Upcoming meetings and events

Meeting: We would like to host a series of meetings to feed you information and to address your information needs. Thus far, **some proposed meeting topics for the near future include** (meetings will take place every two weeks):

 - **Sunsetting Process Logistics/Timing (tentatively scheduled for early January 2022):**
Phasing/timing of sunsetting that includes timing for last year-end report, migrating data, and a code freeze. Accessibility to data after sunsetting, public notifications
 - To be Scheduled in late January 2022
 - **Budget and MOUs/MOAs:**
 - **Case Management Alternatives:**

Event: NexGen FOIA Tech Showcase in February 2022

The information that we have on this event is as follows:

The Chief FOIA Officers (CFO) Council's Technology Committee, in conjunction with The Office of Information Services (OGIS) at the National Archives and Records Administration and the U.S. Department of Justice (DOJ) Office of Information Policy (OIP), are hosting an event for federal agencies in February 2022 called the **NexGen FOIA Tech Showcase**.

The purpose of this two-day event is to identify FOIA technology solutions for federal agencies in response to existing FOIA case processing challenges raised through the Technology Committee's research. Additionally, the event is intended to help federal agencies better understand the promise of artificial intelligence and advanced/emerging technology for case processing.

On the first day of the showcase, FOIA practitioners and industry partners will share issues, insights, and explore potential solutions in the following areas:

- eDiscovery/electronic record search tools
- Case processing tools (including the collection of records to review for redaction and posting accessible 508 compliant releases)
- Redaction tools (including tools that allow for automatic redaction of similar forms and record types including paper, digital content, videos, data, etc.)
- Artificial Intelligence (AI) tools that may assist with FOIA case processing.

On the second day, attendees will discuss how these tools can improve agency FOIA programs in the following ways:

- The future of FOIA
- Improved public FOIA reading rooms/websites
- Improving the FOIA customer experience

From: [Epp, Timothy](#)
To: [Rementer, Nicole](#)
Subject: FW: December 2018 EPA Freedom of Information Act (FOIA) Backlog Report
Date: Friday, January 21, 2022 3:39:01 PM
Attachments: [image001.png](#)
[image003.png](#)

Timothy R. Epp

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Phone (202) 564-2830 | epp.timothy@epa.gov



National FOIA Office
EPA Office of General Counsel

From: Epp, Timothy
Sent: Thursday, December 13, 2018 4:04 PM
To: Leadership_Assistant_Administrators <Leadership_Assistant_Administrators@epa.gov>; Leadership_Associate_Administrators <Leadership_Associate_Administrators@epa.gov>; Leadership_Deputy_Assistant_Administrators <Leadership_Deputy_Assistant_Administrators@epa.gov>; Leadership_Deputy_Associate_Administrators <Leadership_Deputy_Associate_Administrators@epa.gov>; Leadership_Deputy_Regional_Administrators <Leadership_Deputy_Regional_Administrators@epa.gov>; Leadership_Regional_Administrators <Leadership_Regional_Administrators@epa.gov>; Regional FOIA Officers <Regional_FOIA_Officers@epa.gov>; Regional Counsel Contacts <Regional_Counsel_Contacts@epa.gov>; Deputy Regional Counsels <Deputy_Regional_Counsels@epa.gov>; FOIA Coordinators <FOIA_Coordinators@epa.gov>; FOIA Officers <FOIAOfficers@epa.gov>
Cc: Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>; Gottesman, Larry <Gottesman.Larry@epa.gov>
Subject: December 2018 EPA Freedom of Information Act (FOIA) Backlog Report

Colleagues,

In his November 12, 2018 FOIA Memorandum, Acting Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA. At the end of November 2018, EPA's total FOIA request backlog was 2,721. For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system.

Recent steps taken to improve FOIA processing within the Administrator's Office have yielded significant results. Roughly 275 requests were closed and over 500 interim responses were issued from April 30 to November 30. A "Tiger Team" of 12 staff temporarily assigned to help process FOIA requests has completed first reviews of more than 20,000 records from August 14 to November 30. Nevertheless, even with these efforts, at the end of October, the backlog in the Administrator's Office was 1,454, and at the end of November, the backlog in the Administrator's Office was 1,473.

Below are graphs showing the backlog of FOIA requests in headquarters programs and the regions at the end of October and November 2018. During this period, most offices saw their backlog

FOIA requests increase.

As these graphs show, we must increase our efforts to achieve our goal of timely processing all FOIA requests. The Administrator's Office continues to tackle its backlog and is committed to dramatically reduce its FOIA request backlog as quickly as possible.

The National FOIA Office will provide a report like this regarding the status of FOIA backlog across the Agency every month going forward.

The October data in this report were produced from FOIAonline on November 26, 2018, and the November data in this report were produced from FOIAonline on December 3, 2018. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

Timothy R. Epp
Acting Director, National FOIA Office
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Tel. 202-564-2830

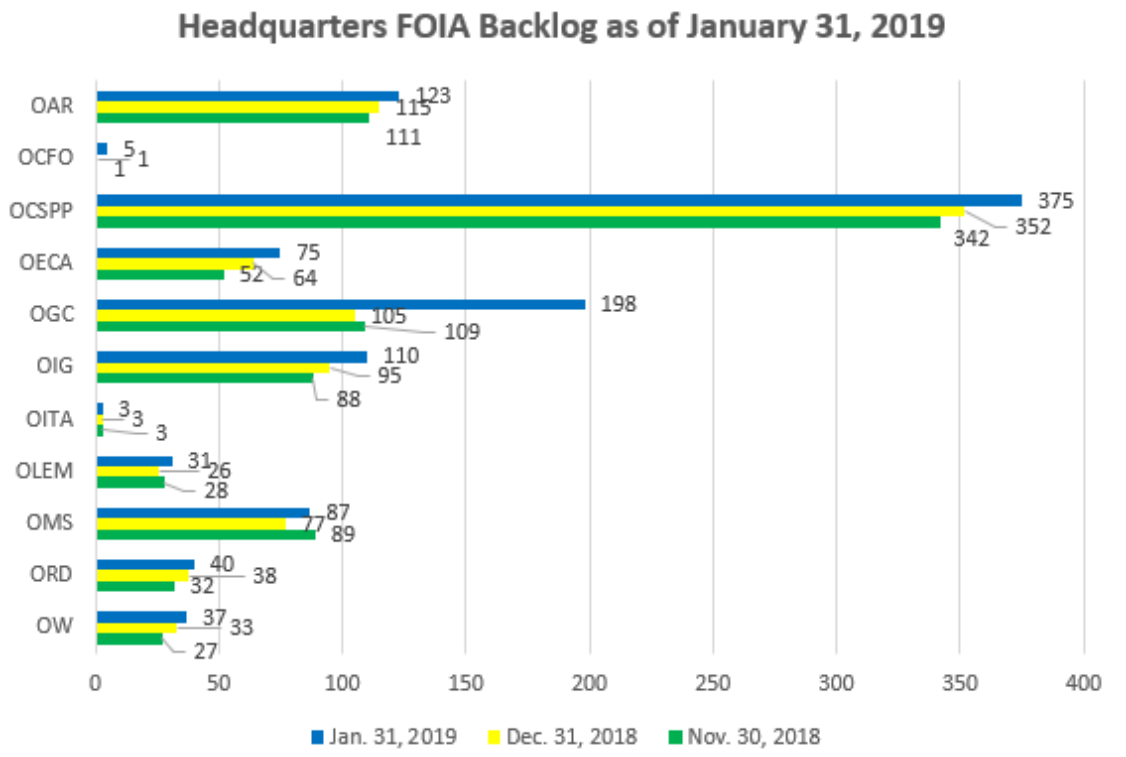
From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Regional Counsel Contacts](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Walker, Denise](#); [Gottesman, Larry](#); [Leopold, Matt \(OGC\)](#); [OGC NFO](#)
Subject: February 2019 EPA Freedom of Information Act (FOIA) Backlog Report
Date: Wednesday, February 6, 2019 1:45:03 PM
Attachments: [image005.png](#)
[image006.png](#)

Colleagues,

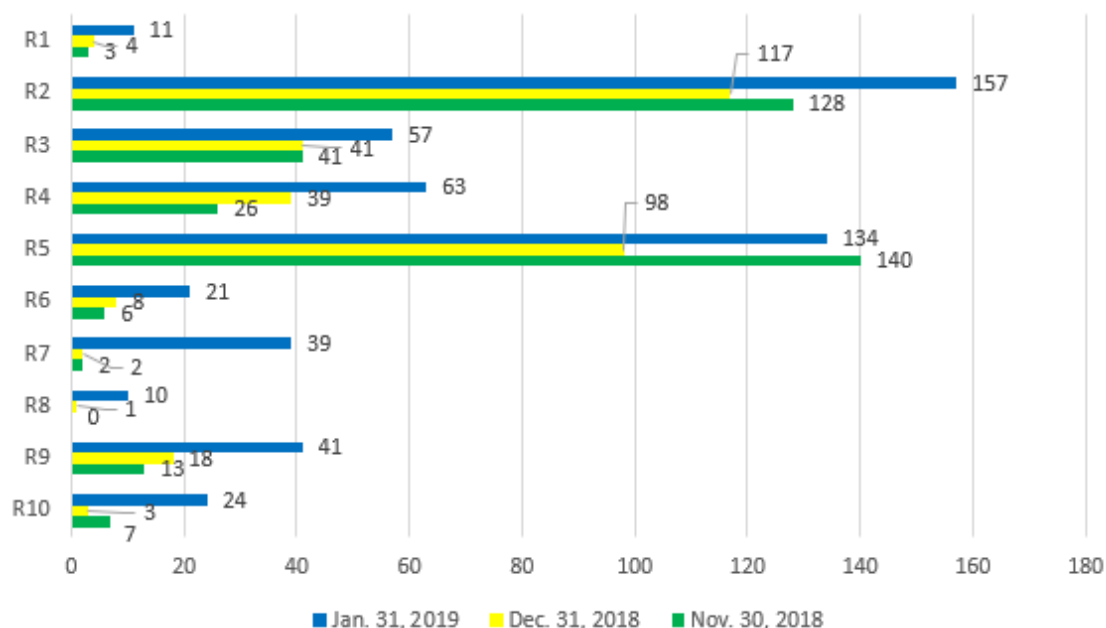
In his November 12, 2018 FOIA Memorandum, Acting Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA. Because of the government shutdown, this report provides data for the months of December 2018 and January 2019, as compared to the data previously reported for November 2018.

During the government shutdown from December 29, 2018 through January 25, 2019, EPA received 511 FOIA requests. Consequently, the Agency and most offices saw their backlog of FOIA requests increase in January. At the end of December 2018, EPA's total FOIA request backlog was 2664; at the end of January 2019, EPA's total FOIA request backlog was 3106.

Below are graphs showing the backlog of FOIA requests in headquarters programs and the regions at the end of November and December 2018 and January 2019. The backlog in the Administrator's Office was 1,473 at the end of November 2018, and it was 1,424 and 1,465 respectively at the end of December 2018 and January 2019.



Regional FOIA Backlog as of January 31, 2019



As these graphs show, we must increase our efforts to achieve our goal of timely processing all FOIA requests.

For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. The National FOIA Office will provide a report like this regarding the status of FOIA backlog across the Agency every month going forward.

The November data in this report were produced from FOIAonline on December 3, 2018, and the December and January data in this report were produced from FOIAonline on January 28, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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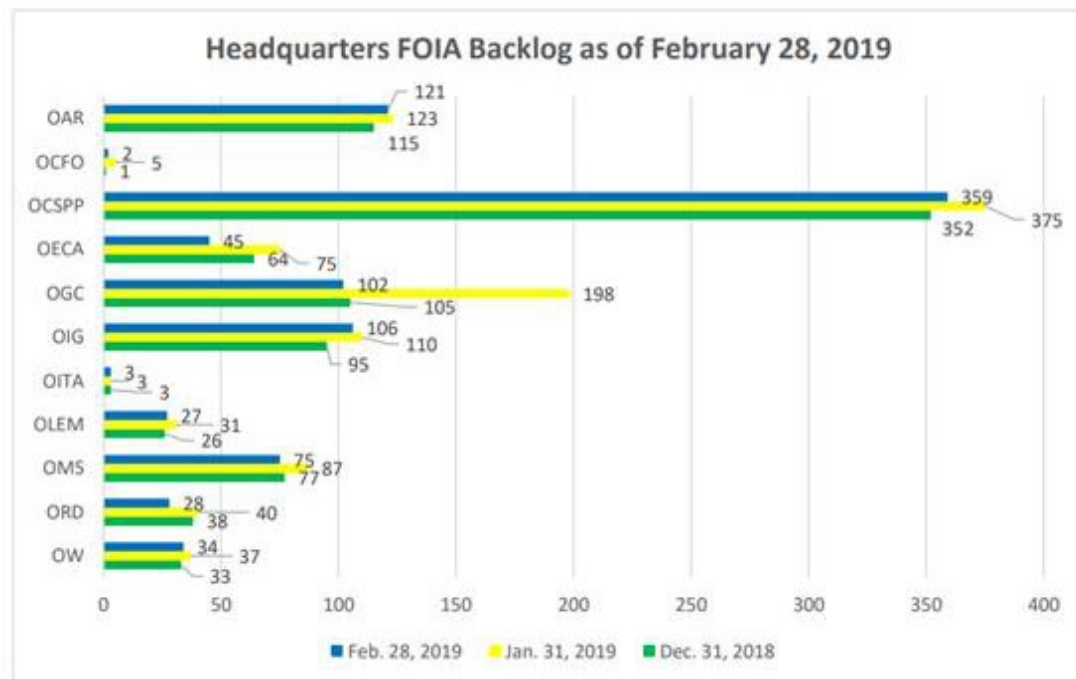
From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Gottesman, Larry](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#)
Subject: March 2019 EPA Freedom of Information Act (FOIA) Backlog Report
Date: Thursday, March 7, 2019 9:35:35 AM

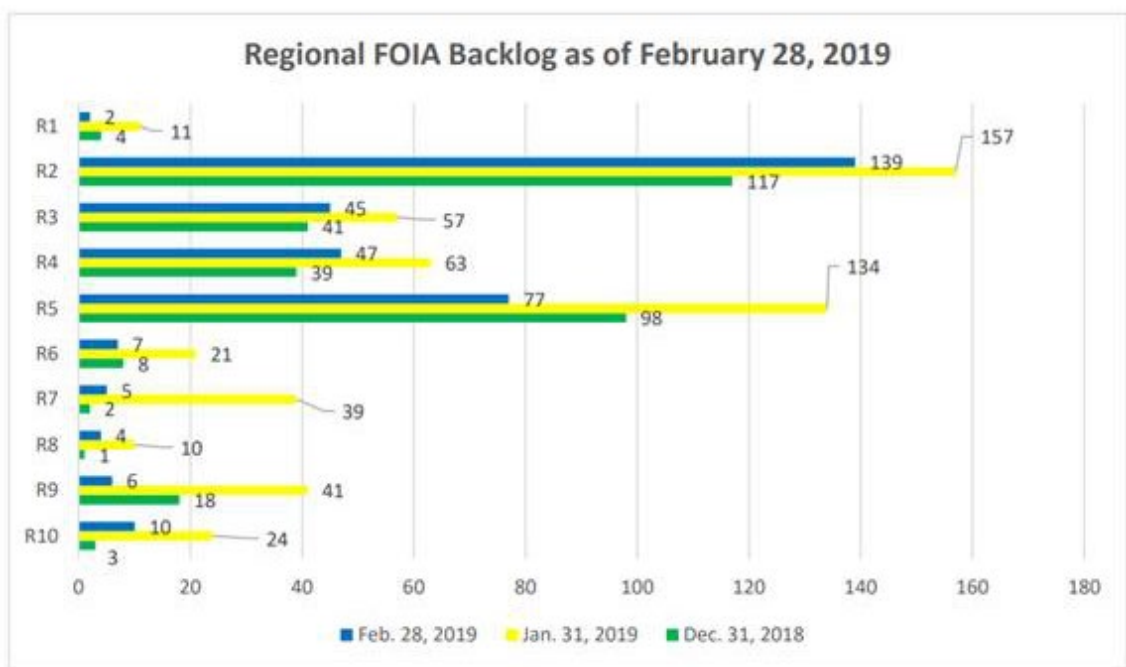
Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of February, January and December.

Many offices made progress in February to bring their FOIA backlog down from the high at the end of the appropriations lapse; a few offices made notable additional progress to reduce their FOIA backlog. For example, OECA, ORD, Region 5 and Region 9, reduced their FOIA backlog at the end of February by more than 10 FOIA requests as compared to the end of December.

The backlog in the Administrator's Office was 1,424 and 1,465 respectively at the end of December 2018 and January 2019. The Administrator's Office backlog at the end of February was 1,455.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The December and January data in this report were produced from FOIAonline on January 28, 2019, and the February data was produced from FOIAonline on March 1, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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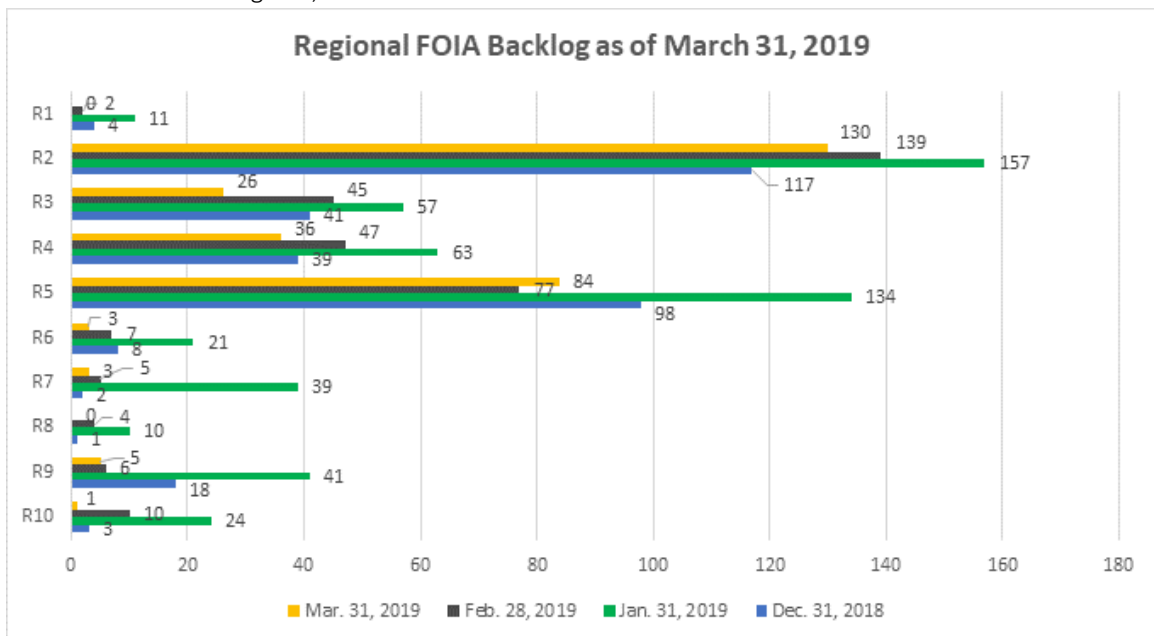
From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Gottesman, Larry](#); [Leopold, Matt](#) (OGC); [Siciliano, CarolAnn](#); [OGC NFO](#)
Subject: April 2019 EPA FOIA Backlog Report
Date: Wednesday, April 3, 2019 2:02:03 PM
Attachments: [image005.png](#)
[image007.png](#)

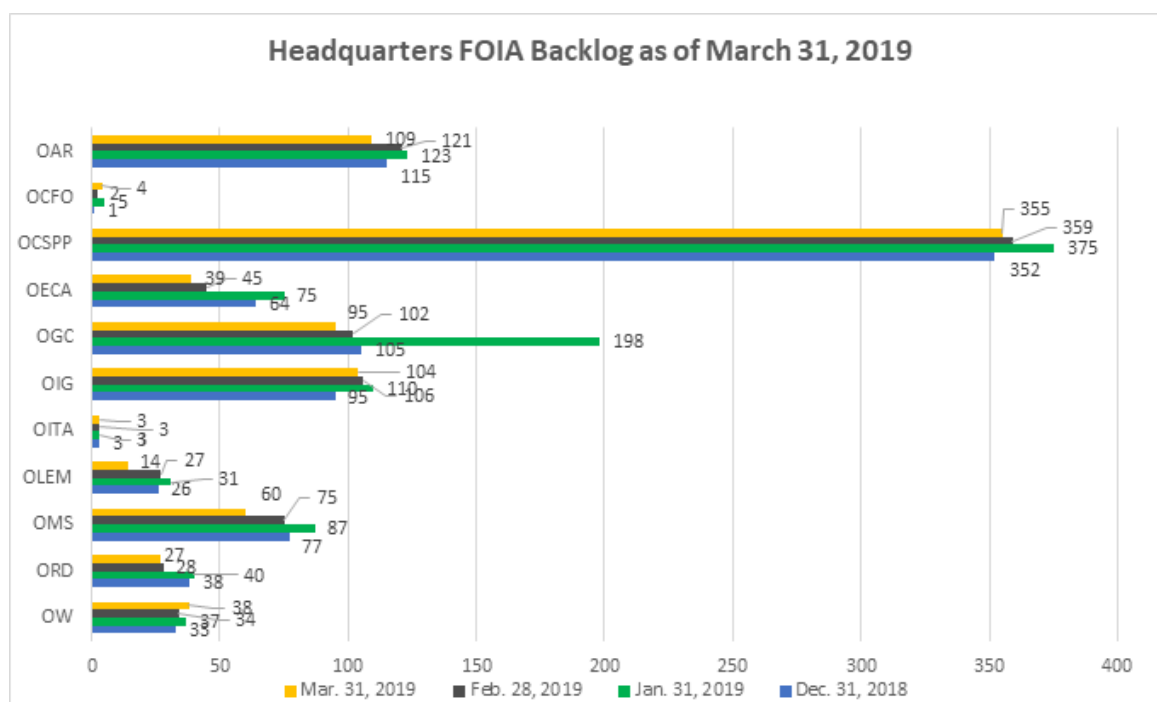
Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of March, February, January and December. Please continue your efforts to reduce your office's backlog. Many offices made progress in March to bring their FOIA backlog down from the high at the end of the appropriations lapse. The backlog from the end of December is included to serve as a reference point from prior to the appropriations lapse.

A few offices made notable progress to reduce their FOIA backlog. Regions 3, 5, and 9 and OECA, OGC, OLEM, OMS, and ORD all reduced their FOIA backlog by the end of March by more than 10 FOIA requests below December 2018. Both Regions 1 and 8 eliminated their backlog. Congratulations! A few offices have not yet reduced their backlog to lower than their backlog prior to the appropriations lapse.

The backlog in the Administrator's Office was 1,405 at the end of March 2019, which is a reduction from 1,455 at the end of February, and from the high of 1,465 at the end of January. It is also more than 10 FOIA requests below the AO backlog of 1,424 at the end of December 2018.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The December and January data in this report were produced from FOIAonline on January 28, 2019. The February data was produced from FOIAonline on March 1, 2019, and the March data on April 1, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, Robin](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Gottesman, Larry](#); [Leopold, Matt](#) (OGC); [Siciliano, CarolAnn](#); [OGC.NFO](#); [Hoverman, Taylor](#)
Subject: May 2019 EPA FOIA Backlog Report
Date: Monday, May 6, 2019 9:28 03 AM

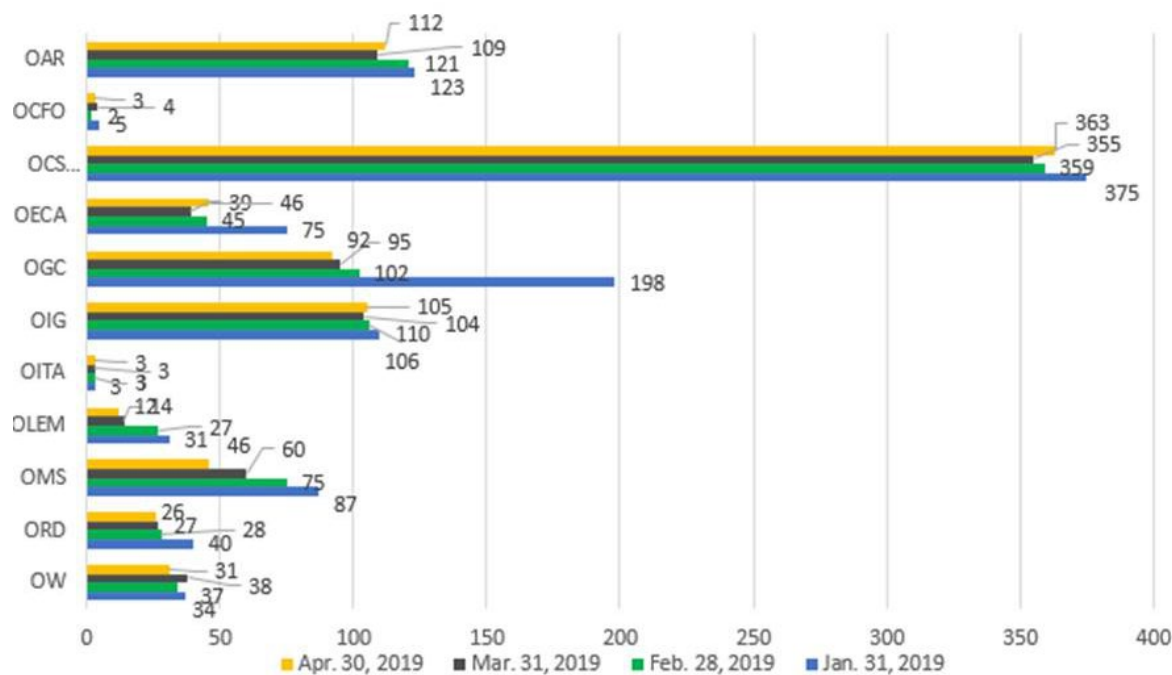
Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of April, March, February, and January. More effort is needed to tackle the FOIA backlog. In many offices, the backlog increased in April.

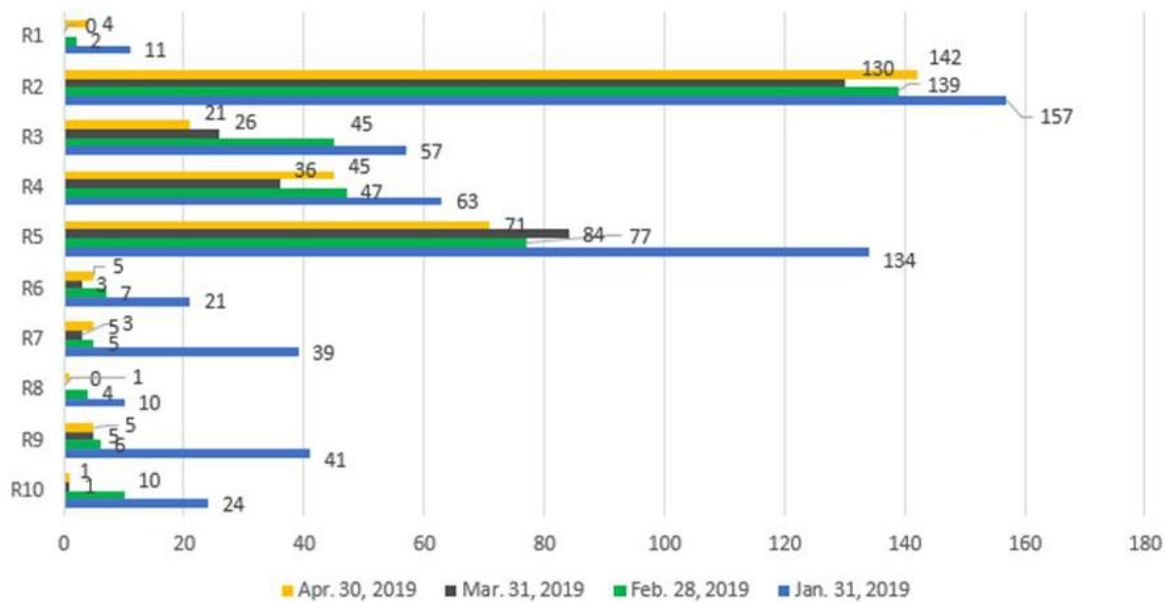
The Agency as a whole reduced its backlog for the past four consecutive months. In particular, the Office of the Administrator reduced its backlog for the past four consecutive months, including a reduction of more than 100 from end of February to the end of April. OMS and Region 5 were the only other offices that reduced their backlog by more than 10 in April.

The backlog in the Administrator's Office was 1,354 at the end of April, which is down from 1,405 at the end of March, 1,455 at the end of February, and from the high of 1,465 at the end of January. The Agency's backlog was 2,493 at the end of April 2019.

Headquarters FOIA Backlog as of April 30, 2019



Regional FOIA Backlog as of April 30, 2019



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The January data in this report were produced from FOIAonline on January 28, 2019. The February data was produced from FOIAonline on March 1, 2019; the March data on April 1, 2019; and the April data on May 1, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
 EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators; Leadership Associate Administrators; Leadership Deputy Assistant Administrators; Leadership Deputy Associate Administrators; Leadership Deputy Regional Administrators; Leadership Regional Administrators; Regional Counsel Contacts; Regional FOIA Officers; Deputy Regional Counsels; FOIA Coordinators; FOIA Officers](#)
Cc: [Brazauskas, Joseph; Grantham, Nancy; Richardson, Robin; White, Elizabeth; Packard, Elise; Cozad, David; Gottesman, Larry; Leopold, Matt \(OGC\); Siciliano, CarolAnn; OGC.NFO; Hoverman, Taylor](#)
Subject: June 2019 EPA FOIA Backlog Report
Date: Monday, June 10, 2019 10:52:53 AM

Colleagues,

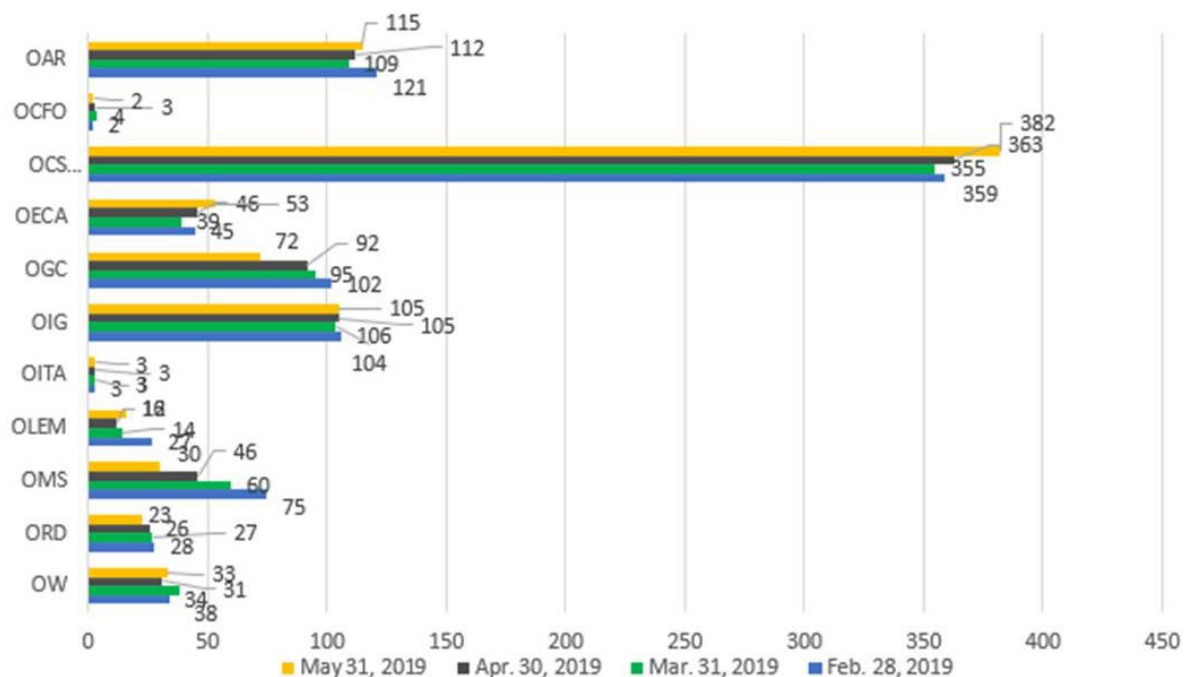
The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of May, April, March, and February. The Agency's overall FOIA backlog declined in May by more than 107. Five offices deserve particular praise for contributing to the backlog reduction:

- Office of the Administrator is down by 50;
- Region 4 is down by 29;
- Office of General Counsel is down by 20;
- Region 2 is down by 19, and
- Office of Mission Support is down by 15.

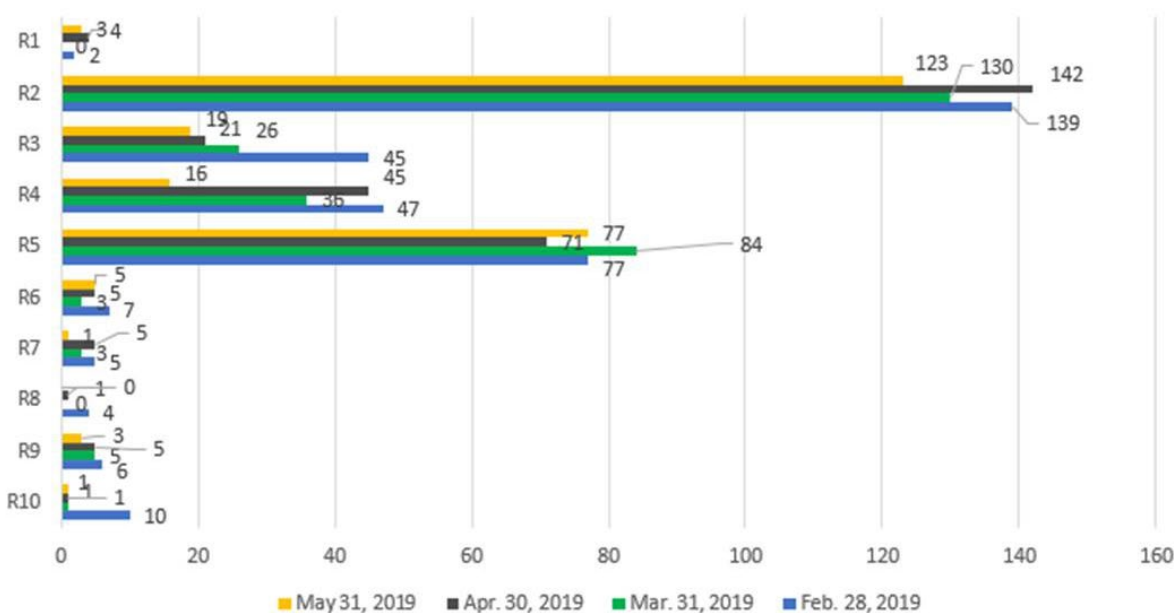
Congratulations and thank you! The Backlog in a few offices increased in May. Overall, the Agency is behind on its goal of reducing the FOIA backlog this fiscal year and, therefore, we need continued effort by all. Region 8 is the only office that had no backlog at the end of May.

The backlog in the Administrator's Office was 1,304 at the end of May, which is down from 1,354 at the end of April (and 1,405 at the end of March and 1,455 at the end of February). The Agency's backlog was 2,386 at the end of May 2019.

Headquarters FOIA Backlog as of May 31, 2019



Regional FOIA Backlog as of May 31, 2019



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The February data in this report was produced from FOIAonline on March 1, 2019; the March data on April 1, 2019; the April data on May 1, 2019, and the May data on Monday, June 3, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, Robin](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Gottesman, Larry](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoveman, Taylor](#)
Subject: July 2019 EPA FOIA Backlog Report
Date: Wednesday, July 3, 2019 10:27:41 AM
Attachments: [pastedImage.png](#)
[pastedImage.png](#)

Colleagues,

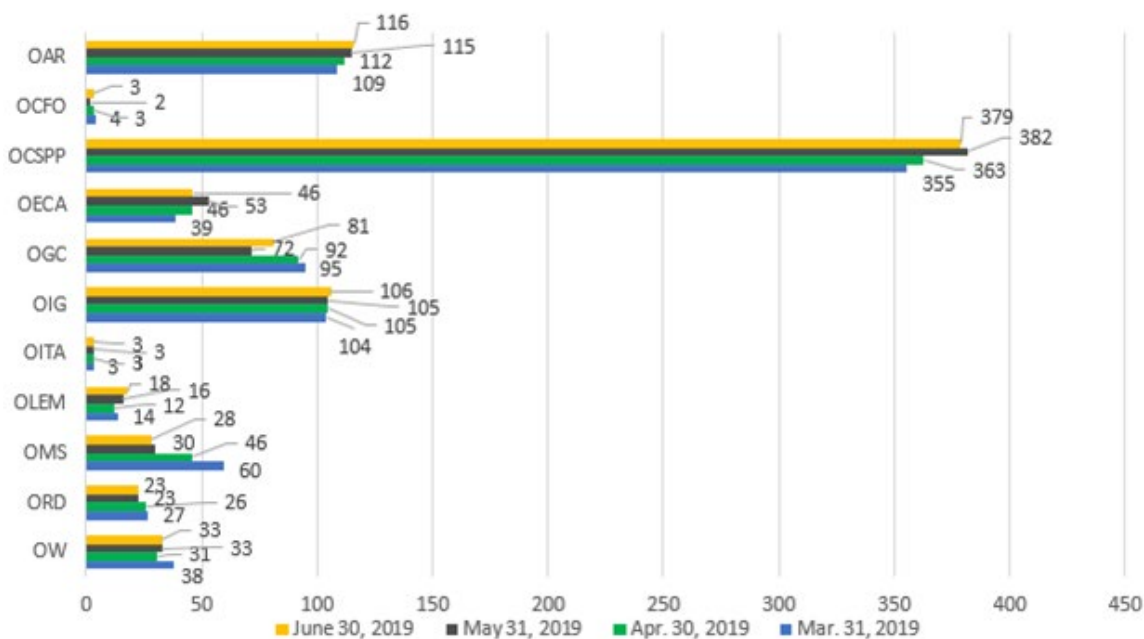
The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of June, May, April, and March.

The Agency's overall FOIA backlog again declined in June continuing a five month trend. The Office of the Administrator led the Agency's backlog reduction by a decline of 45 in June. Congratulations to Region 1 for an end of month backlog of 0. Region 8 is the only office that had no backlog at the end of May.

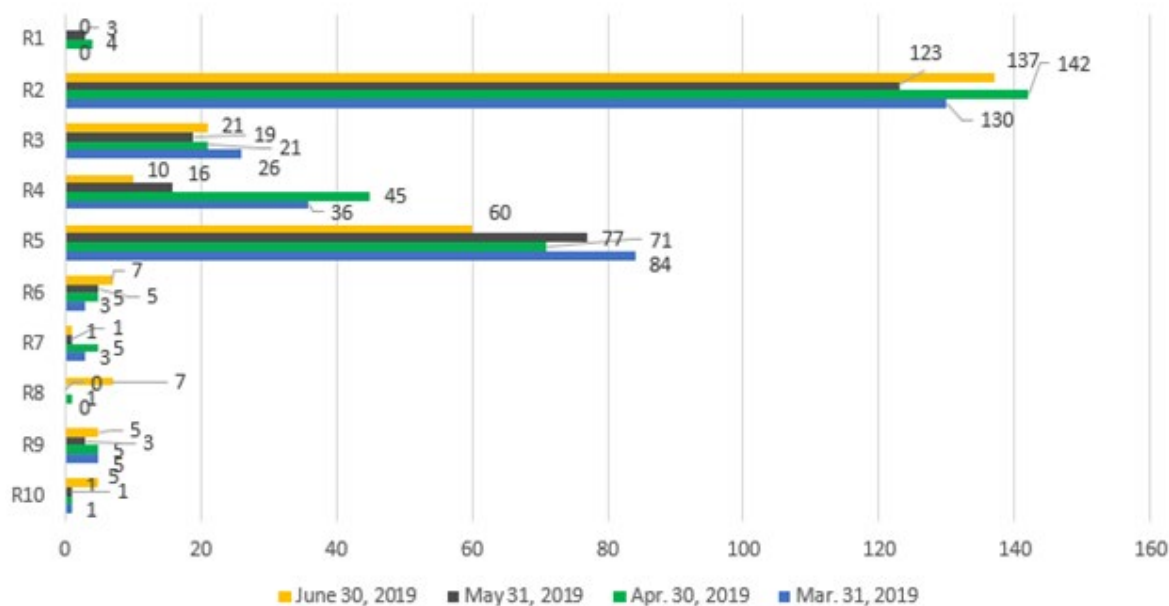
The Backlog in a few offices increased in May. Overall, the Agency remains behind on its goal of reducing the FOIA backlog this fiscal year and, therefore, we need continued effort by all. A few offices were affected by a delay in processing tasks in another office -- we are working with the FOIA Officers and Coordinators to reduce those situations.

The backlog in the Administrator's Office was 1,259 at the end of June, which is down from 1,304 at the end of May, (and 1,354 at the end of April, and 1,405 at the end of March and 1,455). The Agency's backlog was 2,348 at the end of June 2019, the second consecutive month that the Agency's backlog was lower than it was at the beginning of the fiscal year.

Headquarters FOIA Backlog as of June 30, 2019



Regional FOIA Backlog as of June 30, 2019



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The February data in this report was produced from FOIAonline on March 1, 2019; the March data on April 1, 2019; the April data on May 1, 2019, and the May data on Monday, June 3, 2019. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, Robin](#); [White, Elizabeth](#); [Packard, Elise](#); [Cozad, David](#); [Gottesman, Larry](#); [Leopold, Matt](#) (OGC); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#)
Subject: August 2019 EPA FOIA Backlog Report
Date: Thursday, August 8, 2019 9:40:28 AM

Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of July, June, May, and April.

The Agency's overall FOIA backlog again declined in July continuing a six month trend. At the end of July, the Agency had a FOIA backlog of 2,272, down 76 from the end of June. The Office of the Administrator again led the Agency's backlog reduction by a decline of 43 in June. Congratulations to Region 8 for an end of July backlog of 0 and to Region 3 by reducing your backlog by more than 50% in July.

The Backlog in a few offices increased in July. Overall, the Agency remains behind on its goal of reducing the FOIA backlog this fiscal year to 1,902 by the end of September. We must reduce the backlog by an additional 280 to achieve our FY 2019 goal. We need continued effort by all.

FY 2020 Office-specific Goals

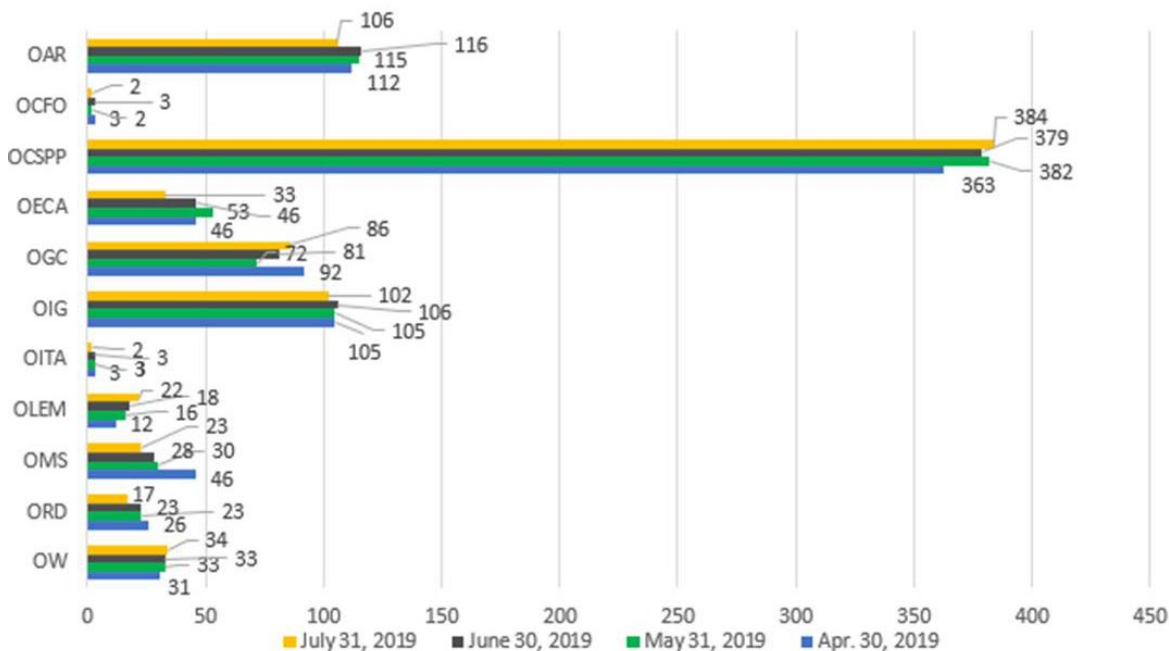
The Agency has set its goal to reduce the FOIA backlog to 1,269 by the end of FY 2020. To achieve that goal, in FY 2020, all headquarters program offices and all regions must have in place and measure progress towards an office- or region-specific goal. The goal and your progress towards it will be reflected in the monthly bowling charts.

During the Month of September, I will reach out to all offices and regions to discuss with you the setting of your office- or region-specific FOIA backlog reduction goal. One approach would be for us to use an agency-wide approach that applies the same percentage reduction to all offices and regions. While that approach would be uniform and easy to apply (and we may choose to use it), it would not take into account unique circumstances or provide the opportunity for an office or region to get credit for setting a more aggressive goal. Thus, please carefully consider how your office or region can contribute to help the Agency achieve its FY 2020 goal and be prepared to discuss your plans with me in September. (For the 14 months between the end of July and the end of FY 2020, the Agency must reduce the backlog by an average of 84 each month to achieve the goal.)

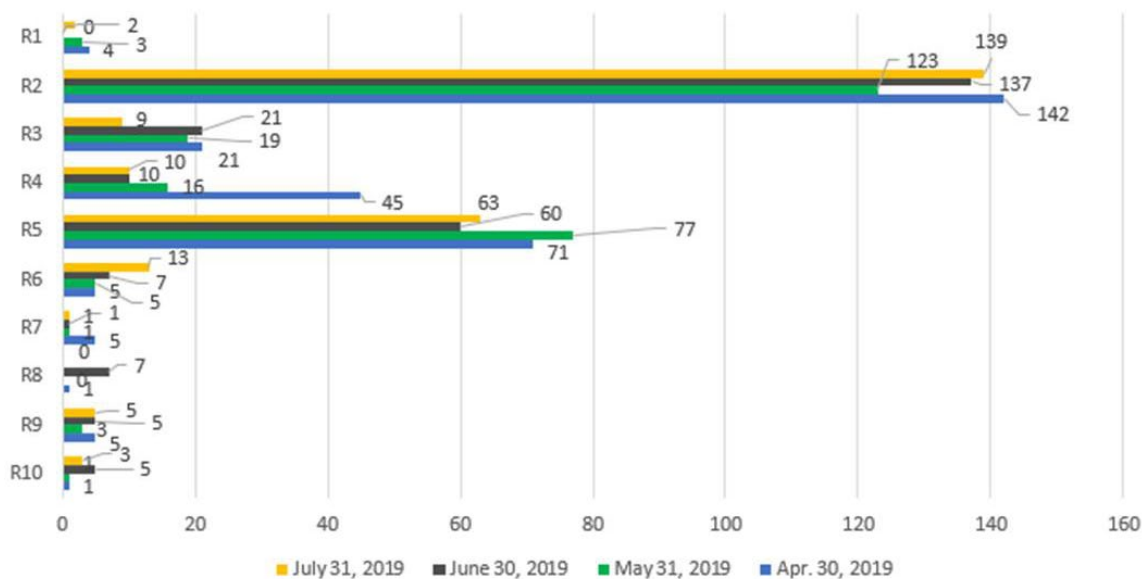
July Backlog Data

The backlog in the Administrator's Office was 1,216 at the end of July, which is down from 1,259 at the end of June (and 1,304 at the end of May and 1,354 at the end of April). The Agency's backlog was 2,272 at the end of July 2019, which was the third consecutive month that the Agency's backlog was lower than it was at the beginning of the fiscal year.

Headquarters FOIA Backlog as of July 31, 2019



Regional FOIA Backlog as of July 31, 2019



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The April data in this report was produced from FOIAonline on May 1, 2019, and the May data on Monday, June 3, 2019; the June data on July 1, and the July data on August 1. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional Counsel Contacts](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [FOIA Coordinators](#); [FOIA Officers](#)
Cc: [Brazauskas Joseph](#); [Grantham Nancy](#); [Richardson RobinH](#); [White Elizabeth](#); [Packard Elise](#); [Cozad David](#); [Gottesman Larry](#); [Leopold Matt \(OGC\)](#); [Siciliano CarolAnn](#); [OGC NFO](#); [Hoverman Taylor](#); [Willey Katharine](#)
Subject: September 2019 EPA FOIA Backlog Report
Date: Thursday, September 5, 2019 10:08:21 AM

Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of August, July, June, and May.

The Agency's overall FOIA backlog increased in August, ending a six month downward trend. At the end of August, the Agency had a FOIA backlog of 2,289, up 17 from the end of July. The backlog in the Office of the Administrator increased by 8 in August, to a total of 1,224. Congratulations to OCFO and Region 1 for an end of August backlog of 0, and congratulations to Region 2 for reducing your backlog by 15 in August.

The Backlog in a few offices increased, a few substantially. Overall, the Agency remains behind on its goal of reducing the FOIA backlog this fiscal year. Our goal is to reduce the backlog to 1,902 by the end of September. We must reduce the backlog by an additional 297 this month to achieve our FY 2019 goal. We need continued effort by all.

FY 2020 Office-specific Goals

The Agency set its goal to reduce the FOIA backlog to 1,269 by the end of FY 2020. This goal was set at a 50% reduction from the backlog that existed in April 2018 (the FY 2019 goal is to reduce by 25% backlog that existed in April 2018). While the Agency made progress towards reducing the backlog, much work remains.

To achieve the FY 2020 goal, all headquarters program offices and all regions must have in place and measure progress towards an office- or region-specific goal in FY 2020. The office- and region-specific goal and your progress towards it will be reflected in the monthly bowling charts.

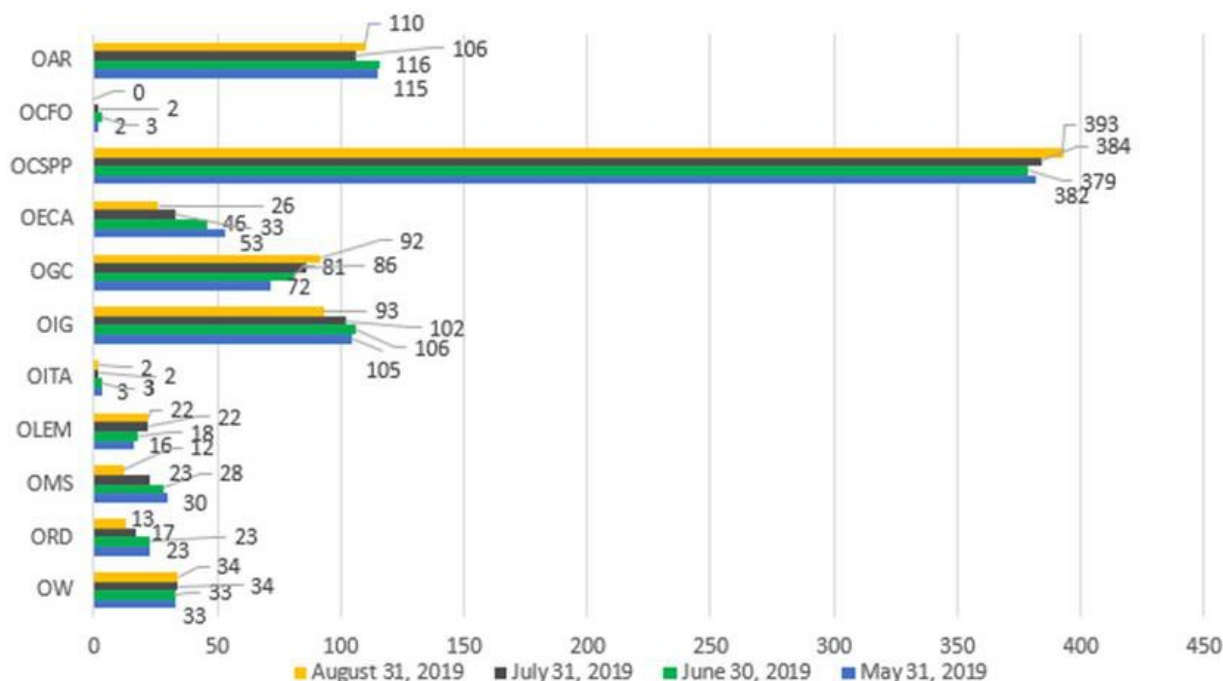
This month, I will reach out to all offices and regions to discuss with you the setting of your office- or region-specific FOIA backlog reduction goal. By including September 2019 in the calculations, the Agency must reduce its FOIA backlog by 79 in each of the next 13 months and each office must reduce its backlog by 3.5% per month if a uniform goal is used by all.

A uniform percentage reduction across the whole agency would be easy to apply, although it might not take into account unique circumstances or provide the opportunity for an office or region to get credit for setting a more aggressive goal. For example, those offices with a current FOIA backlog of less than 10 could easily commit to eliminate the backlog entirely. Please carefully consider how your office or region can contribute to help the Agency achieve its FY 2020 goal and be prepared to discuss your plans with me in the next few weeks. All offices must eliminate their backlog by 2022.

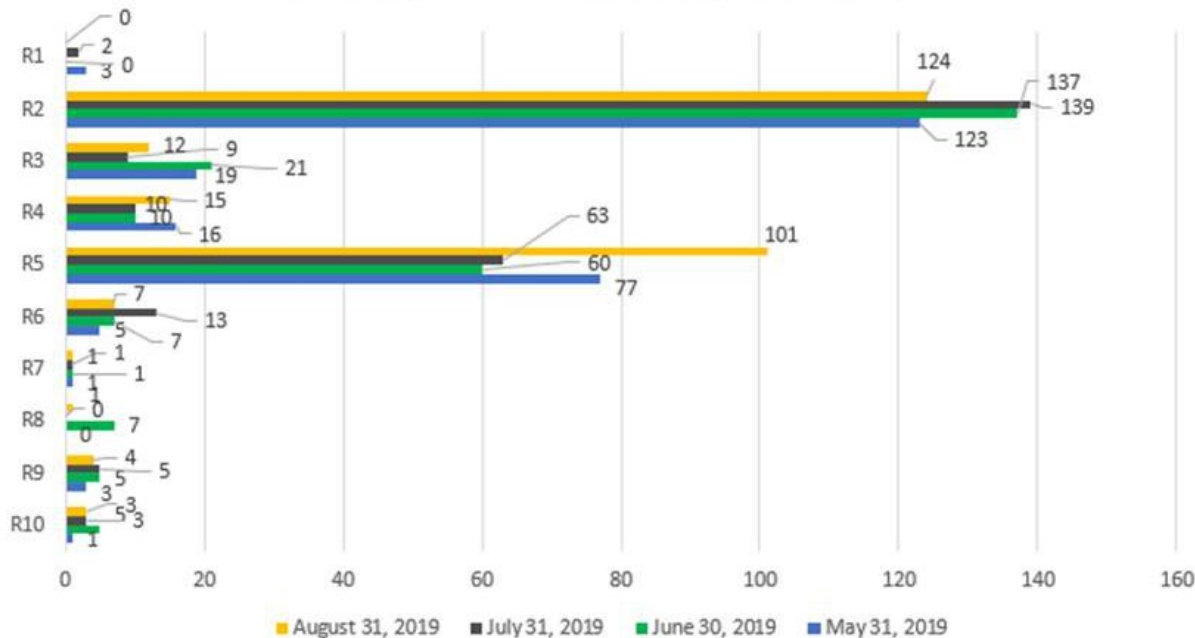
July Backlog Data

The backlog in the Administrator's Office was 1,224 at the end of August, which was up from 1,216 in July (and down from 1,259 at the end of June and 1,304 at the end of May). The Agency's backlog was 2,289 at the end of August 2019, which was the fourth consecutive month that the Agency's backlog was lower than it was at the beginning of the fiscal year.

Headquarters FOIA Backlog as of August 31, 2019



Regional FOIA Backlog as of August 31, 2019



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month and for which an extension was not documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The April data in this report was produced from FOIAonline on Monday, June 3, 2019; the June data on July 1, the July

data on August 1, and the August data on September 2. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Willey, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#)
Subject: October 2019 EPA FOIA Backlog Report
Date: Friday, October 4, 2019 10:16:17 AM
Attachments: [image005.png](#)
[image007.png](#)

Colleagues,

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of September, August, July, and June.

The Agency's overall FOIA backlog resumed its downward trend in September after a modest increase in August. At the end of September, the Agency had a FOIA backlog of 2,153, down 136 from August (which was up 17 from the end of July). The backlog in the Office of the Administrator also declined by 31 at the end of September to a total of 1,193.

Congratulations to OCFO and Regions 1, 8 and 10 for an end of September backlog of 0. Congratulations also to OCSPP, OGC, and Regions 2 and 5 for reducing your backlog by 10 or more in September (notably, Region 5 eliminated an anomalous spike in August and also reduced by 10 from July). Nearly all offices reduced their backlog.

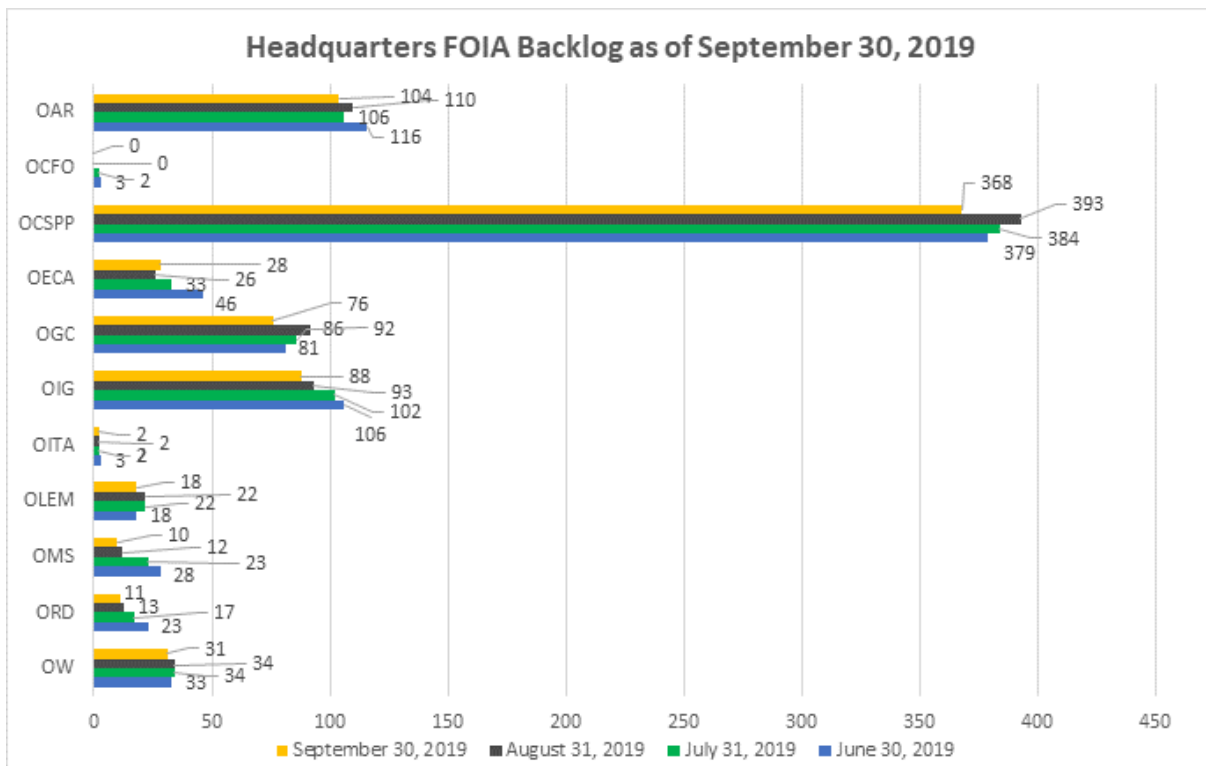
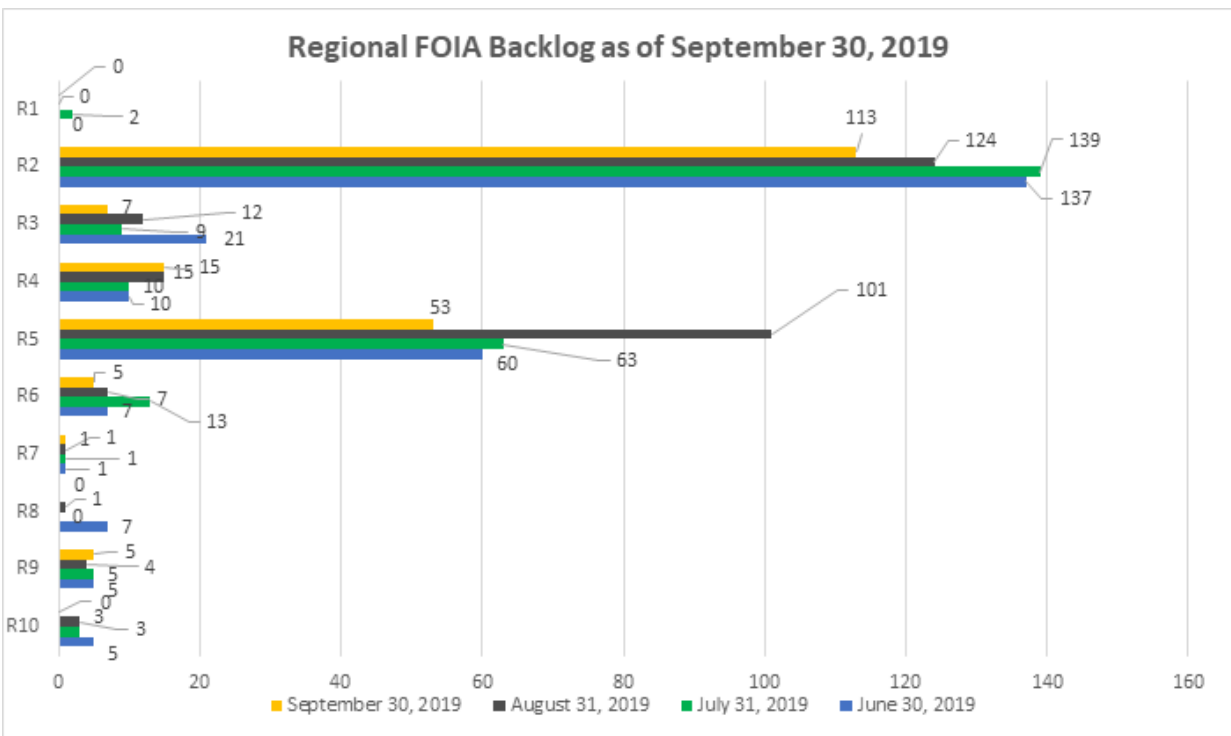
Overall, the Agency ended the fiscal year behind on its goal of reducing the FOIA backlog to 1,902, which would have been a 25% reduction from the backlog as it existed in April 2018. The Agency's goal for FY 2020 is to reduce the FOIA backlog to 1,269, or 50% of the backlog as it existed in April 2018.

FY 2020 Office-specific Goals

Thank you to all offices that have communicated with me regarding your office- or region-specific goals for FY 2020 to support the agency-wide goal to reduce the backlog to 1,269 at the end of FY 2020. All offices and regions are required to have targets to support this agency-wide goal. The office- and region-specific goal and your progress towards it will be reflected in the monthly bowling charts, which are being migrated to the BFS Performance Module.

September Backlog Data

The backlog in the Office of the Administrator was 1,193, at the end of September, which was down from 1,224 at the end of August (1,216 at the end of July, and 1,259 at the end of June). The Agency's backlog was 1,153 at the end of September, which was down from 2,289 at the end of August 2019.



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not

take into account unusual circumstances or extensions document in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The June data in this report was generated from FOIAonline on July 1, the July data on August 1, the August data on September 2, and the September data on October 2. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James \(Jim\)](#); [Grzegorzewski, Nicholas](#)
Subject: November 2019 EPA FOIA Backlog Report
Date: Wednesday, November 6, 2019 2:47:02 PM
Attachments: [image001.png](#)

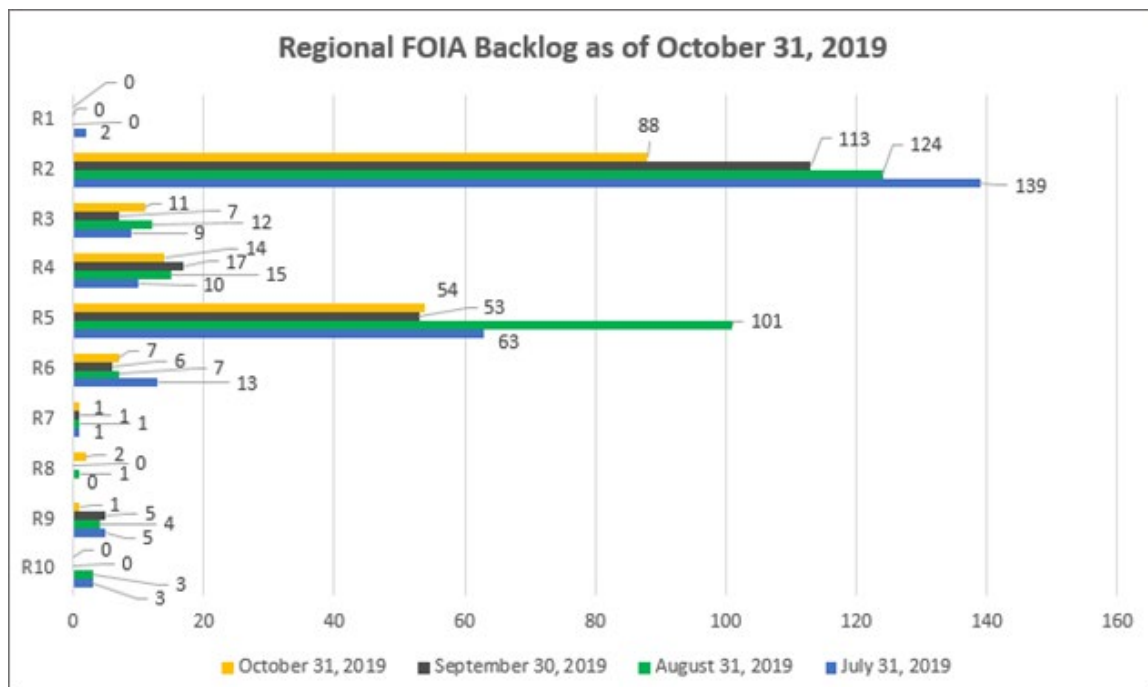
Colleagues,

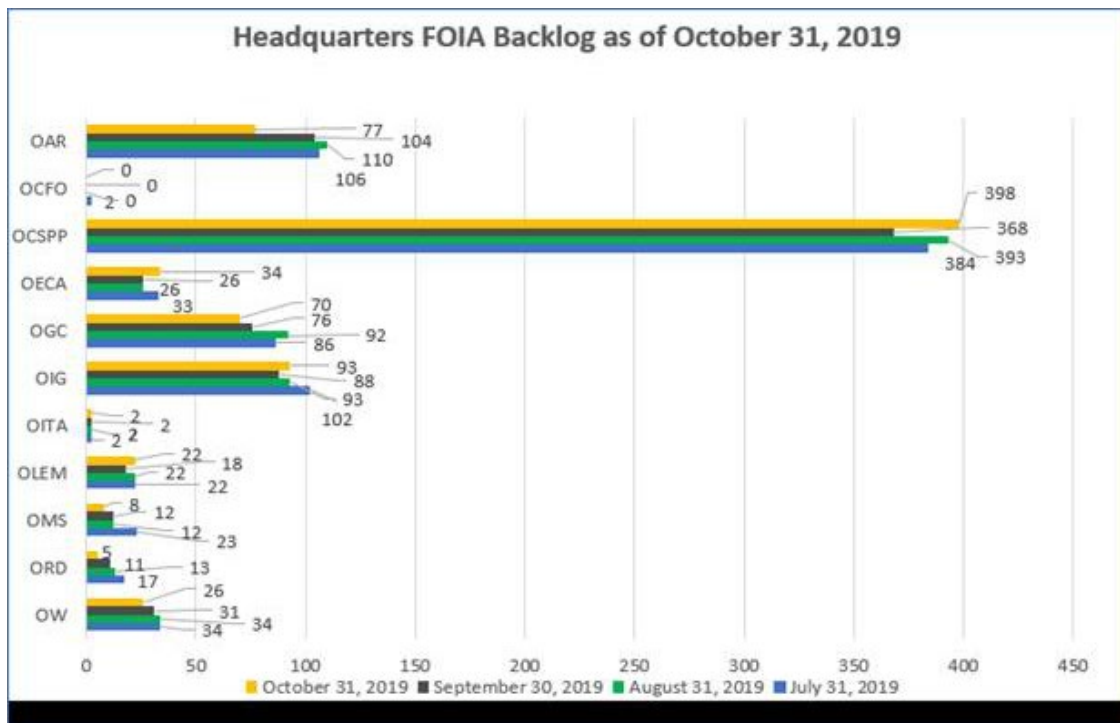
The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of October, September, August, and July.

The Agency's overall FOIA backlog was the same in October as it was at the end of September. Several offices made significant progress in their backlog reduction efforts.

Congratulations to OAR and Region 2 for reducing your backlog significantly by 25 or more in October. Congratulations to OCFO and Regions 1 and 10 for no backlog at the end of October.

At the end of October, the Agency had a FOIA backlog of 2,128, which was the same as the end of September. The backlog in the Office of the Administrator declined at the end of September to a total of 1,191.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. The Agency total backlog for this report includes 24 FOIA requests awaiting clarification or otherwise not assigned to a program or region for response. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or extensions document in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The July data in this report was generated from FOIAonline on August 1, the August data on September 2, the September data on October 2, and the October data on November 4. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Subject: December 2019 EPA FOIA Backlog Report
Date: Thursday, December 5, 2019 8:02:51 AM

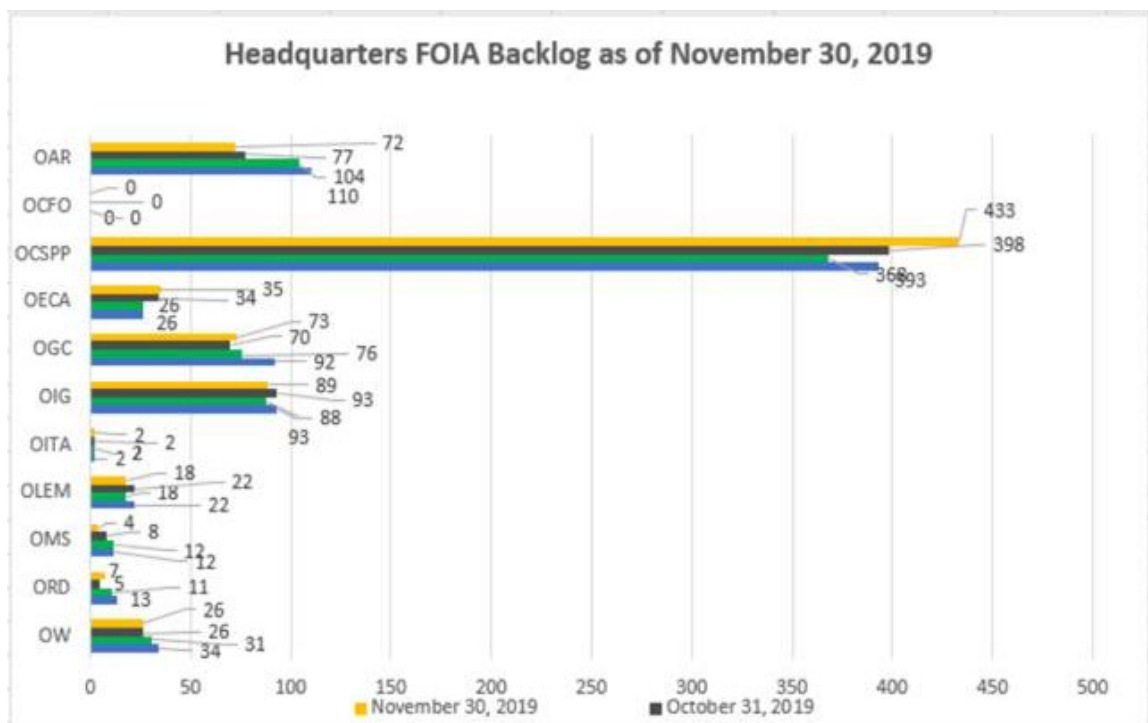
Colleagues,

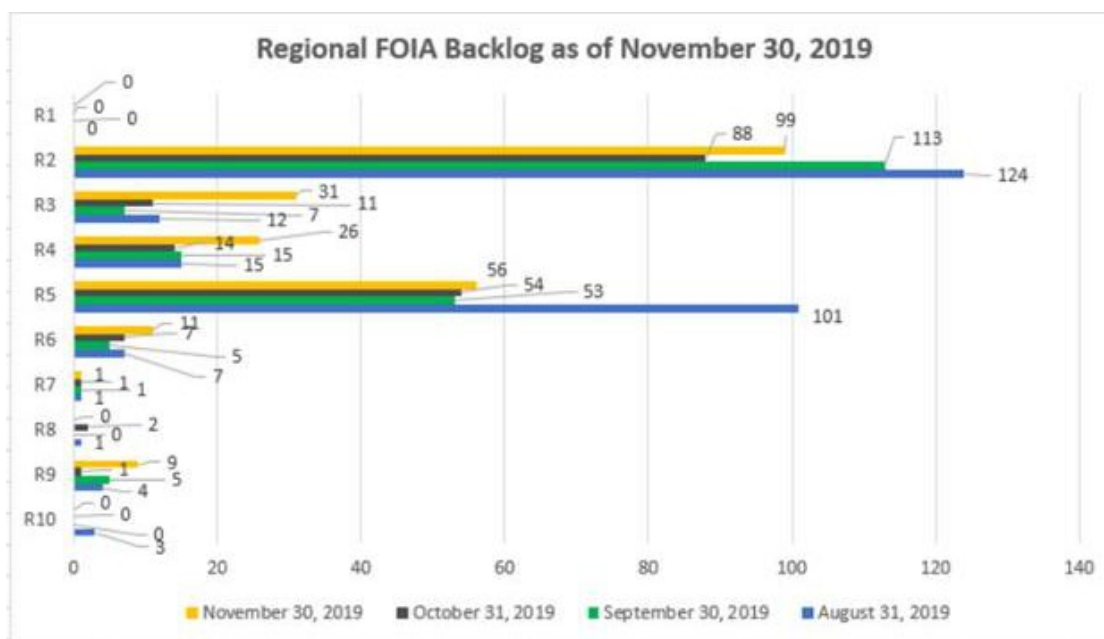
The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of November, October, September, and August.

The Agency's overall FOIA backlog increased by 94 during November. Several offices saw significant increases in their FOIA backlog. No office achieved a significant reduction this month.

Congratulations to OCFO and Regions 1 and 10 for sustaining no backlog for at least two months.

At the end of October, the Agency had a FOIA backlog of 2,222. The backlog in the Office of the Administrator declined at the end of September to a total of 1,195, up by 4 from October.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. The Agency total backlog for this report includes 35 FOIA requests awaiting clarification or otherwise not assigned to a program or region for response. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or extensions document in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The August data in this report was generated from FOIAonline on September 2; the September data on October 2, the October data on November 4, and the November data on December 2. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Subject: January 2020 EPA FOIA Backlog Report
Date: Wednesday, January 8, 2020 10:36:55 AM
Attachments: [image005.png](#)
[image007.png](#)

Colleagues, Happy New Year!

The charts below show the FOIA backlog in the headquarters program offices and the regions at the end of December, November, October, and September.

The Agency's overall FOIA backlog decreased by 33 during December. Congratulations to the offices with no backlog this month – Regions 1, 8, 9, and 10, and OMS and OCFO (and congratulations to OCFO and Region 10 for sustaining a zero backlog for four consecutive months). And, congratulations to both Regions 3 and 4 for effectively tackling a one-time substantial backlog increase in the prior month. Now, all must redouble our efforts to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year.

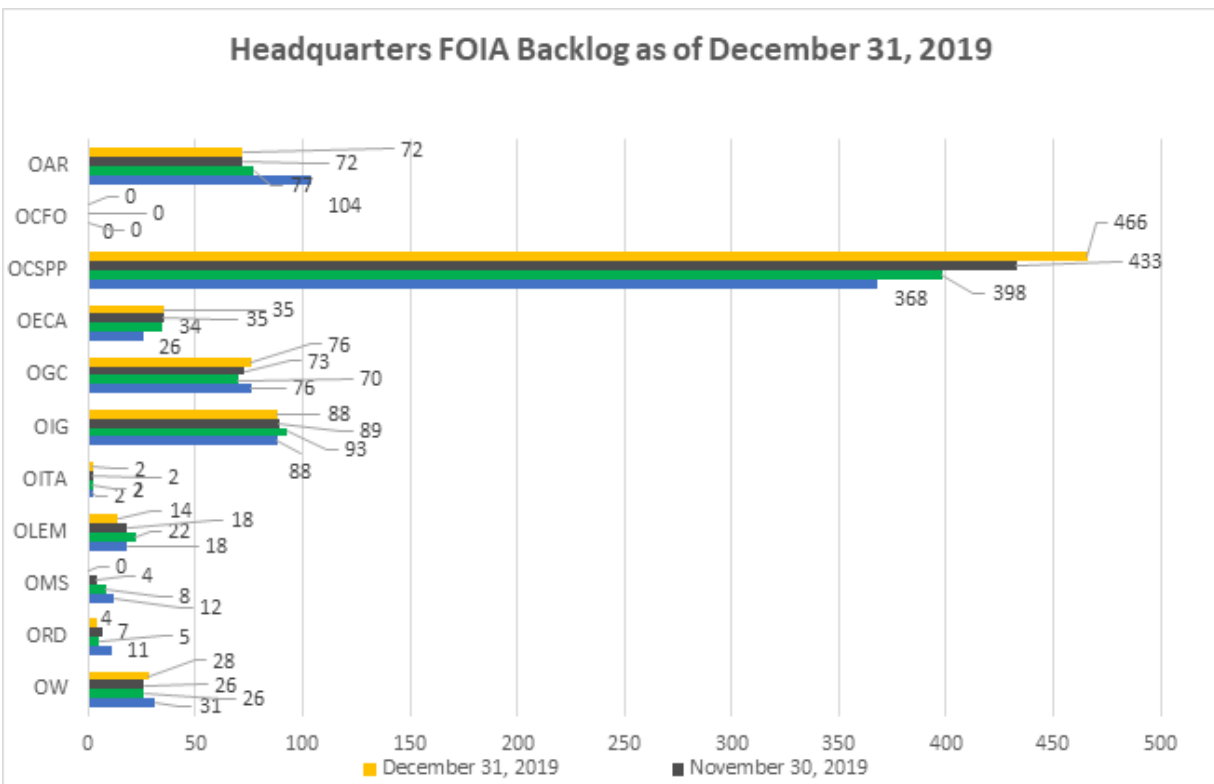
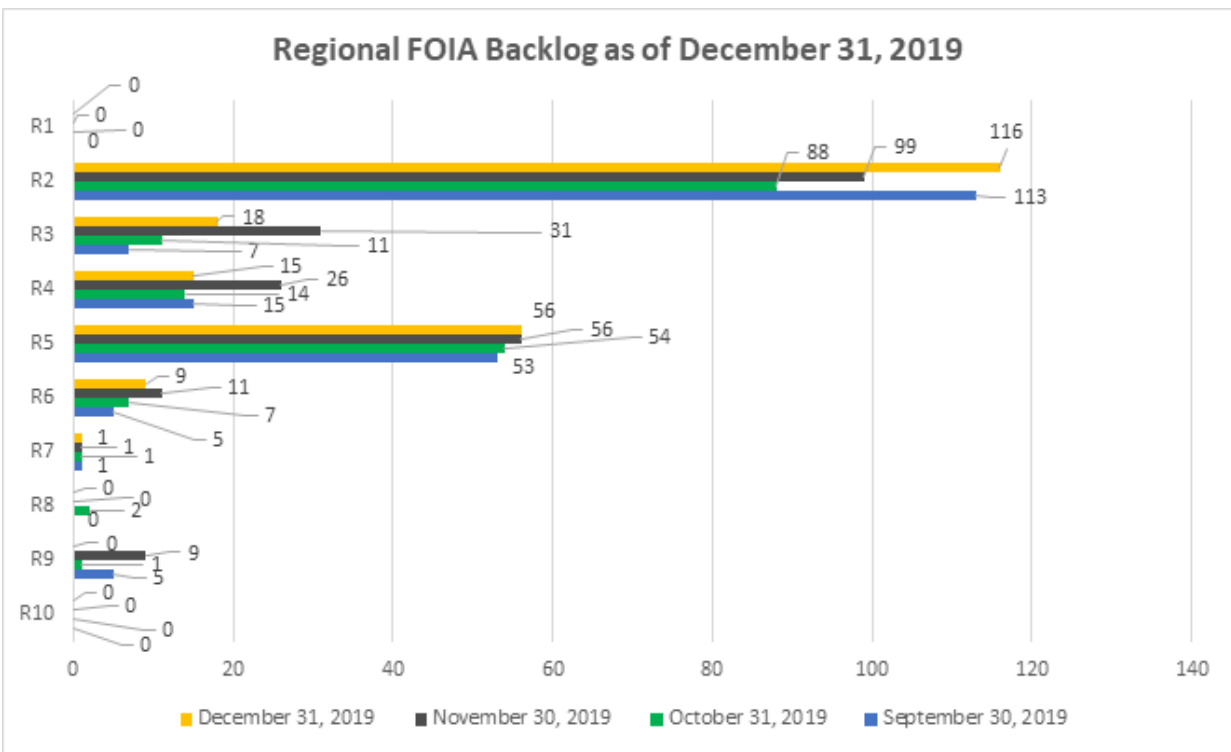
At the end of December, the Agency had a FOIA backlog of 2,189, a reduction of 28 from the prior month.

Data Review this Fiscal Year

The National FOIA Office plans to review and audit the data in FOIAonline during this fiscal year. Currently, our measure of the backlog takes into account the original 20 working days allowed by the statute as well as due date extensions of 10 days for unusual circumstances and due date extensions by agreement with requesters. The NFO will audit the information recorded in these fields in FOIAonline and work with program and region offices to ensure that the recorded due date extensions are supported by information in the FOIAonline record.

The NFO will also audit and work with program and region offices to ensure record support for tolling of the due date for the one-time allowed for clarification of requests and for seeking fee assurances as well as record support for communication with requesters about unusual circumstances requiring longer than 30 working days, even without the requester's agreement.

When the Agency is confident with the data and record support in FOIAonline, we intend to adjust the backlog reporting to reflect when offices have accurately used the flexibility provided in the statute for communicating with requesters about due date extensions and tolling of the response time. With full support from all offices, our goal is to complete this adjustment prior to the end of the fiscal year.



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. The Agency total backlog for this report includes FOIA requests awaiting clarification or otherwise not assigned to a program or region for response. Please note that this definition of the backlog is different from the definition required

for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The September data in this report was generated from FOIAonline on October 2; the October data on November 4; the November data on December 2; and the December data on January 2, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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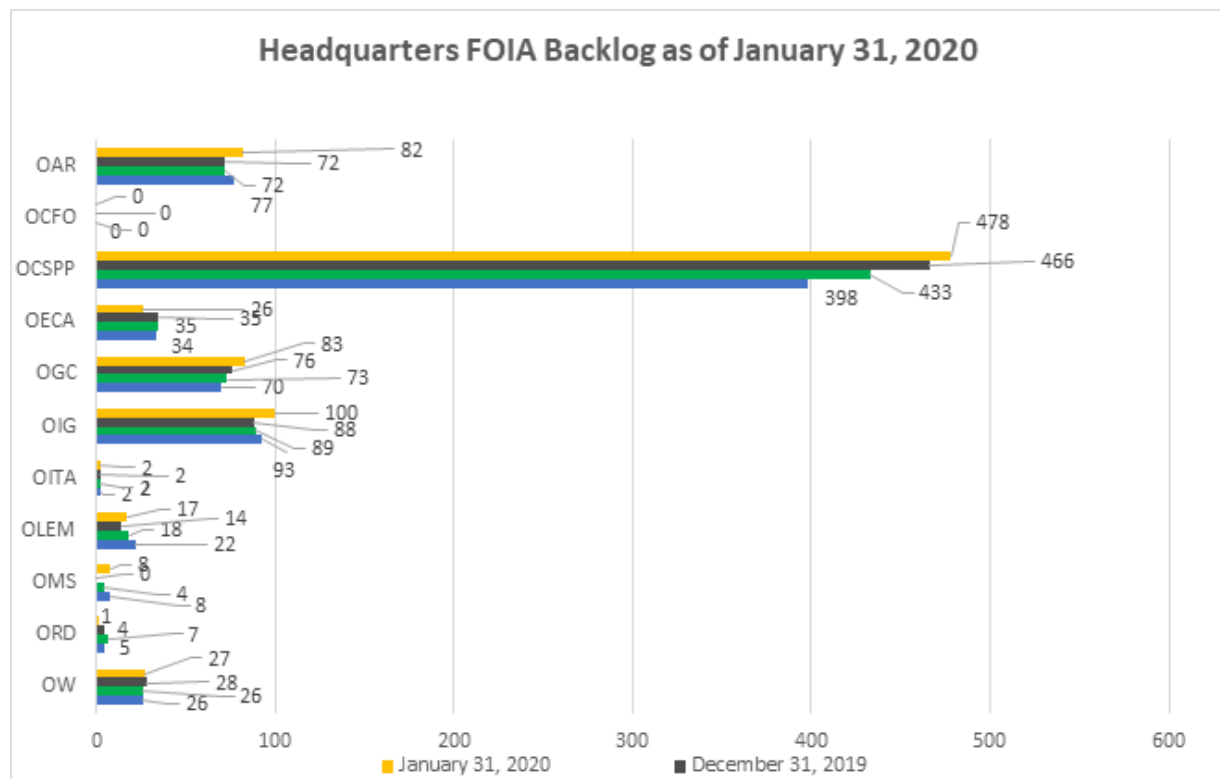
From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Willey, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: February 2020 EPA FOIA Backlog Report
Date: Monday, February 3, 2020 4:34:17 PM
Attachments: [image002.png](#)
[image007.png](#)

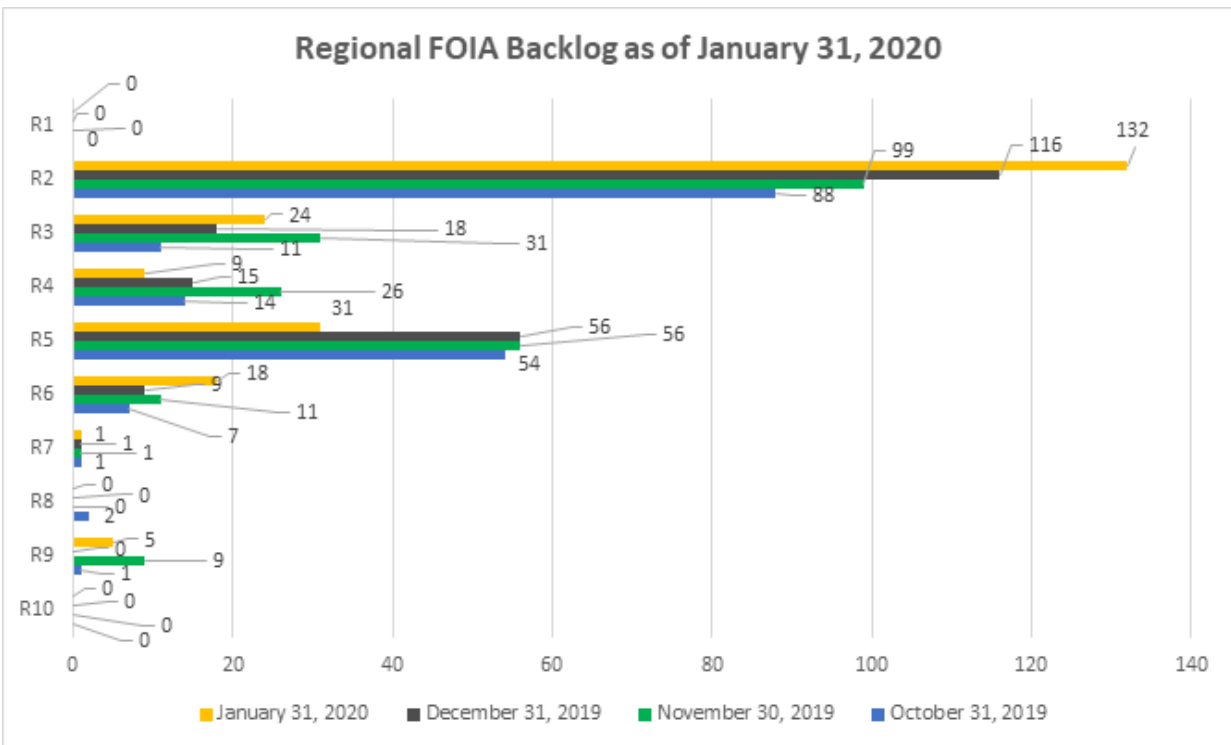
Colleagues,

The charts below show the FOIA backlog in the EPA headquarters program offices and the regions at the end of January, December, November, and October. The Agency's overall FOIA backlog increased in January to 2,236.

Congratulations to the offices with no backlog this month – OCFO and Regions 1, 8, and 10 (and congratulations to OCFO and Regions 1 and 10 for sustaining a zero backlog for five consecutive months). Congratulations to Region 5 for reducing by 43% its previous 3-month backlog average. We need all to redouble our efforts to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year.

At the end of January, the Office of the Administrator had a FOIA backlog of 1,192.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency’s annual report to the Department of Justice, which does not take into account unusual circumstances or extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The October data in this report was generated from FOIAonline on November 4; the November data on December 2; the December data on January 2, 2020, and the January data on February 2, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency’s FOIA backlog and more effectively meet the Agency’s FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Willey, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: March 2020 EPA FOIA Backlog Report
Date: Wednesday, March 4, 2020 10:11:07 AM
Attachments: [image001.png](#)
[image002.png](#)

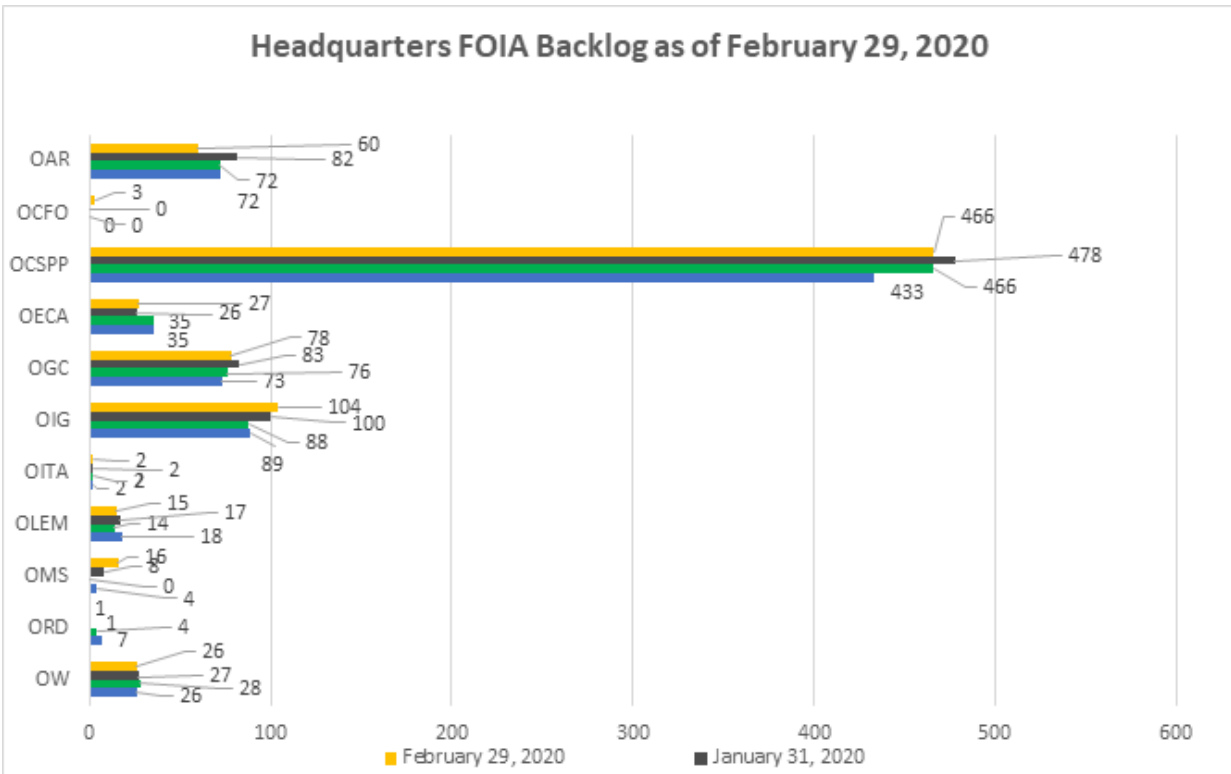
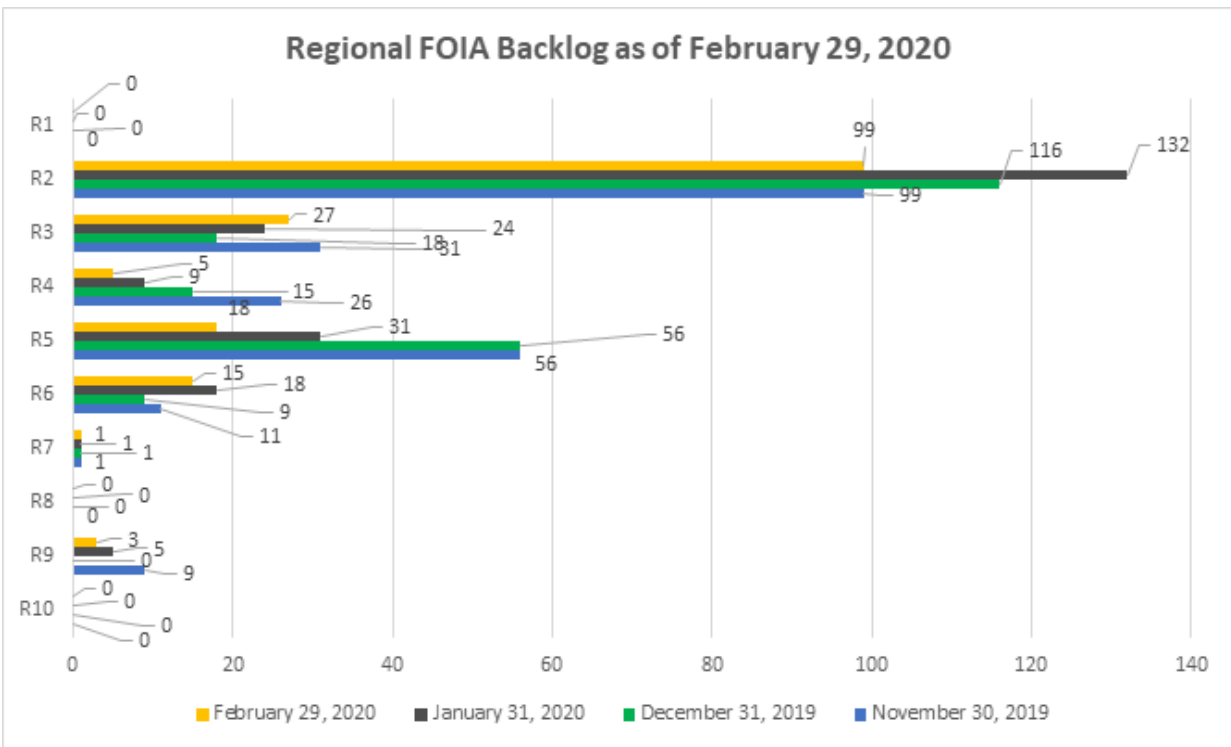
Colleagues,

The charts below show the FOIA backlog in the EPA headquarters program offices and the regions at the end of February, January, December, and November. The Agency's overall FOIA backlog decreased in February down to 2,128.

Congratulations to the offices with no backlog this month –Regions 1, 8, and 10 (and congratulations to Regions 1 and 10 for sustaining a zero backlog for six consecutive months, and to Region 8 for five consecutive months). Congratulations to Region 5 for continuing an extraordinary backlog reduction in February – Region 5 reduced its backlog by 42% in February as compared to January, which already was a 43% reduction from its previous 3-month backlog average. Also, congratulations to OAR and Region 2 for achieving a 25% backlog reduction in February as compared to January.

At the end of February, the Office of the Administrator had a FOIA backlog of 1,162, which was down from 1,192 at the end of January.

While these successes and the overall Agency backlog reduction in February is great news, all offices need to redouble efforts to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year.



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department

of Justice, which does not take into account unusual circumstances or extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The November data in this report was generated from FOIAonline on December 2; the December data on January 2, 2020; the January data on February 2, 2020; and the February data on March 1, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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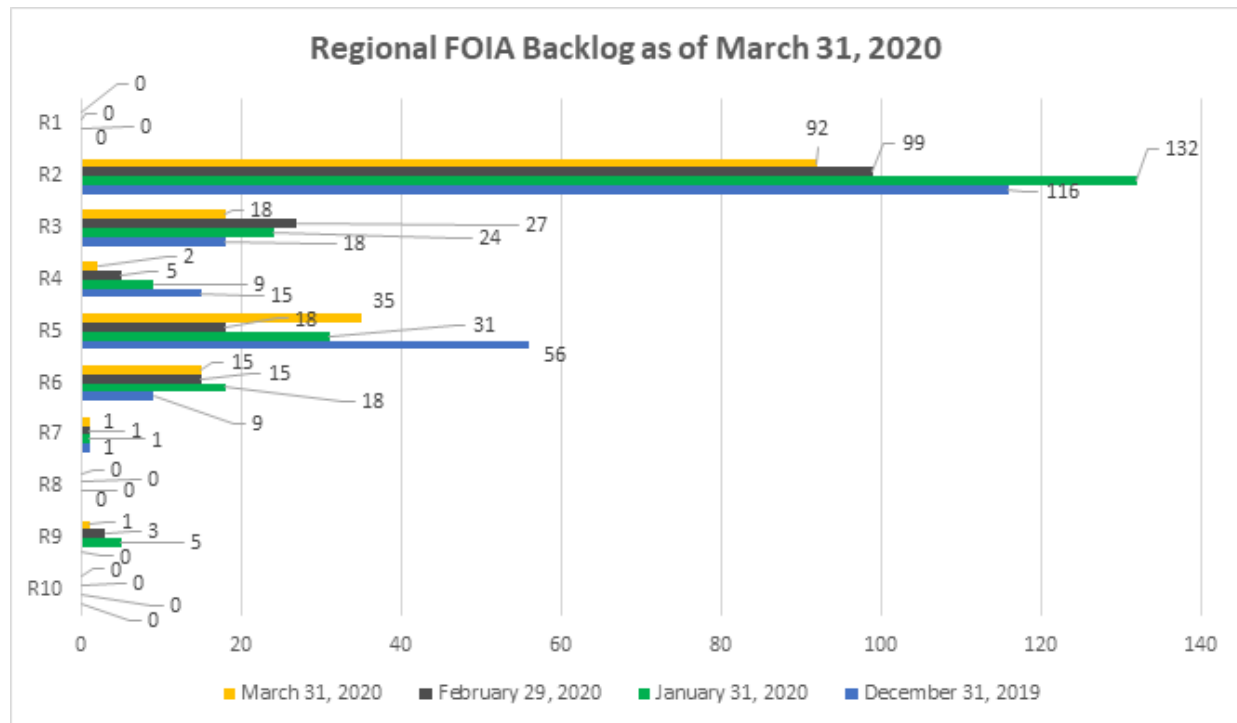
From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: April 2020 EPA FOIA Backlog Report
Date: Monday, April 6, 2020 3:17:47 PM
Attachments: [image004.png](#)
[image005.png](#)

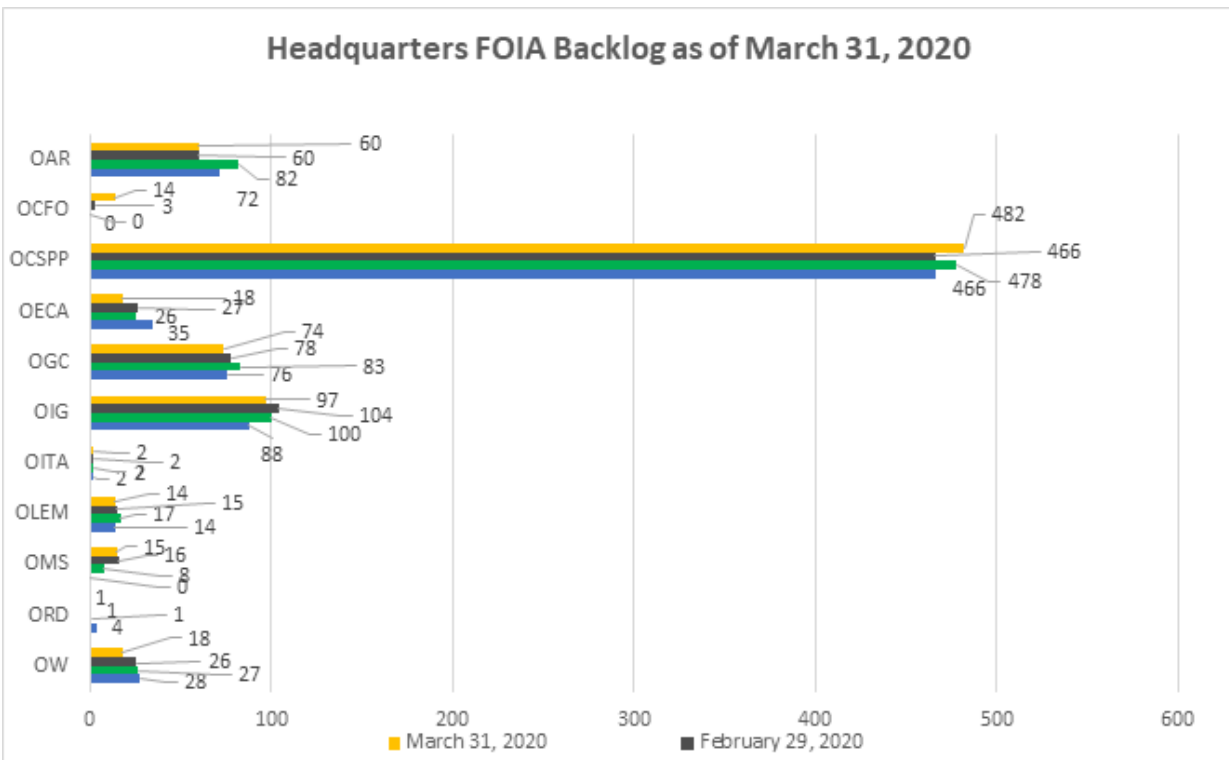
Colleagues,

The charts below show the FOIA backlog in the EPA headquarters program offices and the regions at the end of March, February, January, and December. The Agency's overall FOIA backlog decreased in March down to 2,035.

Congratulations to the offices with no backlog this month—Regions 1, 8, and 10 (and congratulations to Regions 1 and 10 for sustaining a zero backlog for seven consecutive months, and to Region 8 for six consecutive months). Also, congratulations to the Administrator's Office for reducing its backlog by 86 in March. At the end of March, the Office of the Administrator had a FOIA backlog of 1,076, which was down from 1,162 at the end of February.

While these successes and the overall Agency backlog reduction in March are great news, several offices added to their backlog in March and the Agency as a whole is behind on its targets for this fiscal year. Thus, we need continued, sustained effort over the coming months to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The December data in this report was generated from FOIAonline on January 2, 2020; the January data on February 2, 2020; the February data on March 1, 2020, and the March data on April 3 (due to malfunctioning search feature on April 1 and 2). If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators](#); [Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: RE: May 2020 EPA FOIA Backlog Report
Date: Tuesday, May 5, 2020 3:55:13 PM
Attachments: [image004.png](#)
[image005.png](#)

Colleagues, a several additional congratulations on FOIA backlog reduction:

Region 2 also deserves significant congratulations for cutting its backlog by 27 or nearly 30% this month.

And, Regions 3 and 6 also cut their backlog by more than 50% this month, and OW cut its backlog by 50% in two months.

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From: Epp, Timothy <Epp.Timothy@epa.gov>

Sent: Tuesday, May 05, 2020 3:00 PM

To: [Leadership_Assistant_Administrators](#) (b) (6)
[Leadership_Associate_Administrators](#) (b) (6)
[Leadership_Deputy_Assistant_Administrators](#) (b) (6)
[Leadership_Deputy_Associate_Administrators](#) (b) (6)
[Leadership_Deputy_Regional_Administrators](#) (b) (6)
[Leadership_Regional_Administrators](#) (b) (6)
[Deputy Regional Counsels](#) (b) (6); [Joffe, Brian](#) <Joffe.Brian@epa.gov>; [FOIA Coordinators](#), [Officers](#), and [Alternates](#) (b) (6); [Regional Counsels](#) (b) (6)

Cc: [Brazauskas, Joseph](#) <brazauskas.joseph@epa.gov>; [Grantham, Nancy](#) <Grantham.Nancy@epa.gov>; [Richardson, RobinH](#) <Richardson.RobinH@epa.gov>; [White, Elizabeth](#) <white.elizabeth@epa.gov>; [Packard, Elise](#) <Packard.Elise@epa.gov>; [Leopold, Matt \(OGC\)](#) <Leopold.Matt@epa.gov>; [Siciliano, CarolAnn](#) <Siciliano.CarolAnn@epa.gov>; [OGC NFO](#) <OGC-NFO@epa.gov>; [Hoverman, Taylor](#) <hoverman.taylor@epa.gov>; [Wiley, Katharine](#) <wiley.katharine@epa.gov>; [Payne, James](#) <payne.james@epa.gov>; [Grzegozewski, Nicholas](#) <Grzegozewski.Nicholas@epa.gov>; [Payne, James](#) <payne.james@epa.gov>

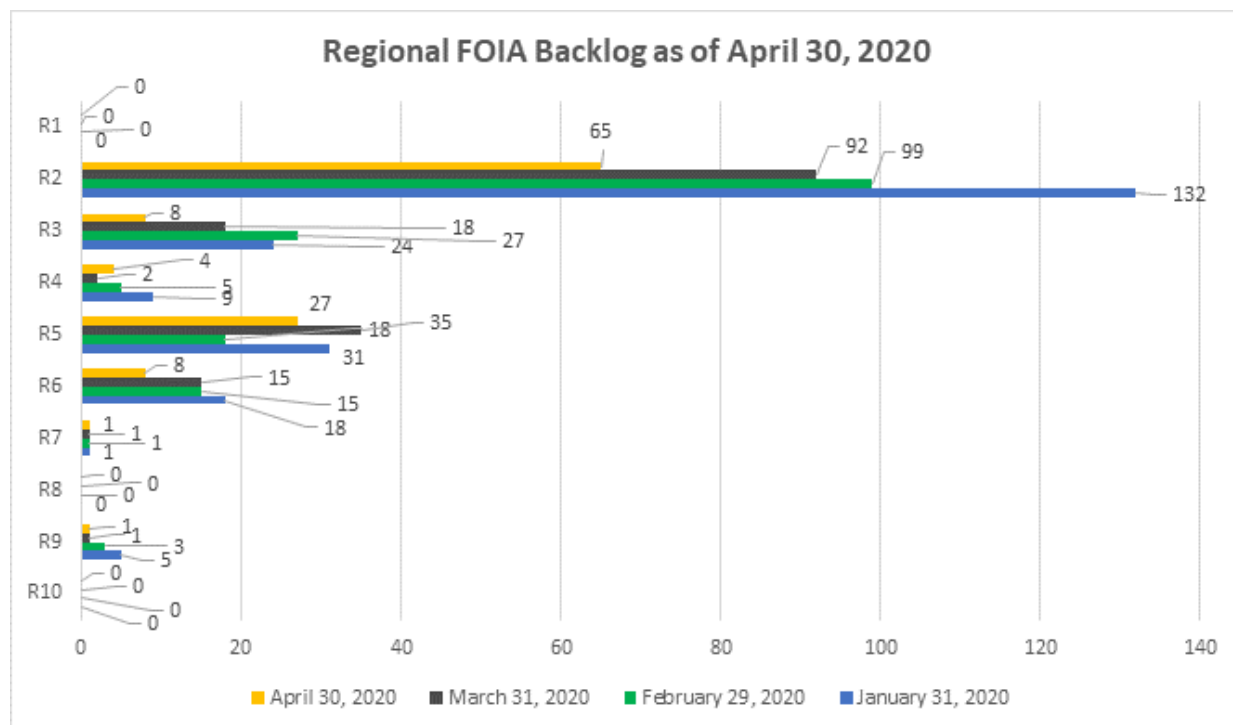
Subject: May 2020 EPA FOIA Backlog Report

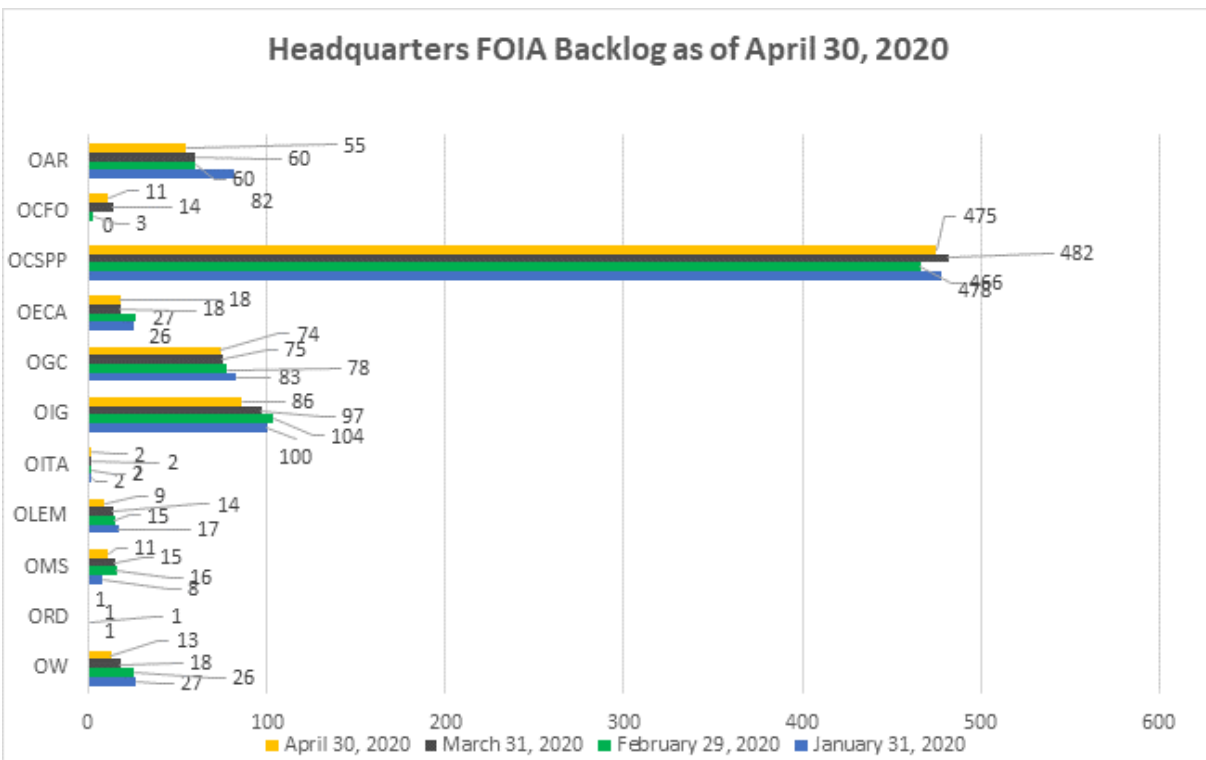
Colleagues,

The charts below show the FOIA backlog in the EPA headquarters program offices and the regions at the end of April, March, February, and January 2020. The Agency's overall FOIA backlog decreased in March down to 1,846. This is down 13% from the beginning of the fiscal year, when the backlog stood at 2,128. Let's keep this trend going!

Congratulations to the offices with no backlog this month –Regions 1, 8, and 10 (and congratulations to Regions 1 and 10 for sustaining a zero backlog for eight consecutive months, and to Region 8 for seven consecutive months). Also, congratulations to the Administrator's Office for reducing its backlog by 98 in April. At the end of April, the Office of the Administrator had a FOIA backlog of 978, which the first time below 1,000 in many years.

While these successes and the overall Agency backlog reduction in April are great news, the Agency as a whole is still behind on its targets for this fiscal year. Thus, we need continued, sustained effort over the coming months to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year.





For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The January data in this report was generated from FOIAonline on February 2, 2020; the February data on March 1, 2020, the March data on April 3 (due to malfunctioning search feature on April 1 and 2), and the April data on May 1, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: Corrected June 2020 EPA FOIA Backlog Report
Date: Wednesday, June 3, 2020 8:57:21 AM
Attachments: [Announcing 2020 National FOIA Leadership Academy.msg](#)
[image006.png](#)
[image007.png](#)

Colleagues,

This report corrects a mistake in filters used in the data for the Regions, which caused 12 FOIA requests to be counted as backlogged when they should not have been. Although modest for the Agency's overall numbers, this is significant for a few offices that justifiably take pride in their low backlog. Thus, I am re-issuing the report to show their accomplishments.

The revised charts below show the FOIA backlog in EPA headquarters program offices and the regions at the end of May, April, March, and February 2020. The Agency's overall FOIA backlog decreased in May down to 1,767 from 1,846 at the end of April. This is down 17% from the beginning of the fiscal year, when the backlog stood at 2,128. Let's keep this trend going!

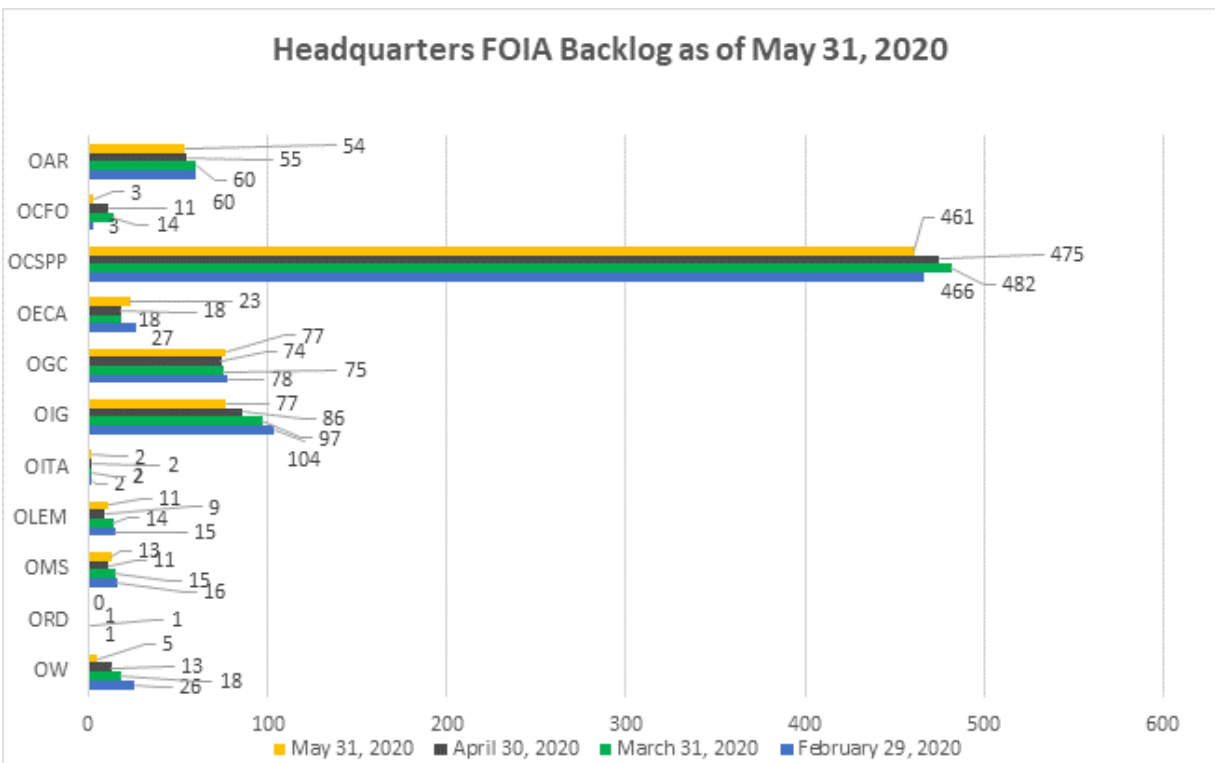
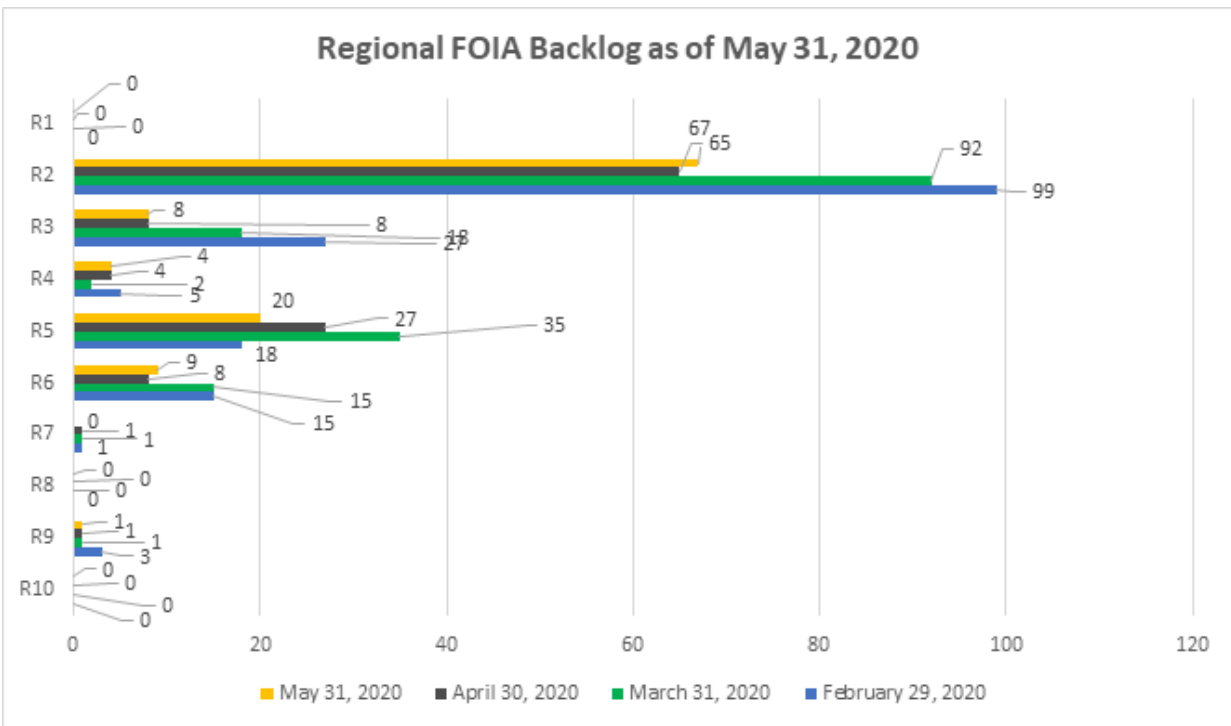
Congratulations to the offices with no backlog this month – ORD and Regions 1, 7, 8, and 10 (and congratulations to Regions 1 and 10 for sustaining a zero backlog for nine consecutive months, and Region 8 for a zero backlog for eight consecutive months). Also, congratulations to the Administrator's Office for reducing its backlog by 47 in May and 231 since February. At the end of May, the Office of the Administrator had a FOIA backlog of 931. Congratulations to OW for reducing its backlog by 75% since February and OCFO for reducing by nearly 75% this month. And, congratulations to the OIG for reducing its backlog by 25% over the last four months. OCSPP contributed by reducing its backlog by 14 this month.

These successes and the overall Agency backlog reduction is great news and, nevertheless, we need continued, sustained effort over the coming months to achieve the Agency-wide and office-specific backlog reduction goals by the end of the fiscal year. We can do it -- keep these trends going!

2020 FOIA Leadership Academy Training Conference

Attached is the email announcing the 2020 FOIA Leadership Academy training conference to be held in September. EPA FOIA leaders will learn new developments, share best practices, and build their knowledge to manage EPA's FOIA processing, and to ensure EPA's appropriate and timely response to FOIA requests. Please support this important FOIA leadership training by ensuring nomination of your office's current and emerging FOIA leaders.

FOIA Backlog Data



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month, more than 30 days for unusual circumstances, and for which there was not an agreed extension documented in the FOIAonline tracking system. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum,

Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The February data in this report was generated from FOIAonline on March 1, 2020, the March data on April 3 (due to malfunctioning search feature on April 1 and 2), the April data on May 1, and the May data on June 1, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [EPA FOIA Community](#); [Bressant, Janet](#); [Furlow, Calvin](#); [McBride, Sharon Y](#); [Sirmons, Chandler](#); [Cestone, Paul](#); [Cheatham, Tony](#); [Frazier, Sharon](#); [Williamson, Tracy](#); [Graham, Cheryl](#); [Jefferson, Tricia](#); [Bradley, Megan](#); [McCray, Pamela](#); [Brady, Wanda](#); [Lupton, Jane](#); [Holwerda, Sharon](#); [Broussard, Christine J.](#); [Ramadhin, Lee](#); [Robinson, Milton](#); [Stallworth.deirde@epa.gov](#); [Gardner, Allison](#); [Raut, Leena](#); [Herrrema.jeffrey@epa.gov](#); [Friedman.danap@epa.gov](#); [Clark, Jacqueline](#); [Delorenzo, Thomas](#); [Holmes, Carol](#); [Albano, Emily](#); [Work, Nathaniel](#); [Allen, Robin](#); [Gregory, John](#); [Scully, Carolyn](#); [Thompson, BrianK](#); [Fisher, Mike](#); [Canzler, Erica](#); [Taylor, Jessica](#); [OGC RCs and DRCs](#)
Cc: [Packard, Elise](#); [Blake, Wendy](#); [Miller, Kevin](#); [Kelly, Lynn](#); [Youngblood, Charlotte](#)
Subject: Announcing 2020 National FOIA Leadership Academy
Date: Tuesday, June 2, 2020 2:12:00 PM
Attachments: [image001.jpg](#)
[2020 National FOIA Leadership Academy Interim Working Agenda.docx](#)

Colleagues,

OGC's National FOIA Office and General Law Office are excited to announce the *2020 National Freedom of Information Act (FOIA) Leadership Academy* to be held September 15-17 & 22, 2020. **Please identify and nominate your FOIA leaders – FOIA Officers, Coordinators, Attorneys, and other leaders including emerging leaders – to participate in this distance learning conference.**

The Leadership Academy conference is for FOIA leaders throughout EPA to increase their capacity to lead regional and headquarters FOIA Programs. EPA FOIA leaders will learn new developments, share best practices, and build their knowledge to manage EPA's FOIA processing, and to ensure EPA's appropriate and timely response to FOIA requests. EPA's National FOIA Leadership Academy will help your office to:

- *Respond effectively and efficiently to FOIA requests.* EPA's FOIA Officers, Coordinators, Attorneys, and other FOIA leaders will build their FOIA knowledge and expertise. We will train your information team on recent updates to the Agency's FOIA procedures, new statutory requirements, and technological resources for responding to FOIA requests. Information law attorneys will also gain valuable skills and knowledge on complicated legal issues, including recent developments in the law concerning confidential business information.
- *Communicate with FOIA requesters to improve outcomes.* EPA FOIA leaders will learn and practice skills to improve your office's communication with requesters. These enhanced skills will allow EPA to better meet the public's needs and thereby build public confidence in EPA by setting appropriate expectations that your office can meet. Clear and consistent communication with requesters, early and often throughout the response process, is the most effective, proven technique for avoiding conflict and meeting your statutory obligations.
- *Enhance statutory compliance and thereby reduce litigation and attorneys' fees.* The conference will highlight recent FOIA case law and lessons learned from recent EPA FOIA cases. Attendees will be trained on recent legal developments in FOIA that impact the Agency's handling of FOIA requests. Trainings will include legal issues encountered at all stages of FOIA processing and discussion will include ways to avoid or minimize

future FOIA litigation and attorneys' fees.

- *Train future FOIA leaders and professionals.* EPA's current FOIA leaders will enhance their own knowledge, improve consistency in EPA's FOIA implementation, and learn how to train others in your office to strengthen your FOIA team and develop future FOIA leaders.

The National FOIA Leadership Academy will focus on interactive training segments for participants to:

- Test their knowledge and expand their expertise in FOIA;
- Acquire the skills necessary to enhance their expertise in FOIA processing; and
- Engage in peer-to-peer learning and problem solving with other FOIA professionals and attorneys.

The new and expanded second edition of the FOIA toolkit will be provided at the conference to assist attendees after the conference in addressing common FOIA challenges and to build consistency and expertise throughout EPA. An initial working training agenda is attached for your convenience. Additional details and logistics will be provided later.

Please note this is not an introductory-level training. The 2020 National FOIA Leadership Academy is designed to develop the skills and expertise necessary for FOIA Officers, Coordinators, Attorneys and other leaders to lead and manage FOIA programs and FOIA processing throughout EPA. Participants are expected to already have substantial FOIA knowledge and to serve as primary FOIA processing contacts for their respective offices.

Please nominate and identify for us the appropriate staff in your office to attend the 2020 National FOIA Leadership Academy. Ideally, we are seeking three people from each region and headquarters program office.

Thank you for your continued support of the EPA's FOIA Program. In the coming weeks, our staff will send logistical information to you and your staff on conference registration and this virtual, distance learning conference.

If you or your staff have any questions about the 2020 National FOIA Leadership Academy, please contact *Heather Thompson* of the National FOIA Office, Office of General Counsel, at 202-566-1025 or thompson.heather@epa.gov. Please join us in supporting this important training conference and forward this email as appropriate.

Tim

Timothy R. Epp

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#2p4



AGENDA

2020 National FOIA Leadership Academy

September 15th- 17th & September 22nd

DAY 1, September 15, 2020

Introduction & Welcome (pre-recorded and available starting Sept. 14th for participants to watch):

EPA Administrator or EPA General Counsel; and

Tim Epp, Associate General Counsel for the National FOIA Office.

Time Estimate	
1:00 PM – 1:15 PM	Overview of Training Format & Ground Rules
1:15 PM – 2:15 PM	FOIA Regulatory and Policy Updates Provide participants with an overview of recent updates to EPA’s FOIA Regulations, FOIA Policy, and FOIA Procedures.
2:15 PM – 3:15 PM	Intake and Developing Your Processing Plan Train participants on centralized intake and discuss NFO, Lead FOIA Program, and Contributing FOIA Program roles in efficiently and effectively processing requests.
3:15 PM – 3:45 PM	Break/Icebreaker Activity
3:45 PM – 4:45 PM	Conducting a Defensible Search Equip participants with the essential tools and strategies for organizing and executing adequate and appropriate FOIA searches.
5:00 PM – 7:00 PM	West Coast Ideas Lab Teams will work through a complex scenario to develop their FOIA team, clarify a request, and develop a search plan.

DAY 2, September 16, 2020

Time Estimate	
9:00 AM – 11:00 AM	East Coast Ideas Lab Teams will work through a complex scenario to develop their FOIA team, clarify a request, and develop a search plan.
11:30 AM – 12:00 PM	Ideas Lab Report-Out Team report out/discussion of best practices.
12:30 PM – 1:30 PM	Crafting Search Queries Educate participants on how to craft efficient and effective search queries and how the eDiscovery Division’s eDiscovery Assistance Team (eDAT) can assist in this process.
1:30 PM – 2:30 PM	Develop Your Relativity Review Strategy Equip participants with the knowledge necessary to communicate workspace set-up and review workflow needs.
2:45 PM – 5:00 PM 2:45 PM – 3:45 PM training presentation 4:15 – 5:00 PM Q&A/demonstrations	Relativity Workspace Set-up – Working with Relativity Support Provide an overview of the coding panel features workspace owners and reviewers can edit to streamline the review process and equip participants with the knowledge necessary to request workspace set-up, review workflow, and production assistance from Relativity Support.
2:45 PM – 5:00 PM (break from 3:45 PM – 4:15 PM)	Relativity Workspace Set-up for Super Users Provide Super Users with the knowledge and tools necessary to set up efficient review workflows for single office and multi-office requests.

Day 3, September 17, 2020

Time Estimate	
11:30 AM – 12:30 PM	Review Strategies for Success Provide advanced strategies and techniques to promote the efficiency, speed, and consistency of document reviews.
1:30 PM – 2:30 PM	Production: Crossing the Finish Line in Style Ensure participants understand the legal requirements and best practices for interim and final responses, including the importance of maintaining an administrative record for the response.
2:30 PM – 3:30 PM	Managing Your FOIA Portfolio Share techniques to successfully manage your FOIA portfolio and equip participants to lead Region/Program Office efforts to reduce FOIA backlogs.
3:30 PM – 4:00 PM	Break
4:00 PM – 5:00 PM	Exemption 5: Focus Elevate the skill and confidence of participants in spotting and analyzing common Exemption 5 challenges and empower participants with the knowledge needed to train others effectively.

Day 4, September 22, 2020

Time Estimate	
11:30 AM – 12:30 PM	Protecting Privacy Interests Review Exemption 6, Privacy Policy, and Privacy Act requirements at EPA and tackle common but difficult scenarios with practical tips and solutions.
1:30 PM – 2:30 PM	Exemption 4 Focus Cover the Exemption 4 requirements at EPA at both the introductory (101) and advanced (201) levels and tackle common but difficult scenarios with practical tips and solutions. Review how the <i>Food Marketing Institute v. Argus Leader Media</i> decision impacts the CBI determination process.
2:30 PM – 3:00 PM	Break
3:00 PM – 4:00 PM	Administrative Appeal & Litigation Perspectives Educate participants about the administrative appeals process, FOIA litigation and what actions they can take to best position the Agency in each circumstance.

Pre-requisite Training (participants complete in weeks leading up to the leadership academy)

- Review the following materials on the Relativity Resource Center SharePoint Site:
 - [Relativity 101 User Guide](#)
 - [The Relativity Case Workspace](#)
 - [EDD Delivery Searches Index](#)
 - [Relativity 102 User Guide](#)

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Willey, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: July 2020 EPA FOIA Backlog Report
Date: Thursday, July 2, 2020 8:22:05 AM
Attachments: [image004.png](#)
[image005.png](#)

Colleagues,

Wow! You made significant progress bringing the backlog down this month. The charts below show the FOIA backlog in EPA headquarters program offices and the regions at the end of May, April, March, and February 2020. The Agency's overall FOIA backlog decreased in June down to 1,574 from 1,767 at the end of May. This is down 26% from the beginning of the fiscal year, when the backlog stood at 2,128. Let's keep this trend going!

The Details and successes

-

Congratulations to the offices with no backlog this month –Regions 1, 7, 8, 9 and 10. And, congratulations to Regions 1 and 10 for sustaining a zero backlog for ten consecutive months, and Region 8 for a zero backlog for nine consecutive months.

The two big movers were the Administrator's Office and OCSPP. The Administrator's Office led the Agency, reducing its backlog by 116 in June. This brought the AO's FOIA backlog down to 815, down 31% from 1,193 at the beginning of the year! OCSPP also made remarkable progress, bringing its backlog down by 59, from 461 at the end of May. That is a 13% reduction in just one month (although it is still higher than OCSPP's backlog of 368 at the beginning of the year). OCSPP has a comprehensive plan for its backlog. In June, OCSPP created a Tiger Team of 31 employees and six law clerks to review documents, and the NFO's FOIA Expert Assistance Team (FEAT) trained them and got them started tackling OCSPP's more than 100 Relativity workspaces of document collections.

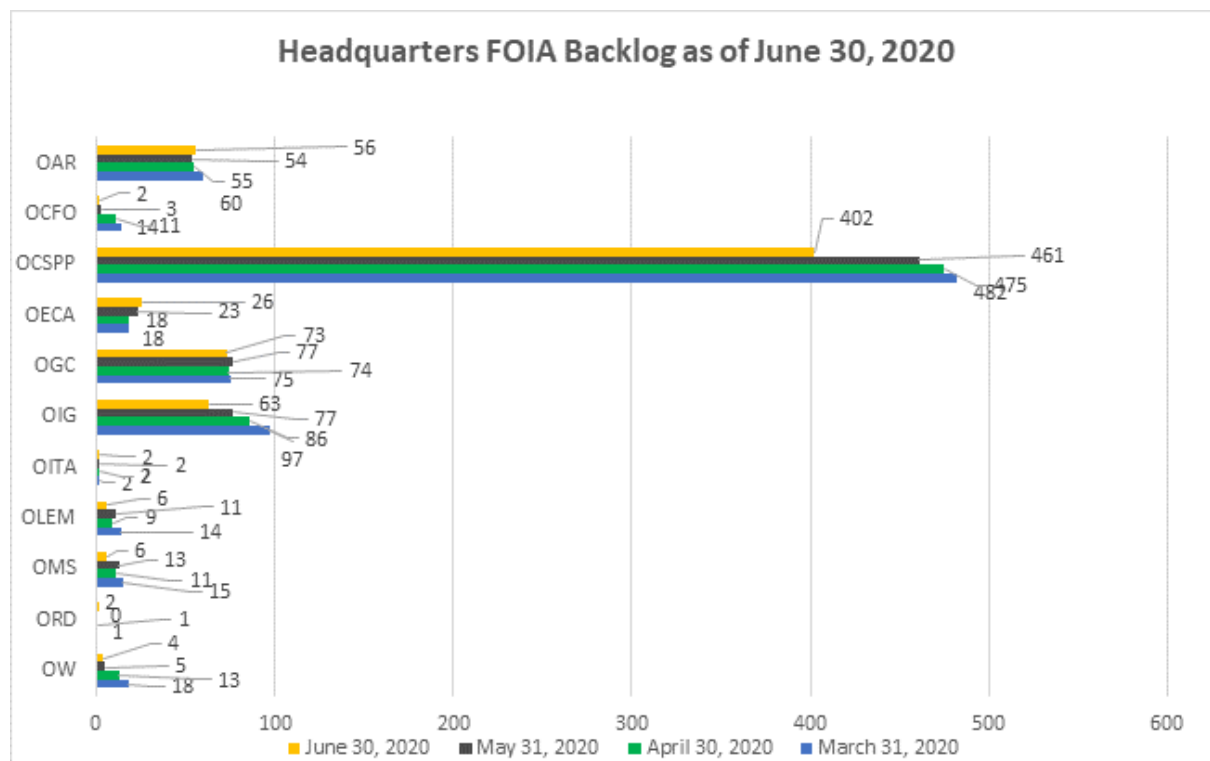
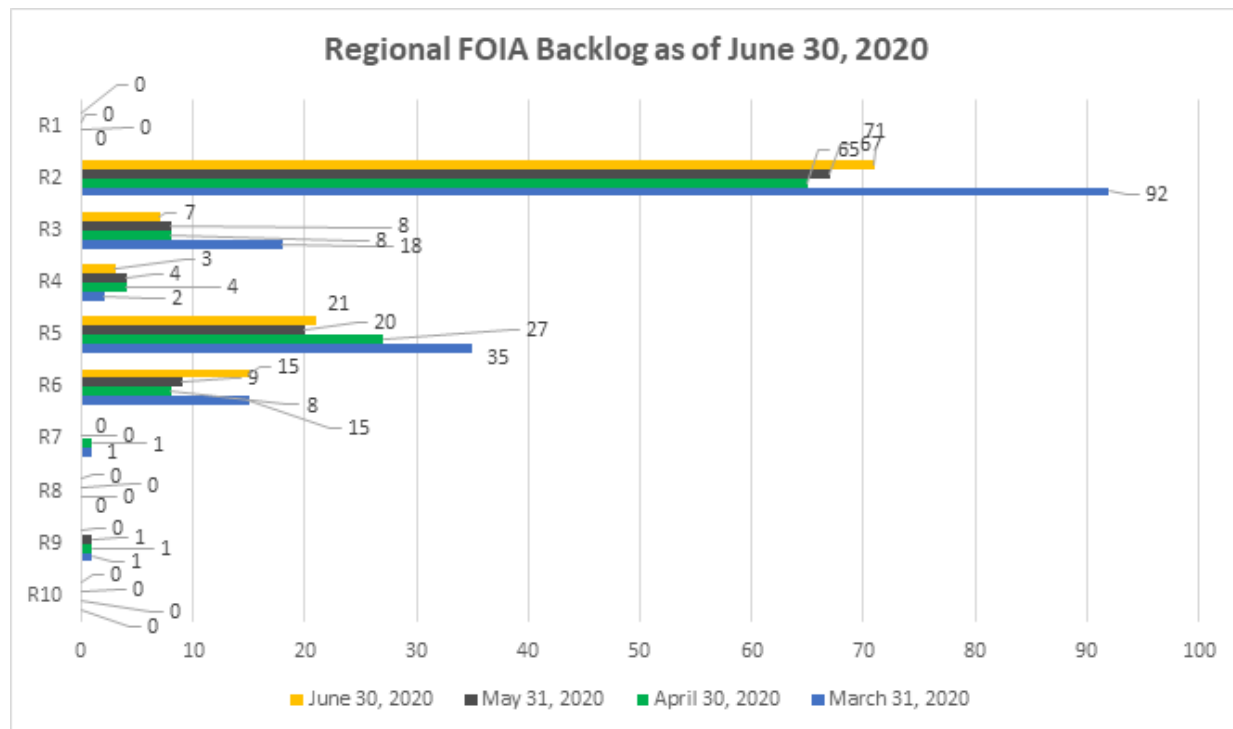
The following offices started the fiscal year with a significant backlog and have substantially reduced it: OW is down 87%; ORD is down 81%; Region 4 is down 80%; OLEM is down 67%; Region 5 is down 60%; OMS is down 50%; OAR is down 46%; Region 2 is down 37%; OIG is down 28%. Regions 7 and 9 eliminated their backlog during the fiscal year.

Another 305 to go this fiscal year

-

The overall Agency backlog reduction is great news. Nevertheless, the Agency's Strategic Goal set an interim target for this fiscal year for the Agency to reduce the backlog to 1,269. To achieve that target, we must reduce the backlog by an additional 305 over the next three months. Thus, we need continued, sustained effort – every backlogged FOIA request that can be closed will help. We can do it -- keep the effort going!

FOIA Backlog Data



For this report, backlog is defined as FOIA requests pending for more than 20 days as of the end of the month or more than an applicable due date extension that has been documented in FOIAonline. Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual

circumstances or other extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The March data in this report was generated from FOIAonline on April 3 (due to malfunctioning search feature on April 1 and 2), the April data was generated on May 1, the May data on June 1, and the June data on July 1, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: RE: July 2020 EPA FOIA Backlog Report
Date: Wednesday, August 5, 2020 5:01:20 PM
Attachments: [image001.png](#)
[image002.png](#)

Colleagues,

The Agency continued to make progress this month bringing down the backlog of overdue FOIA requests. The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of July, June, May, and April 2020. The Agency's overall FOIA backlog decreased in July down to 1,501 from 1,574 at the end of June. This is down 29% from the beginning of the fiscal year, when the number of overdue FOIA requests stood at 2,128.

Key Successes

-
Congratulations to the offices with no overdue FOIA requests this month – Regions 1, 8, 9 and 10. And, congratulations to Regions 1 and 10 for sustaining a zero backlog for eleven consecutive months, and Region 8 for a zero backlog for ten consecutive months. Congratulations also to OCSPP, AO, OAR, and Region 2 all brought their overdue FOIA requests down by more than 10 this month. The AO's backlog of overdue FOIA requests now stands at 800, down 15 in July. As part of OCSPP's effort to tackle its FOIA request backlog, OCSPP's Tiger Team of Document Reviewers, working with the NFO's FOIA Expert Assistance Team, have reviewed and redacted nearly 23,400 documents in 12 workspaces since they started work at the end of May.

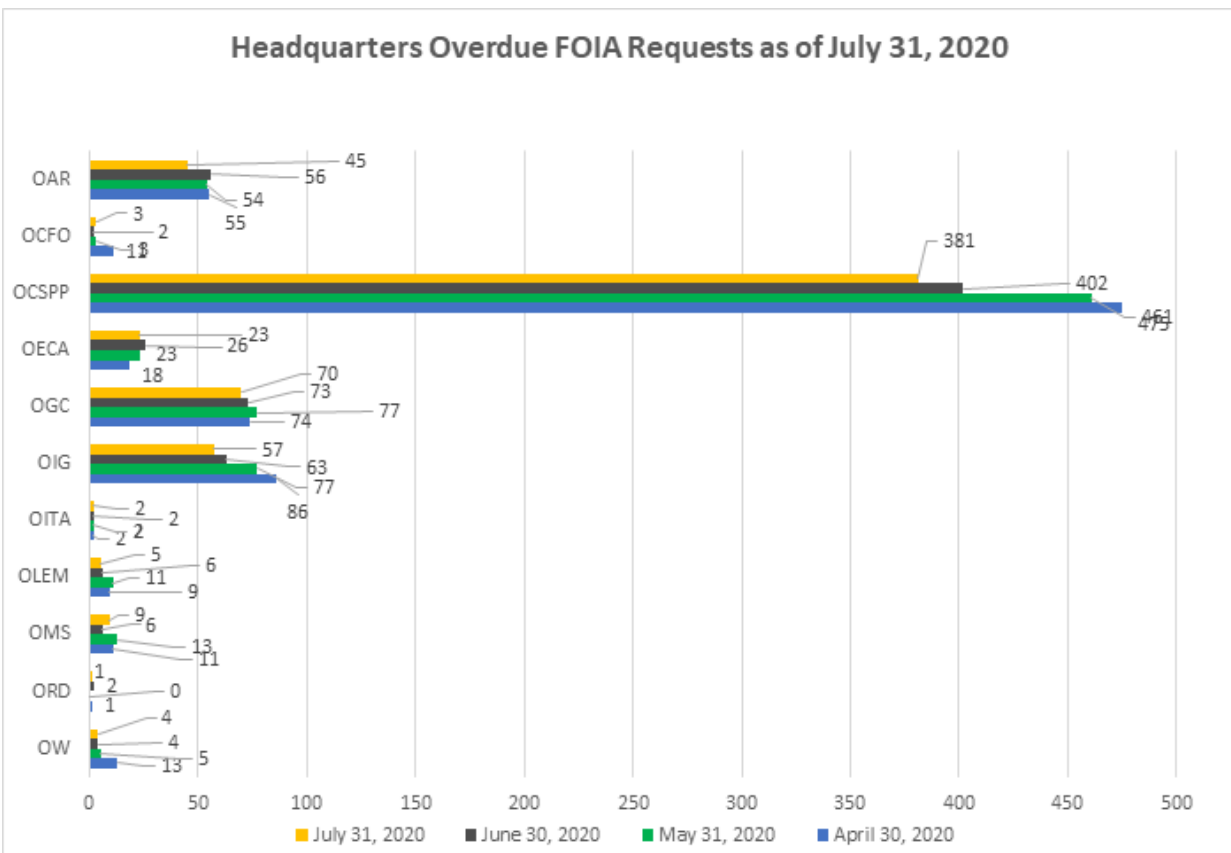
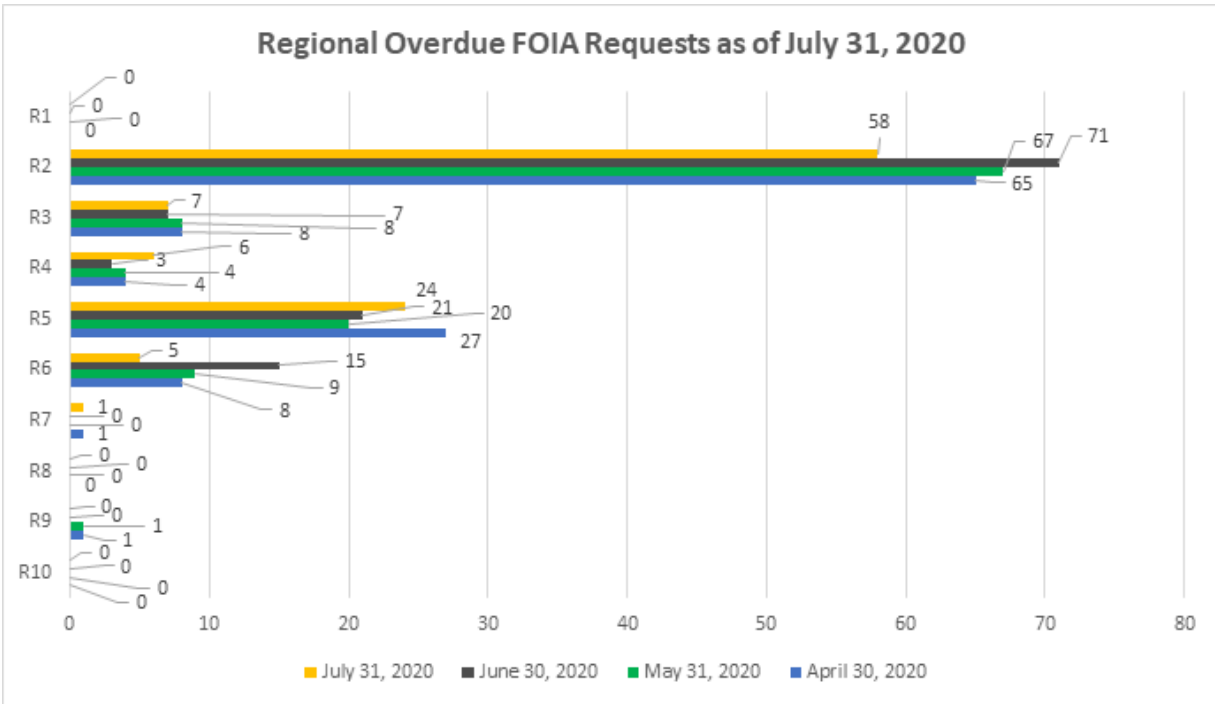
Another 232 to reduce this fiscal year

-
The July backlog reduction was respectable and continued to build on the stellar reduction in the 3rd quarter of FY 2020. Nevertheless, the Agency's Strategic Goal set an interim target for this fiscal year for the Agency to reduce the backlog to 1,269, which means we must reduce the backlog by an additional 232 over the next two months (August and September). Thus, we need continued, sustained effort – every backlogged FOIA request that can be closed will help. We can do it -- keep the effort going!

Self-Audits of Due Date Extensions

-
Agency program and regional offices have many FOIA requests with extended due dates beyond the original 20 working days the statute initially provides. Such due date extensions may have been made by agreement with the requester or by the Agency giving the requester notice when unusual circumstances exist as authorized by the statute or because the Agency needed to seek clarification or fee assurance from the requester. Thank you to the following 18 offices that have completed their self-audit of FOIAonline data to ensure their due date extensions conform to the statutory standards: Regions 1, 3, 4, 5, 6, 7, 8, 9, and 10, and AO, OAR, OCFO, OCSPP, OGC, OIG, OMS, ORD, and OW. The NFO will begin sampling to check the self-audits and will work with the remaining offices to ensure remaining offices complete the self-audits and to ensure the accuracy of the Agency's data for reporting purposes.

FOIA Overdue Data



For this report, overdue FOIA request is defined as a FOIA request pending for the later of more than 20 days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, notice of unusual circumstances, or notice of clock stoppage for

clarification or fee assurances). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly a report of the FOIA request backlog at EPA.

The April data in this report was generated from FOIAonline on May 1, the May data was generated on June 1, the June data on July 1, and the July data on August 3, 2020. If you would like to discuss this data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Leopold, Matt \(OGC\)](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Payne, James](#); [Grzegozewski, Nicholas](#); [Payne, James](#)
Subject: RE: July 2020 EPA FOIA Backlog Report
Date: Thursday, September 3, 2020 9:29:52 AM
Attachments: [image004.png](#)
[image006.png](#)

Colleagues,

The Agency continued to make progress this month bringing down the backlog of overdue FOIA requests. Overall, The Agency brought down the backlog of overdue requests in August by 77, down to 1,424, from 1,501 at the end of July. This is down 33% from the beginning of the fiscal year, when the number of overdue FOIA requests stood at 2,128. Congratulations, and thank you!

Next Steps in the Glide Path to Eliminate the Backlog by End of FY 2022

The Agency's goal is to bring the overall backlog down to 1,269 by the end of September 2020, and then to bring the backlog down to 635 by the end of FY 2021. These are the yearly milestones along the way to EPA's Strategic Goal of eliminating the backlog of overdue FOIA requests by the end of fiscal year 2022. While the Agency has made substantial progress towards this year's milestone, we must reduce the backlog by another 155 to meet this year's goal. Several offices have told me that they are working hard to do more than usual to help achieve this goal. We need everyone's similar effort this month to do it, and we can achieve it!

Turning to next fiscal year, the NFO will send out to offices within the next week proposals for your glide path to achieve the Agency's goal of reducing the backlog of overdue FOIA requests to 635 by the end of September 2021. To achieve this goal, the agency must reduce the backlog by 61 each month from the end of August 2020 through the end of September 2021. We will propose office- and region-specific goals the same way as last year: the glide path will be monthly targets along a straight line showing what each office needs to accomplish to help the Agency achieve its monthly targets. Last year, several offices chose to nuance their own glide paths by anticipating lower backlog reduction in certain months and making up for it in other months. In addition, just as we did last year, all offices with a current backlog of 10 or less will be asked to consider setting their own goal of eliminating their backlog by September 2021.

Key Successes in August

-

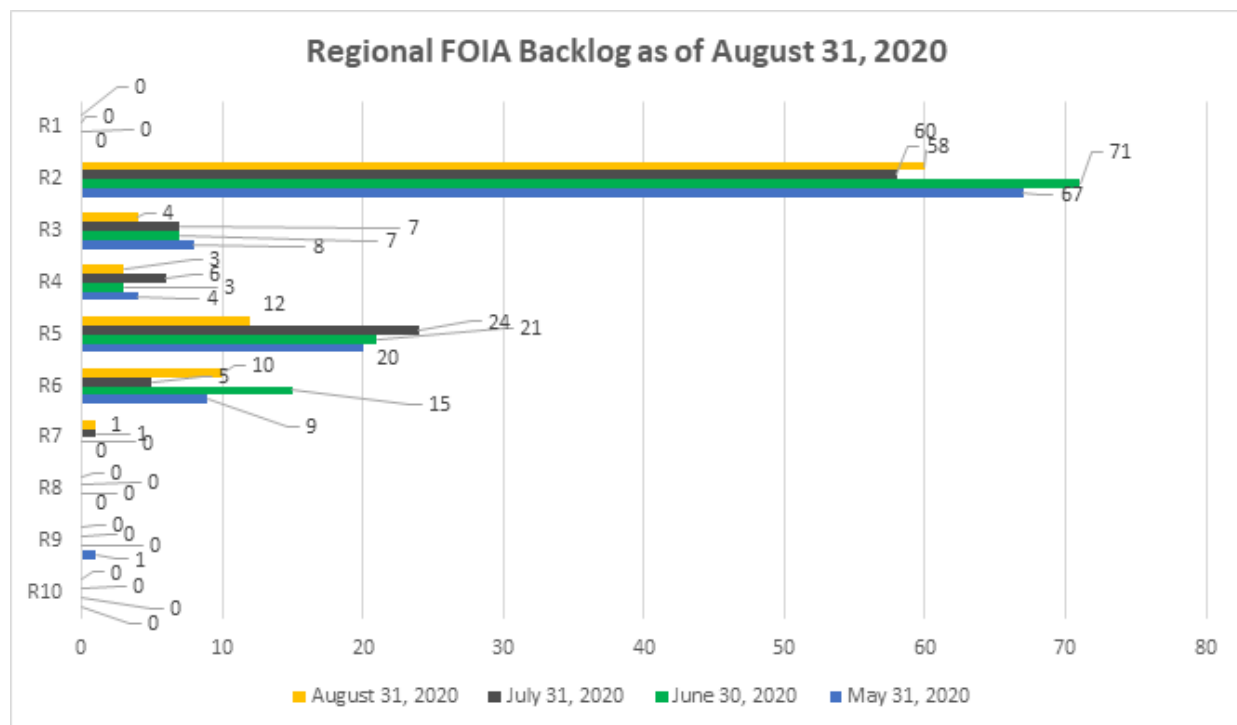
The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: August, July, June, and May 2020. Congratulations to the Administrator's Office for achieving 44% of the agency-wide reduction this month. The AO brought its backlog down by 34 in August to 766, from 800 at the end of July.

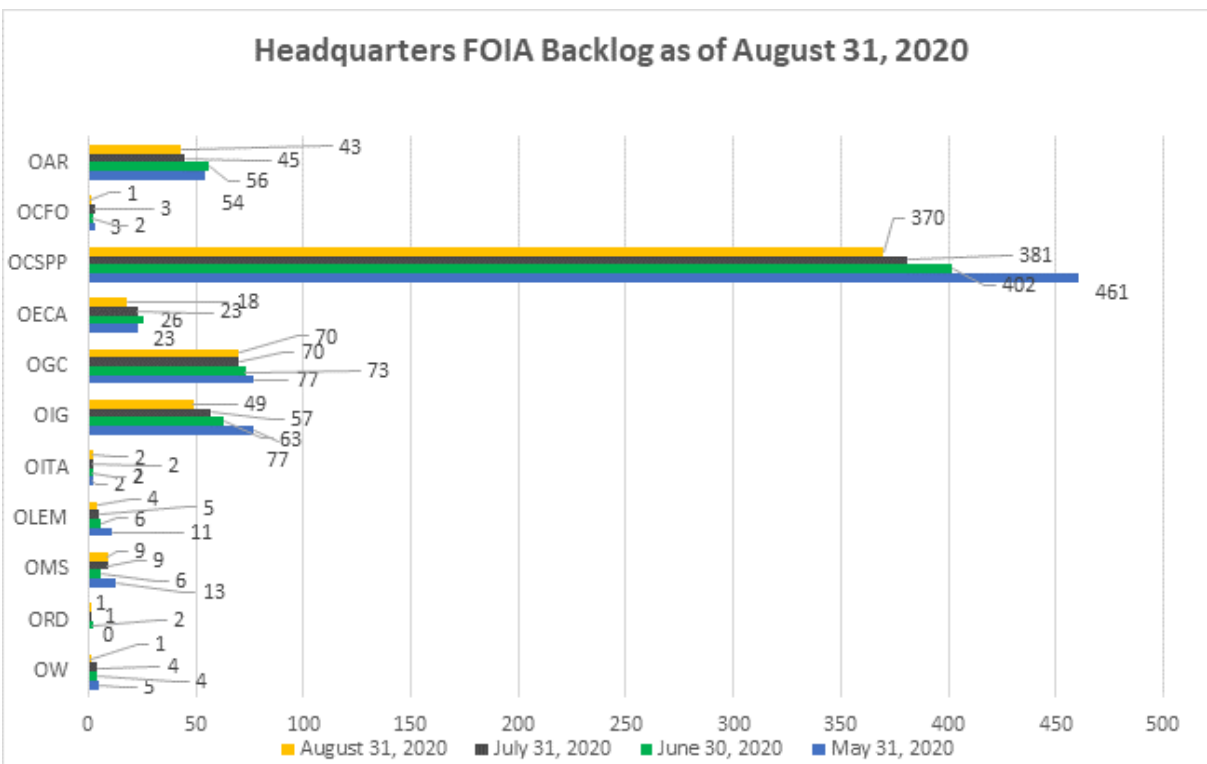
Congratulations and thank you to Region 5 for cutting its backlog down by 12 this month.

Region 5 has been a powerhouse of success this past year. At the end of August 2019, Region 5's backlog of overdue FOIA requests stood at 101. Now, its backlog is only 12, down 88%! OCSPP also contributed significantly to the agency-wide reduction this month. OCSPP reduced its backlog by 11. These three offices – AO, R5, and OCSPP – contributed the most this month, but every reduction helps: reductions in other offices accounted for 26% of the overall reduction this month.

Also, congratulations and thank you to the offices with no overdue FOIA requests this month – Regions 1, 8, 9 and 10. Regions 1 and 10 have sustained a zero backlog for twelve consecutive months, and Region 8 has done so for eleven months! Many offices are also maintaining a low backlog of only one to three – including Regions 4 and 7, OCFO, OITA, ORD, and OW. The agency would not be as successful without these offices' continuous work at sustaining a zero or very low backlog. Everyone's effort counts and is meaningful.

End of August Overdue FOIA Data





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly this report of the FOIA request backlog at EPA.

The May data in this report was generated from FOIAonline on June 1; the June data was generated on July 1; the July data on August 3; and the August data on September 1, 2020. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
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From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Grzegozewski, Nicholas](#); [Payne, James \(Jim\)](#); [Fotouhi, David](#)
Subject: End of FY 2020 EPA FOIA Backlog Report
Date: Friday, October 9, 2020 3:12:10 PM
Attachments: [image001.png](#)
[image002.png](#)

Colleagues,

The Agency continued to make progress in September bringing down the backlog of overdue FOIA requests. Overall, The Agency brought down the backlog of overdue FOIA requests to 1,396 at the end of September, from 1,424 at the end of August. This is down 732 or 34% from the beginning of the fiscal year, when the number of overdue FOIA requests stood at 2,128. Congratulations, and thank you!

Note regarding possible data adjustments because of FOIAonline problems: At the end of the fiscal year, FOIAonline was completely offline for significant blocks of time and interruptions continued into this week. Please notify the NFO if any cases were closed (or due dates properly extended) prior to the end of the fiscal year but the data was not yet entered in FOIAonline when the NFO pulled the data for this report on October 2.

Key Successes in FY 2020, including Communication with Requesters

- We have celebrated many offices' success throughout the year for backlog reduction achieved in particular months. Here, we highlight the accomplishments measured for the full fiscal year from October 1, 2019 to September 30, 2020.

Administrator's Office. A huge congratulations and thank you to the Administrator's Office for achieving 61% of the agency-wide reduction in FY 2020. The AO brought its backlog down by 447, or 37%, at the end of September to 746, from 1,193 at the beginning of FY 2020.

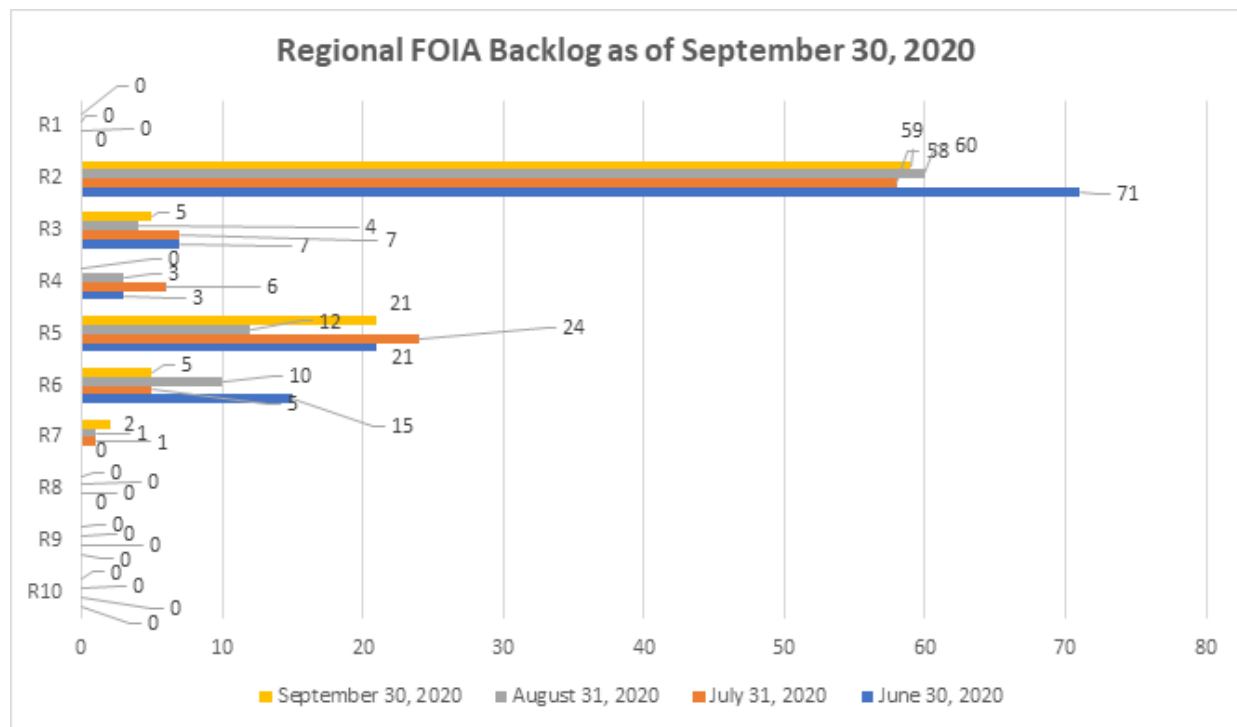
Regions. Congratulations and thank you to Regions 1, 4, 8, 9 and 10 for having no backlog of overdue FOIA requests at the end of FY 2020! Regions 1 and 10 have sustained a zero backlog for 13 consecutive months, and Region 8 has done so for 12 months – the whole fiscal year! Region 9 sustained a zero backlog for the last four months of the fiscal year and Region 4 achieved a zero backlog in September. Regions 5 and 2 also significantly lowered their backlog of overdue FOIA requests within this fiscal year: Region 5 by 60% and Region 2 by 48%.

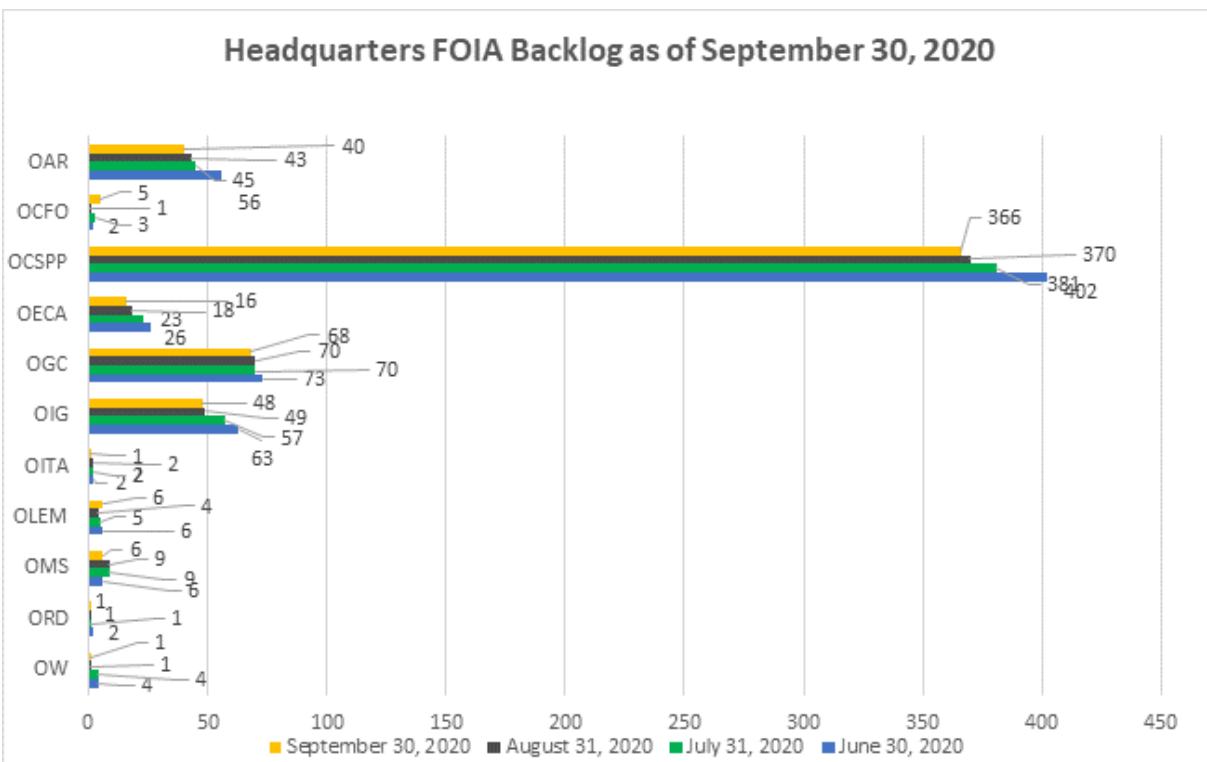
Headquarters Offices. OW, ORD, and OITA reduced their backlog of overdue FOIA requests to only 1 in each office by the end of the fiscal year. For OW, this is a 97% reduction from the beginning of the fiscal year, and it is a 91% reduction for ORD, and a 50% reduction for OITA. The following offices also significantly reduced their backlog of overdue FOIA requests by this fiscal year: OLEM by 67%; OAR by 62%; OIG by 45%; and OECA by 43%. Congratulations and thank you!

Communication with requesters is an Agency accomplishment this year. Centralizing intake enabled the NFO to establish a best practice of sending an early, substantive communication to every requester in just a few days. By year's end, requesters were receiving a letter within 5 business days and most letters were sent in two days or less. NFO also provided training to strengthen the Agency's communication with requesters regarding expected processing times, including on how to negotiate due date extensions and to narrow the scope of requested records. The NFO also provided guidance on communicating with requesters and working with them to provide electronic records during the global COVID-19 pandemic while the Agency was not able to immediately produce hard-copy records.

End of September Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: September, August, July, and June, 2020.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly this report of the FOIA request backlog at EPA.

The June data in this report was generated from FOIAonline on July 1; the July data on August 3; and the August data on September 1; and the September data on October 2, 2020. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Grzegozewski, Nicholas](#); [Payne, James \(Jim\)](#); [Fotouhi, David](#); [Gross, Louann](#); [Vendinello, Lynn](#)
Subject: November 2020 EPA FOIA Backlog Report
Date: Wednesday, November 4, 2020 11:40:01 AM
Attachments: [image005.png](#)
[image007.png](#)

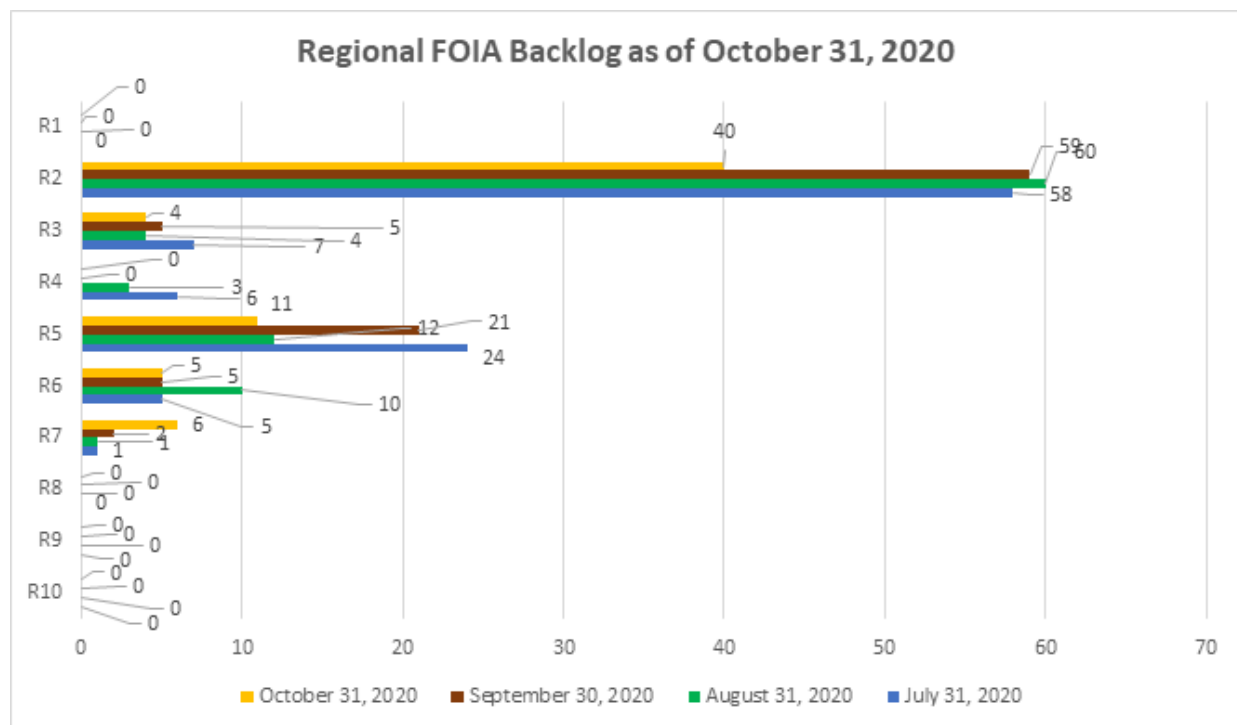
Colleagues,

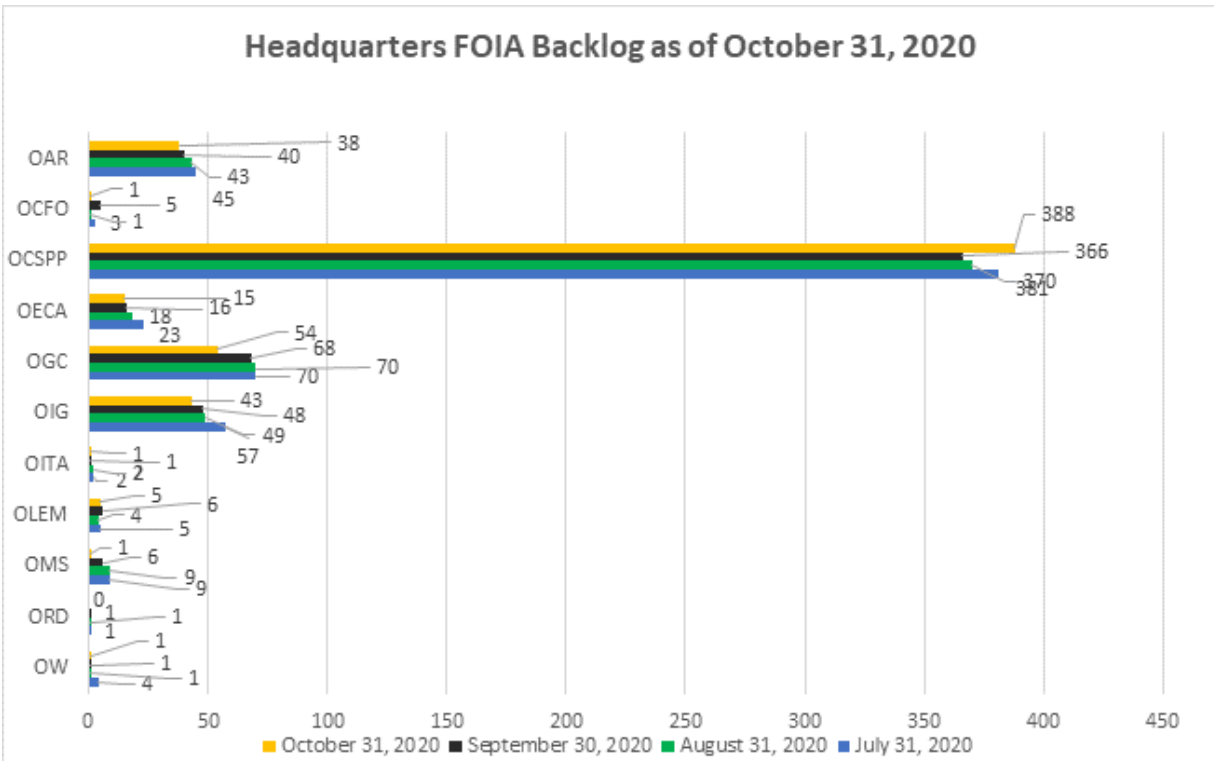
The Agency continued to make progress in October bringing down the backlog of overdue FOIA requests. Overall, the Agency brought down the backlog to 1,348 at the end of October from 1,395 at the end of September.

-
Congratulations to Region 2 for bringing its backlog down by 19; OGC for bringing its backlog down by 14; the AO for bringing its backlog down by 11, and Region 5 for bringing its backlog down by 10. We also congratulate ORD and Regions 1, 4, 8, 9, and 10 for having no backlog of overdue requests.

End of October Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: October, September, August, and July, 2020. The Office of the Administrator reduced its backlog by 11, down to 735 at the end of October.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system. In his November 12, 2018 FOIA Memorandum, Administrator Wheeler directed the National FOIA Office to circulate monthly this report of the FOIA request backlog at EPA.

The July data in this report was generated from FOIAonline on August 3; and the August data on September 1; the September data on October 2, 2020, and the October data on November 2. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Subject: December 2020 EPA FOIA Backlog Report
Date: Friday, December 4, 2020 11:41:33 AM
Attachments: [image002.png](#)
[image005.png](#)

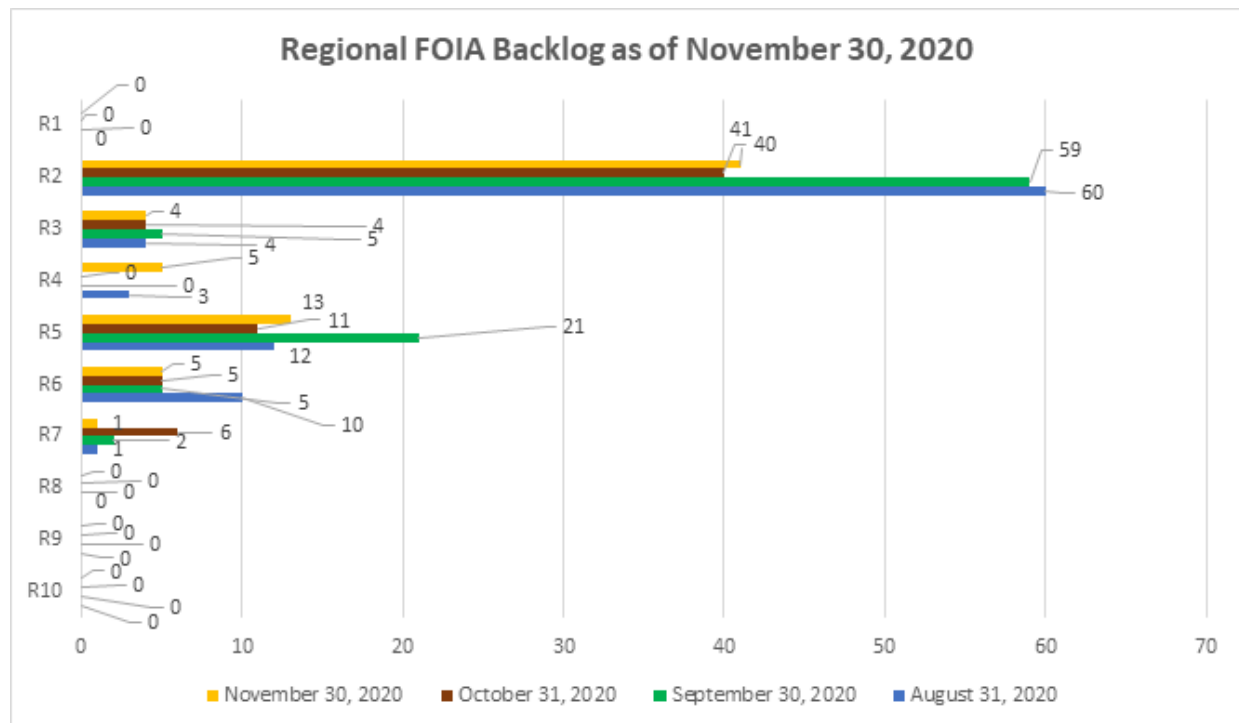
Colleagues,

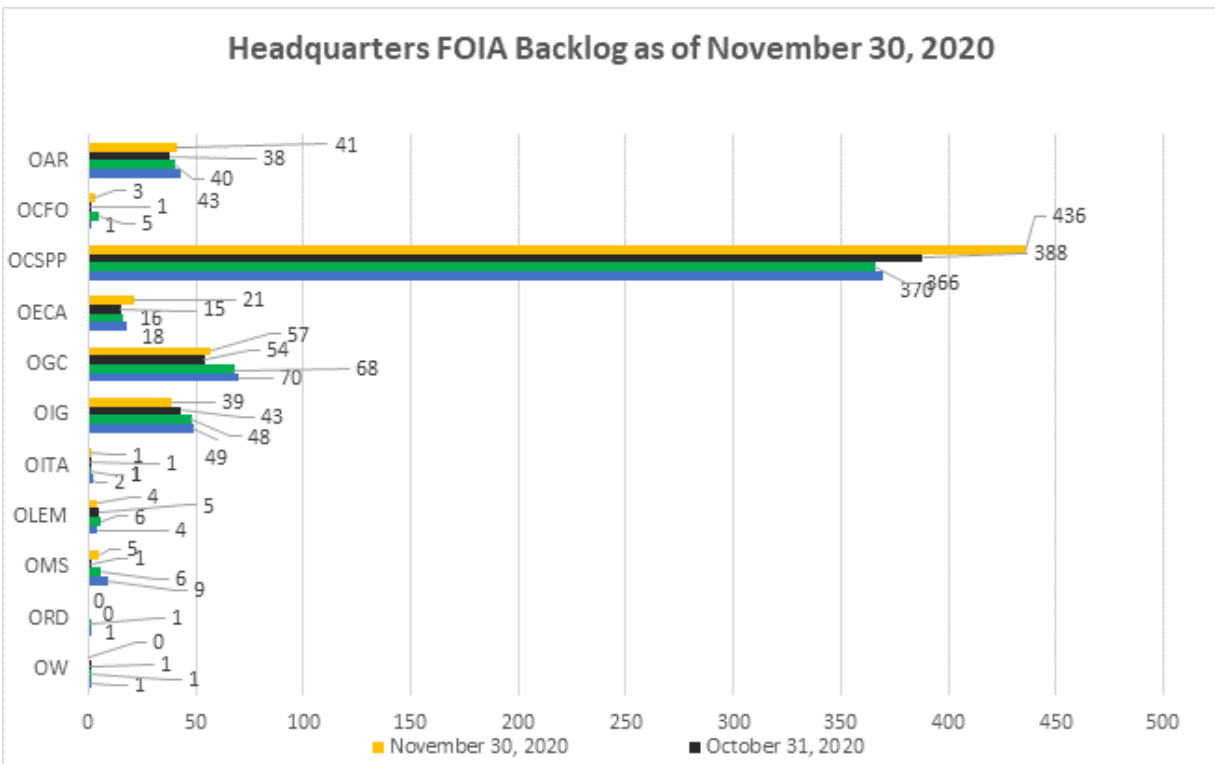
The Agency's backlog of overdue FOIA requests went up significantly in November. Overall, the Agency's backlog of overdue FOIA requests went up to 1,427 at the end of November from 1,348 at the end of October. This increase represents a challenge that we must tackle.

-
Congratulations to ORD and Regions 1, 8, 9, and 10, who have continued to maintain no backlog of overdue FOIA requests, and congratulations to OW for achieving a zero backlog of overdue FOIA requests.

End of November Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: November, October, September, and August, 2020. The Office of the Administrator's backlog went up to 751 at the end of November from 735 at the end of October.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The August data in this report was generated from FOIAonline on September 1; the September data on October 2, 2020, and the October data on November 2, and the November data on December 1. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Leadership Assistant Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Regional Administrators](#); [Regional FOIA Officers](#); [Deputy Regional Counsels](#); [Joffe, Brian](#); [FOIA Coordinators, Officers, and Alternates](#); [Regional Counsels](#)
Cc: [Brazauskas, Joseph](#); [Grantham, Nancy](#); [Richardson, RobinH](#); [White, Elizabeth](#); [Packard, Elise](#); [Siciliano, CarolAnn](#); [OGC NFO](#); [Hoverman, Taylor](#); [Wiley, Katharine](#); [Grzegozewski, Nicholas](#); [Payne, James \(Jim\)](#); [Fotouhi, David](#); [Gross, Louann](#); [Vendinello, Lynn](#)
Subject: January 2021 EPA FOIA Backlog Report
Date: Thursday, January 7, 2021 7:04:56 AM
Attachments: [image002.png](#)
[image005.png](#)

Happy New Year, Colleagues!

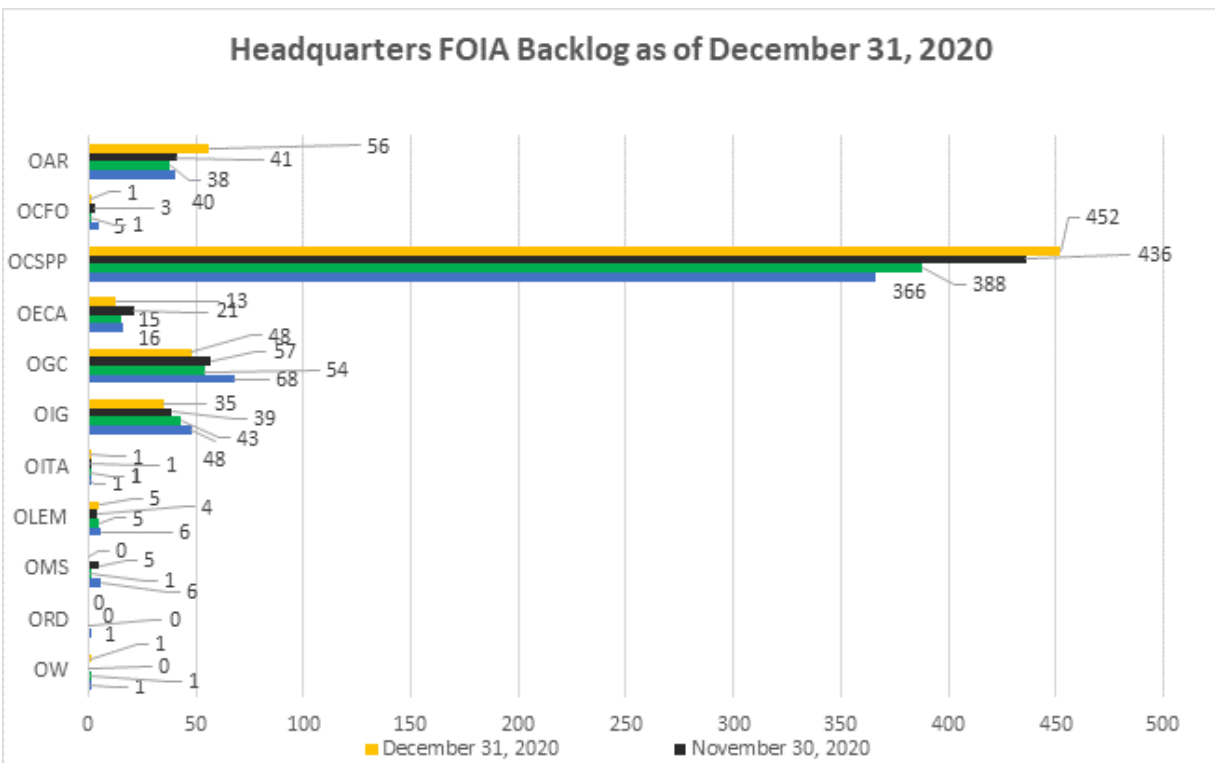
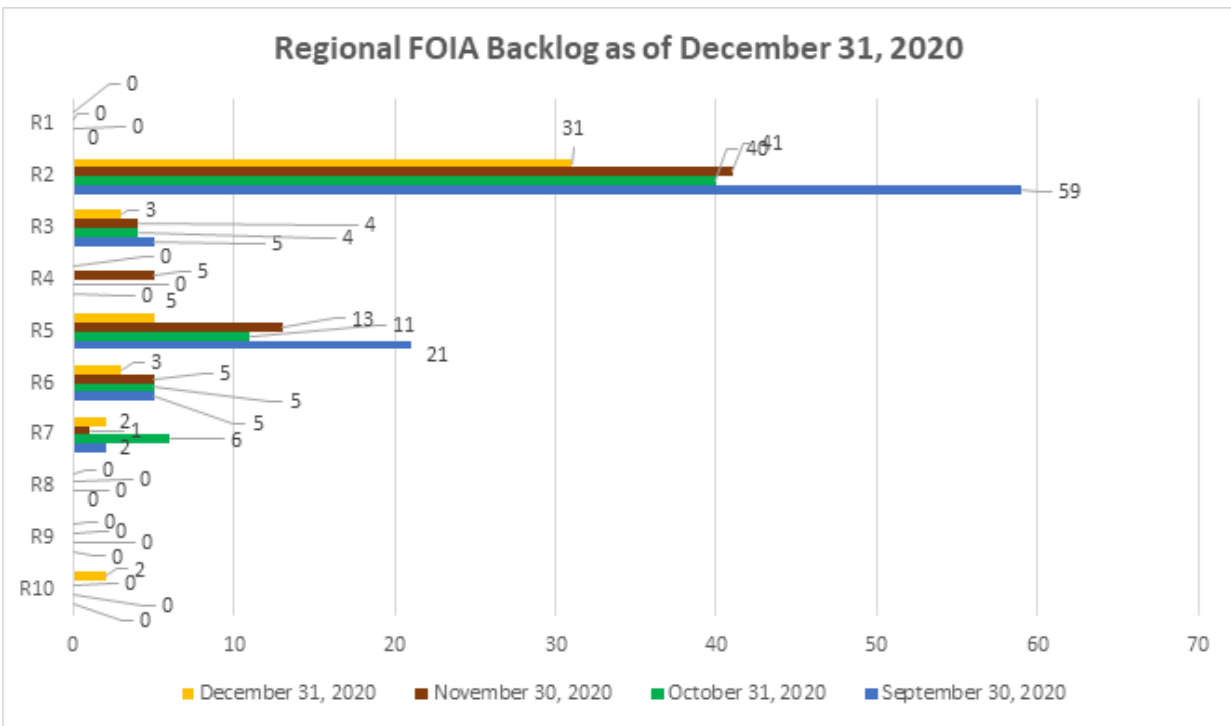
The Agency's backlog of overdue FOIA requests went down slightly in December 2020. Overall, the Agency's backlog of overdue FOIA requests dropped to 1,409 at the end of December down from 1,427 at the end of November. This one month decrease is positive news, although it did not erase the prior two month's increases. Thus, the backlog went up in the first quarter of this fiscal year.

-

Congratulations to ORD, OMS and Regions 1, 4, 8, and 9, who had no backlog of overdue FOIA requests at the end of December 2020. Also, congratulations to Regions 2 and 5, and OGC, who reduced their backlog the most this month.

End of November Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: December, November, October, and September 2020. The Office of the Administrator's backlog stayed the same – 751 – at the end of December as it was at the end of November 2020.



For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or

other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The September data in this report was generated from FOIAonline on October 2, 2020, and the October data on November 2, and the November data on December 1, and the December data on January 4, 2021. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Career Deputy Assistant Administrators; Leadership Deputy Associate Administrators; Leadership Assistant Administrators; Leadership Regional Administrators; Leadership Deputy Regional Administrators; Leadership Associate Administrators; Leadership Deputy Assistant Administrators; Deputy Regional Counsels; Regional Counsels; Regional FOIA Officers; FOIA Coordinators Officers and Alternates](#)
Cc: [Chaudhary, Dimple; Hope, Brian; Siciliano, CarolAnn; Joffe, Brian; OGC NFO; Vendinello, Lynn](#)
Subject: February 2021 EPA FOIA Backlog Report
Date: Saturday, February 6, 2021 8:00:07 AM
Attachments: [image004.png](#)
[image003.png](#)

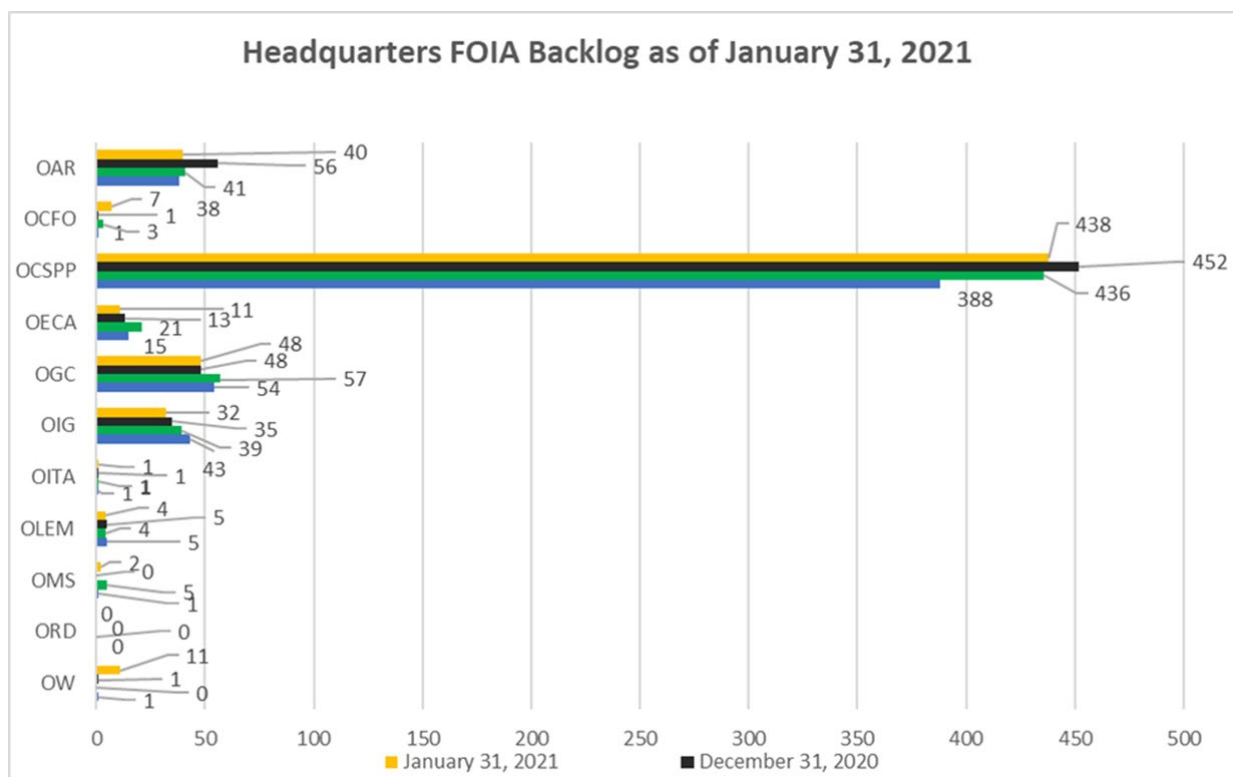
Colleagues,

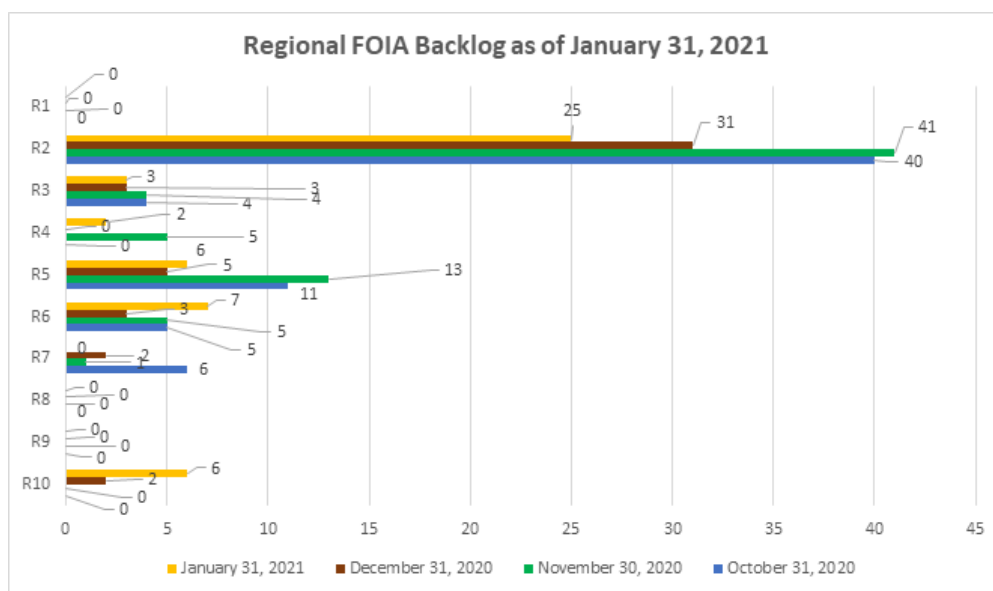
The Agency's backlog of overdue FOIA requests went down in January 2021. Overall, the Agency's backlog of overdue FOIA requests dropped to 1,386 at the end of January, down from 1,409 at the end of December. This backlog decrease is positive news, although it was not enough to achieve the monthly target for meeting the Agency's annual goal.

-
 Congratulations to ORD and Regions 1, 8, and 9, who had no backlog of overdue FOIA requests at the end of January 2021.

End of January Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: January 2021, and December, November, and October 2020. The Office of the Administrator's backlog dropped to 743 at the end of January, down from 751 at the end of December.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The October data in this report was generated from FOIAonline on November 2; and the November data on December 1; the December data on January 4, 2021; and the January data on February 1, 2021. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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To: [Career Deputy Assistant Administrators; Leadership Deputy Associate Administrators; Leadership Assistant Administrators; Leadership Regional Administrators; Leadership Deputy Regional Administrators; Leadership Associate Administrators; Leadership Deputy Assistant Administrators; Deputy Regional Counsels; Regional Counsels; Regional FOIA Officers; FOIA Coordinators Officers and Alternates](#)
Cc: [Chaudhary, Dimple; Hope, Brian; Siciliano, CarolAnn; Joffe, Brian; OGC NFO; Vendinello, Lynn](#)
Subject: March 2021 EPA FOIA Backlog Report
Date: Wednesday, March 3, 2021 1:49:33 PM
Attachments: [image006.png](#)
[image007.png](#)

Colleagues,

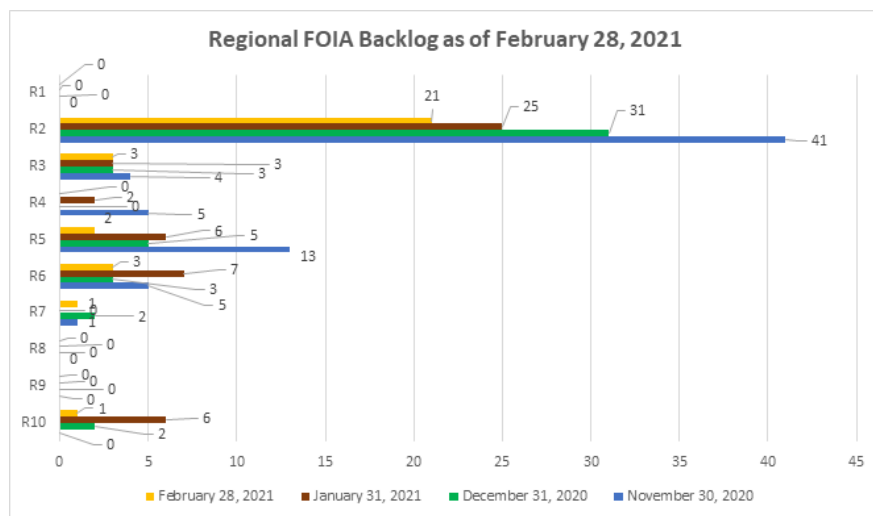
The Agency's backlog of overdue FOIA requests increased in February 2021. Overall, the Agency's backlog of overdue FOIA requests increased to 1,400 in February, up from 1,386 at the end of January.

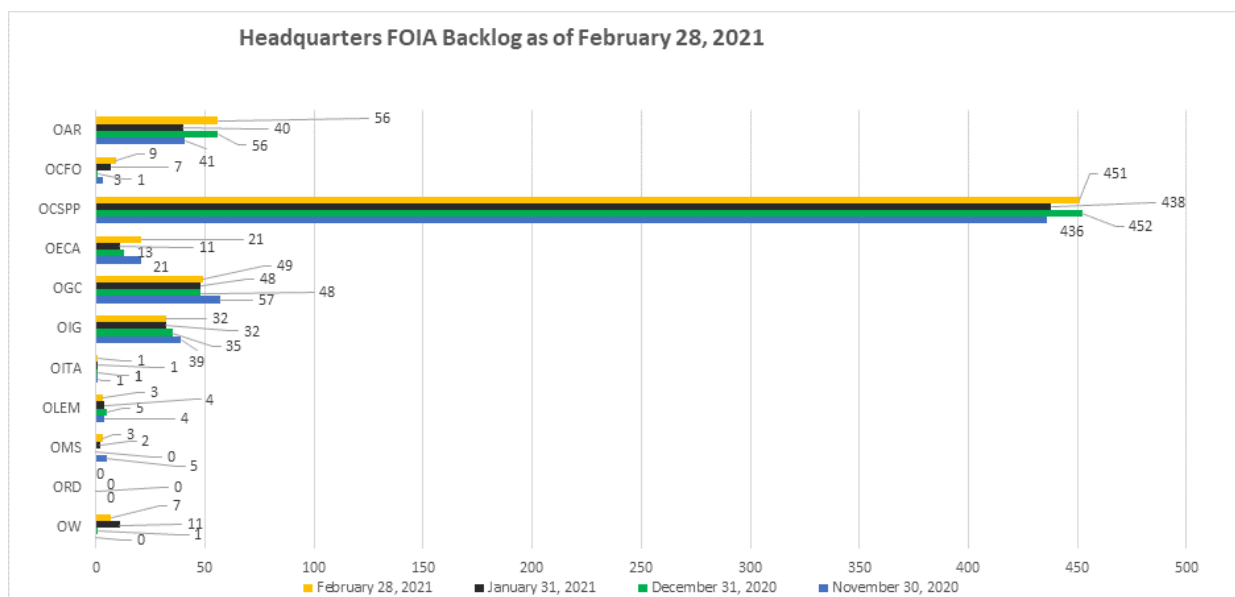
Many offices are successfully maintaining a very low backlog or no backlog, and some offices have continued to bring their backlog down substantially. Congratulations to ORD and Regions 1, 4, 8, and 9, which had no backlog of overdue FOIA requests at the end of February 2021. Congratulations to Region 2, which has cut its backlog nearly in half over the last four months and to Region 5, which has joined the ranks of those with only very low backlog.

Notwithstanding these successes in many offices, the Agency has not met its monthly targets for the past five months, and the backlog reduction appears to have stalled. The Agency's backlog of overdue FOIA requests is now only 24 lower than the backlog was at the beginning of the fiscal year. At the end of FY 2020, the backlog of overdue FOIA requests was 1,424.

End of January Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: January 2021, and December, November, and October 2020. The Office of the Administrator's backlog dropped to 737 at the end of February, down from 743 at the end of January.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The November data in this report was generated from FOIAonline on December 1; the December data on January 4, 2021; the January data on February 1, 2021; and the February data on March 1. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp_Timothy](#)
To: [Career_Deputy_Assistant_Administrators; Leadership_Deputy_Associate_Administrators; Leadership_Assistant_Administrators; Leadership_Regional_Administrators; Leadership_Deputy_Regional_Administrators; Leadership_Associate_Administrators; Leadership_Deputy_Assistant_Administrators; Deputy_Regional_Counsels; Regional_Counsels; Regional_FOIA_Officers; FOIA_Coordinators_Officers_and_Alternates; EPA_FOIA_Community](#)
Cc: [Chaudhary_Dimple; Hope_Brian; Siciliano_CarolAnn; Joffe_Brian; OGC_NEO; Vendinello_Lynn; Gross_Louann](#)
Subject: April 2021 EPA FOIA Backlog Report
Date: Wednesday, April 7, 2021 7:52:23 AM
Attachments: [image002.png](#)
[image007.png](#)

Colleagues,

The Agency's backlog of overdue FOIA requests decreased in March 2021. This was the first significant decrease since the beginning of October 2020. Overall, the Agency's backlog of overdue FOIA requests went down by 5.6% to 1,321 in March from 1,400 at the end of February.

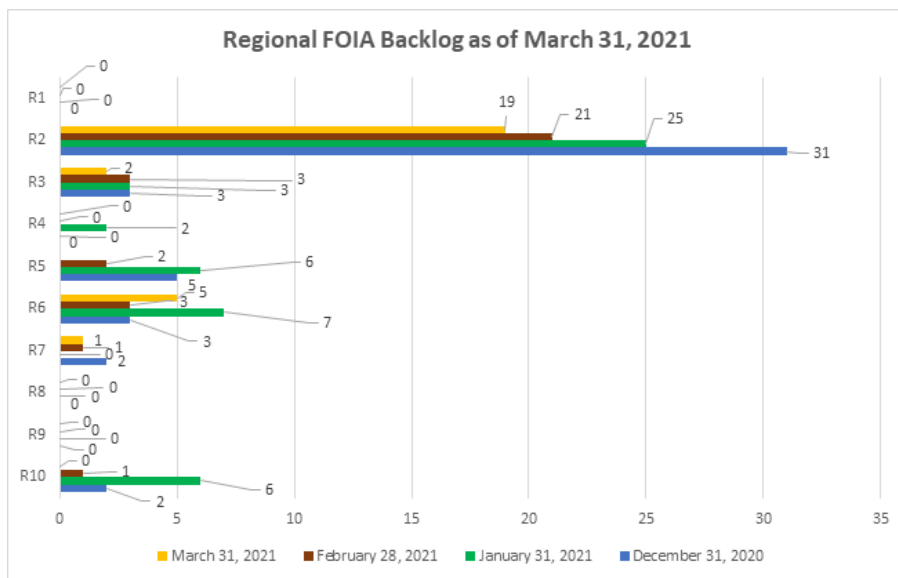
The Administrator's Office led the reduction by bringing its backlog down by 35. OAR also reduced its backlog significantly by 22, or 39% of its backlog at the end of February. OCSPP also contributed significantly to the agency wide reduction by bring its backlog down by 17.

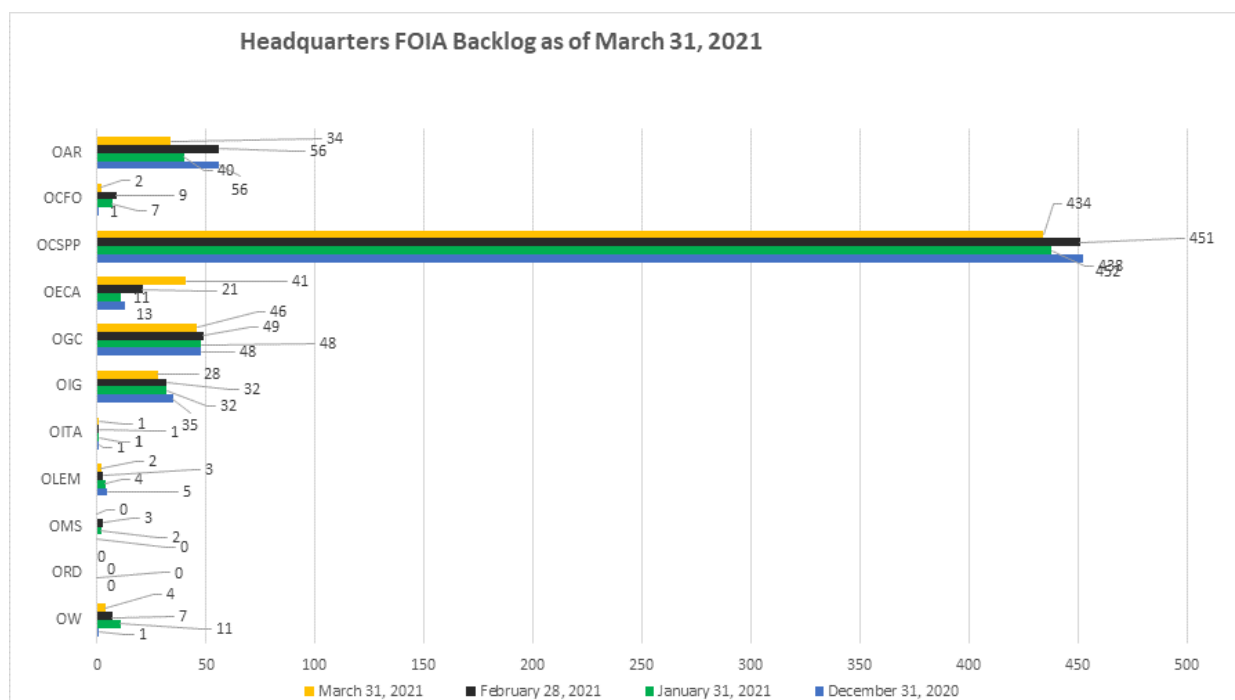
Many offices successfully maintained a very low backlog or no backlog. Congratulations for a zero backlog to OMS, ORD and Regions 1, 4, 5, 8, 9, and 10.

Notwithstanding these successes in March, the Agency is behind on its backlog reduction targets and is not on track to meet its annual goal.

End of March Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: March, February, and January 2021, and December 2020. The Office of the Administrator's backlog dropped to 702 at the end of March, down from 737 at the end of February.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The December data in this report was generated from FOIAonline on January 4, 2021; the January data on February 1; the February data on March 1; and the March data on April 1. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
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From: [Epp, Timothy](#)
To: [Career Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Assistant Administrators](#); [Leadership Regional Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Deputy Regional Counsels](#); [Regional Counsels](#); [Regional FOIA Officers](#); [FOIA Coordinators](#); [Officers and Alternates](#); [EPA FOIA Community](#)
Cc: [Chaudhary Dimple](#); [Hope Brian](#); [Siciliano CarolAnn](#); [Joffe Brian](#); [OGC NFO](#); [Vendinello Lynn](#); [Gross Louann](#); [Wachter Eric](#)
Subject: May 2021 EPA FOIA Backlog Report
Date: Wednesday, May 5, 2021 10:54:02 AM
Attachments: [image002.png](#)
[image005.png](#)

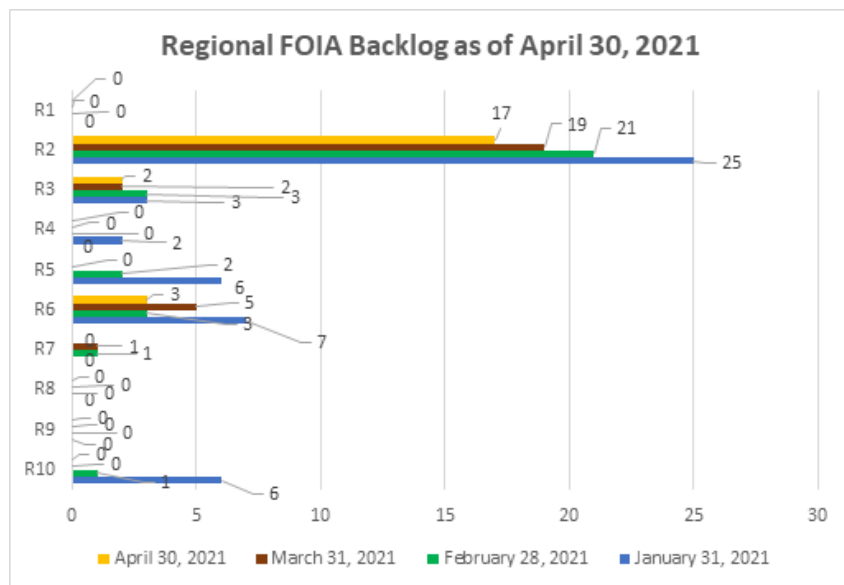
Colleagues,

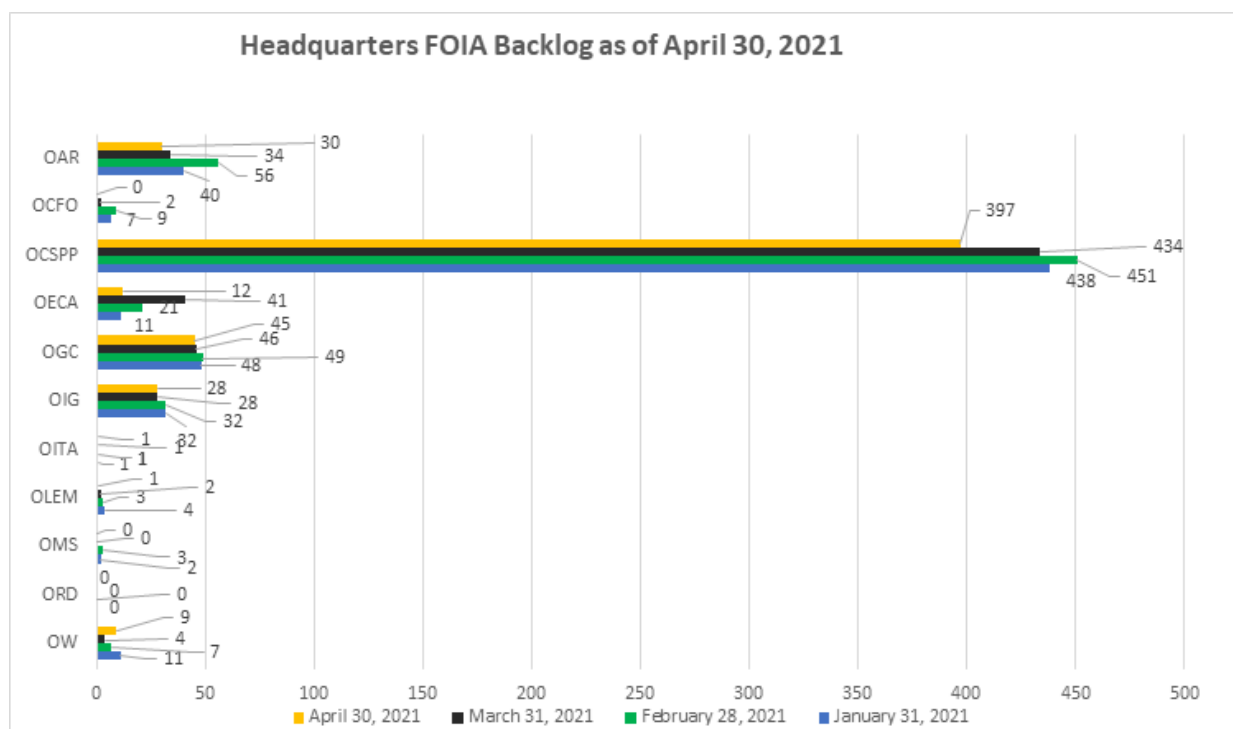
The Agency's backlog of overdue FOIA requests decreased significantly in April 2021. Overall, the Agency's backlog of overdue FOIA requests went down to 1,205 in April, from 1,321 at the end of March. This is a 13.6% reduction from the beginning of the fiscal year when the backlog of overdue FOIA requests was 1,395.

The Administrator's Office led the reduction by bringing its backlog down by 42. Significantly, OCSPP also brought its backlog down by 37, and OECA brought its backlog down by 29. Many offices are now successfully maintaining a very low backlog or no backlog. Congratulations for a zero backlog to OCFO, OMS, ORD and Regions 1, 4, 5, 7, 8, 9, and 10. Maintaining these low numbers is critical to the Agency's overall objective of reducing its FOIA backlog by half by the end of the fiscal year.

End of April Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: April, March, February, and January 2021. The Office of the Administrator's backlog dropped to 660 at the end of April, down from 702 at the end of March.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The January data in this report was generated from FOIAonline on February 1; the February data on March 1; the March data on April 1; and the April data on May 1. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
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From: [Epp, Timothy](#)
To: [Career Deputy Assistant Administrators; Leadership Deputy Associate Administrators; Leadership Assistant Administrators; Leadership Regional Administrators; Leadership Deputy Regional Administrators; Leadership Associate Administrators; Leadership Deputy Assistant Administrators; Deputy Regional Counsels; Regional Counsels; Regional FOIA Officers; FOIA Coordinators, Officers, and Alternates; EPA FOIA Community](#)
Cc: [Chaudhary, Dimple; Hope, Brian; Siciliano, CarolAnn; Joffe, Brian; OGC NFO; Vendinello, Lynn; Gross, Louann; Wachter, Eric](#)
Subject: June 2021 EPA FOIA Backlog Report
Date: Monday, June 7, 2021 8:35:51 AM
Attachments: [image001.png](#)
[image002.png](#)

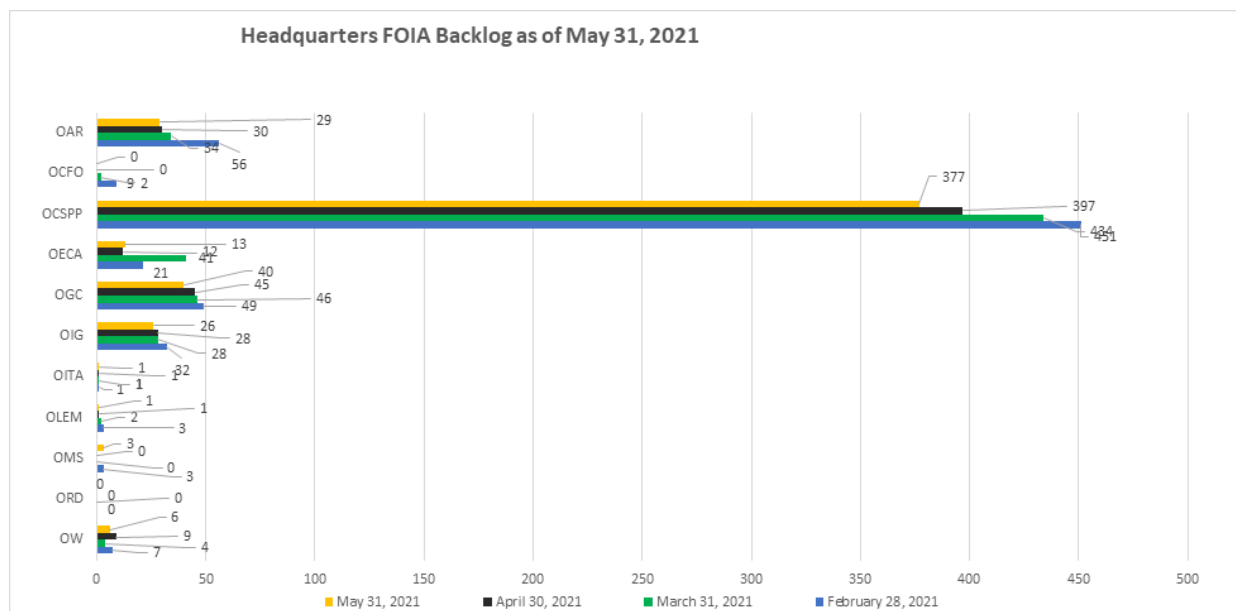
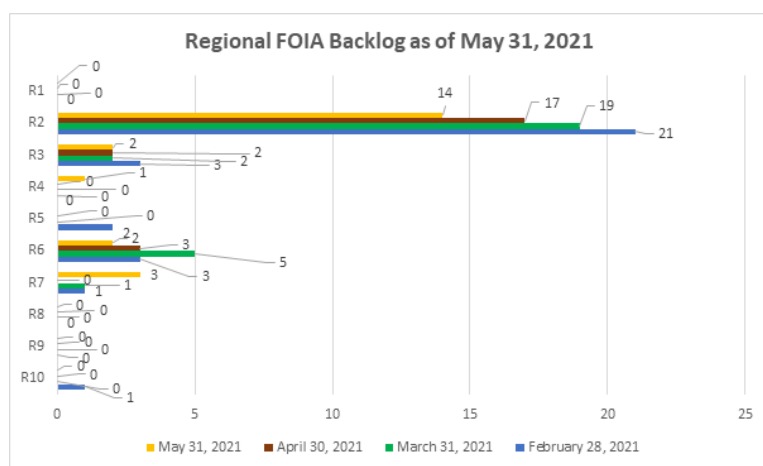
Colleagues,

The Agency's backlog of overdue FOIA requests decreased at a good pace in May 2021. Overall, the Agency's backlog of overdue FOIA requests went down to 1,146 in May, from 1,205 at the end of April. This is a 17.8% reduction from the beginning of the fiscal year when the backlog of overdue FOIA requests was 1,395.

The Administrator's Office led the reduction by bringing its backlog down by 32. Significantly, OCSPP also brought its backlog down by 20. Many offices are now successfully maintaining a very low backlog or no backlog. Congratulations for a zero backlog to OCFO, ORD and Regions 1, 5, 8, 9, and 10. Maintaining these low numbers is critical to the Agency's overall objective to reduce its FOIA backlog by half by the end of the fiscal year.

End of April Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: May, April, March, and February 2021. The Office of the Administrator's backlog dropped to 628 at the end of May, down from 660 at the end of April.



For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice

of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The February data in this report was generated from FOIAonline on March 1; the March data on April 1; the April data on May 1; and the May data on June 2. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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From: [Epp, Timothy](#)
To: [Career Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Assistant Administrators](#); [Leadership Regional Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Deputy Regional Counsels](#); [Regional Counsels](#); [Regional FOIA Officers](#); [FOIA Coordinators](#); [Officers and Alternates](#); [EPA FOIA Community](#)
Cc: [Chaudhary, Dimple](#); [Hope, Brian](#); [Siciliano, CarolAnn](#); [Joffe, Brian](#); [OGC NFO](#); [Vendinello, Lynn](#); [Gross, Louann](#); [Wachter, Eric](#)
Subject: July 2021 EPA FOIA Backlog Report
Date: Wednesday, July 7, 2021 6:21:38 AM
Attachments: [image001.png](#)
[image002.png](#)

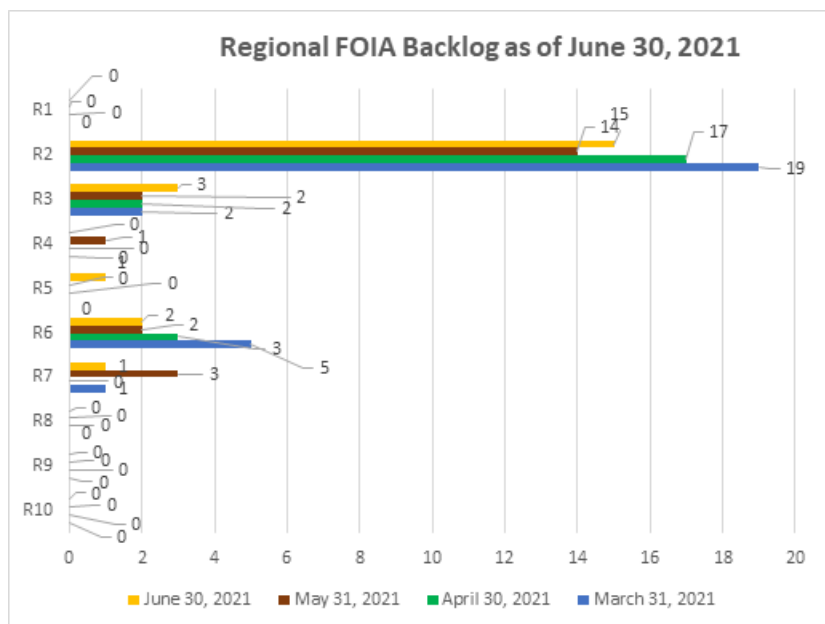
Colleagues,

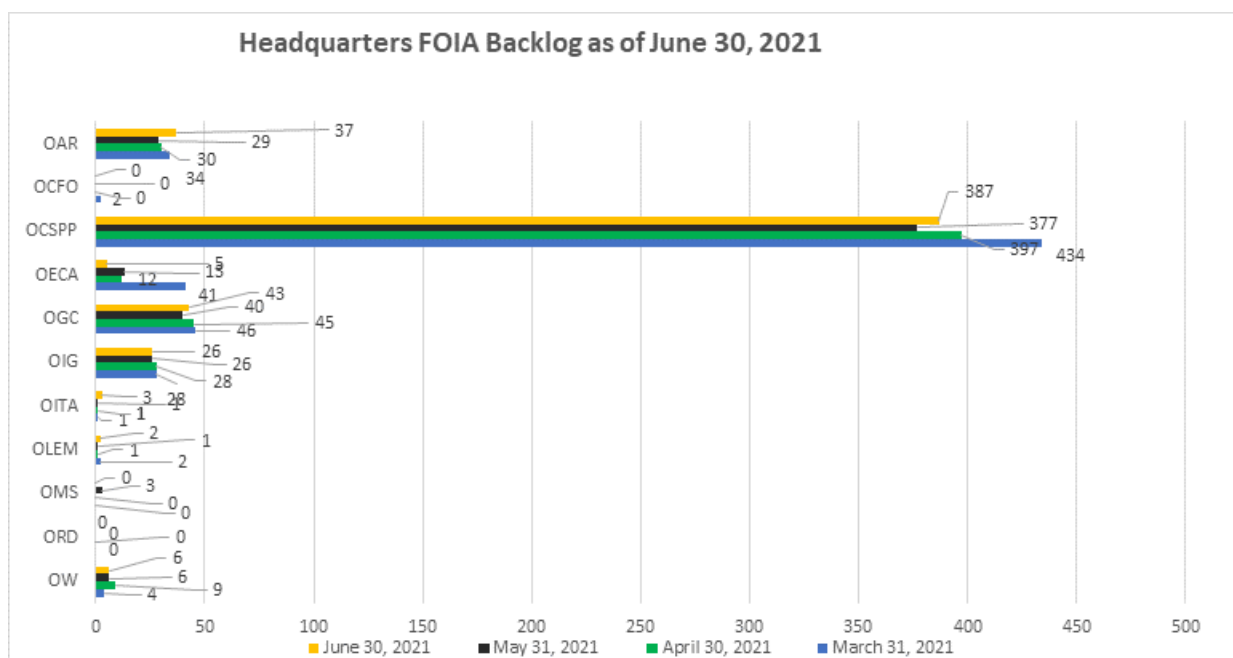
The Agency's backlog of overdue FOIA requests increased slightly in 2021. Overall, the Agency's backlog of overdue FOIA requests went up to 1,161 in June from 1,146 at the end of May. As a result, the Agency's backlog of overdue FOIA requests remains at approximately 17% reduction from the beginning of the fiscal year when the backlog of overdue FOIA requests was 1,395.

Although the two offices with the largest backlogs of overdue FOIA requests did not lower their backlogs this month, significantly most Agency offices now successfully maintain a very low backlog or no backlog month-over-month. Congratulations for a zero backlog to OCFO, OMS, ORD and Regions 1, 4, 8, 9, and 10, and congratulations to the following additional offices for keeping their backlog below five for the last several months: OITA, OLEM and Regions 3, 5, 6 and 7. Congratulations also to OECA for reducing its backlog from 41 in March to 5 at the end of June. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to reduce the FOIA backlog by half by the end of the fiscal year.

End of April Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: June, May, April, and March 2021. The Office of the Administrator's backlog increased to 631 in June from 628 at the end of May.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The March data in this report was generated from FOIAonline on April 1; the April data on May 1; the May data on June 2; and the June data on July 1 (the June data includes an adjustment for one office for due date extensions that were recorded in FOIAonline soon after the aggregate data was downloaded). If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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Cc: [Chaudhary, Dimple; Hope, Brian; Joffe, Brian; OGC, NEO; Vendinello, Lynn; Gross, Louann; Wachter, Eric; Weaver, Susannah](#)
Subject: August 2021 EPA FOIA Backlog Report
Date: Tuesday, August 10, 2021 7:43:33 AM
Attachments: [image004.png](#)
[image005.png](#)

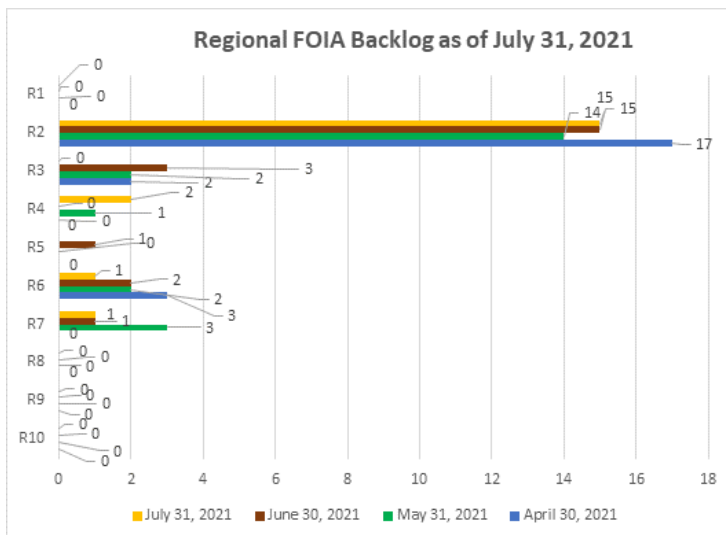
Colleagues,

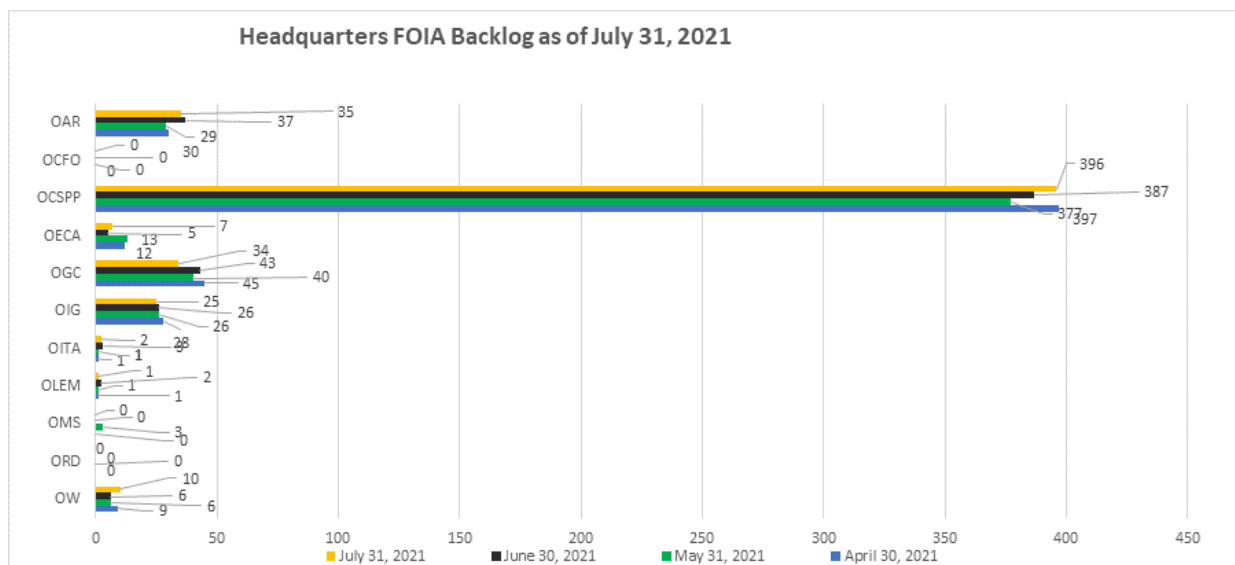
The Agency's backlog of overdue FOIA requests increased slightly in July 2021. Overall, the Agency's backlog of overdue FOIA requests went up to 1,163 in July from 1,161 at the end of June. As a result, the Agency's backlog of overdue FOIA requests remains at approximately 17% reduction from the beginning of the fiscal year when the backlog of overdue FOIA requests was 1,395.

-
Congratulations for a zero backlog to OCFO, OMS, ORD and Regions 1, 3, 5, 8, 9, and 10 (Congratulations to R3 as a new entrant in the zero backlog club!). Congratulations to the following additional offices for keeping their backlog below five for the last several months: OITA, OLEM and Regions 4, 6 and 7. Congratulations also to OGC for reducing its backlog from 43 in June to 34 at the end of July. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to reduce the FOIA backlog by half by the end of the fiscal year. Although the two offices with the largest backlogs of overdue FOIA requests did not lower their backlogs this month, most Agency offices now successfully maintain a very low backlog or no backlog month-over-month.

End of July Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: July, June, May, and April 2021. The Office of the Administrator's backlog increased to 634 in July from 631 at the end of June.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The April data in this report was generated from FOIAonline on May 1; the May data on June 2; the June data on July 1 (the June data includes an adjustment for one office for due date extensions that were recorded in FOIAonline soon after the aggregate data was downloaded), and the July data on August 2. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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National FOIA Office
EPA Office of General Counsel

From: [Epp Timothy](#)
To: [Career Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Assistant Administrators](#); [Leadership Regional Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Deputy Regional Counsels](#); [Regional Counsels](#); [Regional FOIA Officers](#); [FOIA Coordinators-Officers-Alternates-and-Supervisors](#); [EPA FOIA Community](#)
Cc: [Chaudhary Dimple](#); [Hope Brian](#); [Joffe Brian](#); [OGC NFO](#); [Vendinello Lynn](#); [Gross Louann](#); [Wachter Eric](#); [Weaver Susannah](#)
Subject: September 2021 EPA FOIA Backlog Report
Date: Tuesday, September 7, 2021 8:44:53 AM
Attachments: [image005.png](#)
[image007.png](#)

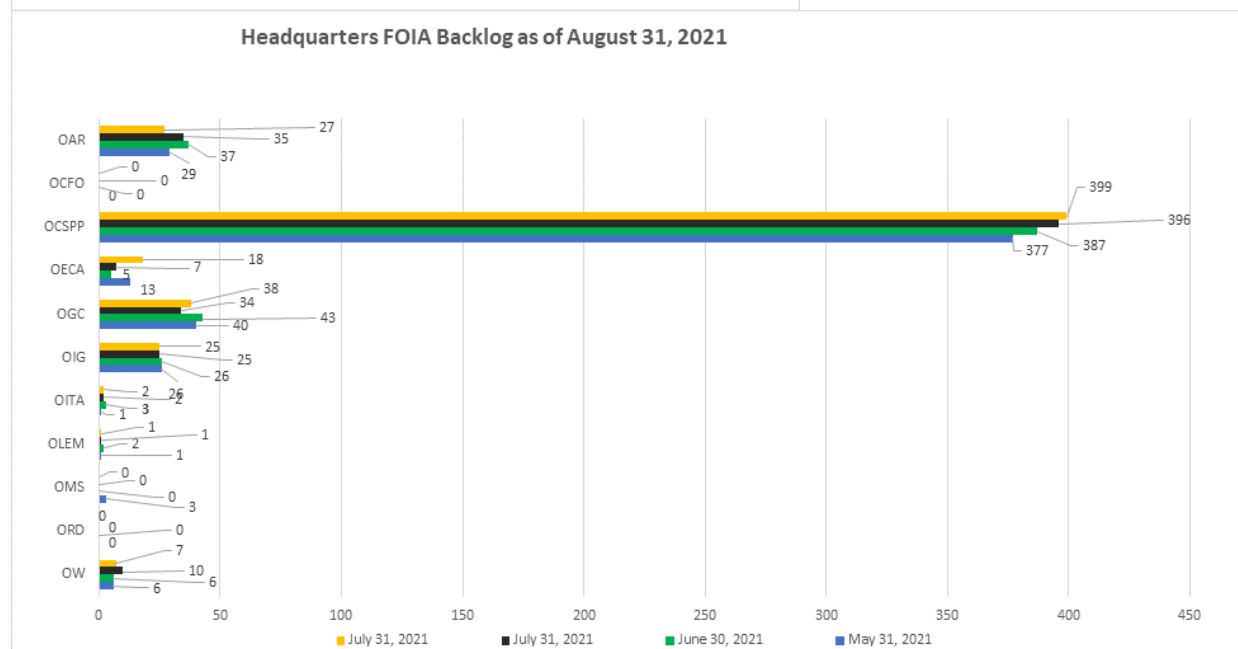
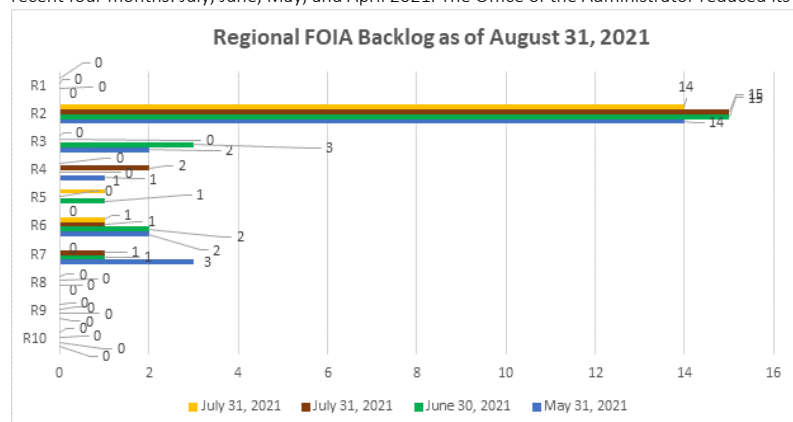
Colleagues,

The Agency's backlog of overdue FOIA requests declined modestly in August 2021. Overall, the Agency's backlog of overdue FOIA requests went down to 1,132 in August from 1,163 at the end of July. So far this fiscal year, the Agency has reduced the backlog of overdue FOIA requests by approximately 19% from the beginning of the fiscal year when the backlog of overdue FOIA requests was 1,395.

Congratulations for a zero backlog to OCFO, OMS, ORD and Regions 1, 3, 4, 7, 8, 9, and 10. Congratulations also to the following additional offices for keeping their backlog below five for the last several months: OITA, OLEM and Regions 5, 6 and 7. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to eliminate the FOIA backlog.

End of July Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: July, June, May, and April 2021. The Office of the Administrator reduced its backlog to 615 from 634 at the end of July.



For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The May data in this report was generated from FOIAonline on June 2; the June data on July 1 (the June data includes an adjustment for one office for due date extensions that were recorded in FOIAonline soon after the aggregate data was downloaded); the July data on August 2; and the August data on September 1. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at

epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: [Epp, Timothy](#)
To: [Career Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Assistant Administrators](#); [Leadership Regional Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Deputy Regional Counsels](#); [Regional Counsels](#); [Regional FOIA Officers](#); [FOIA Coordinators, Officers, and Alternates](#); [EPA FOIA Community](#)
Cc: [Chaudhary, Dimple](#); [Hope, Brian](#); [Joffe, Brian](#); [OGC, NEO](#); [Vendinello, Lynn](#); [Gross, Louann](#); [Wachter, Eric](#); [Weaver, Susannah](#)
Subject: November 2021 EPA FOIA Backlog Report
Date: Tuesday, November 9, 2021 12:54:23 PM
Attachments: [image005.png](#)
[image007.png](#)

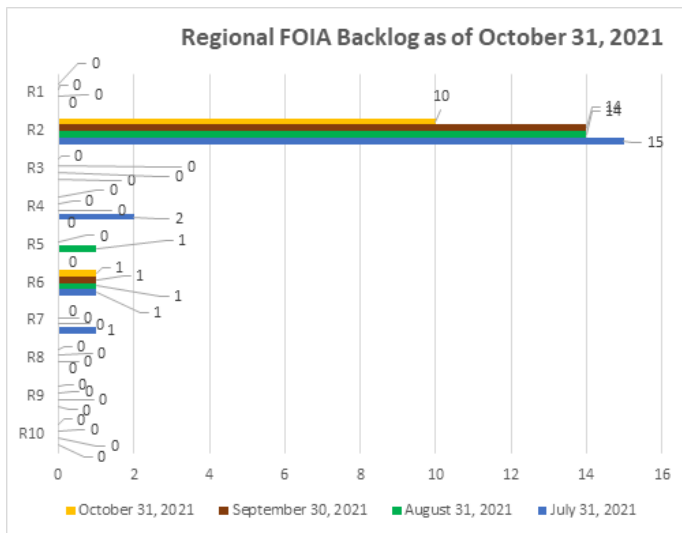
Colleagues,

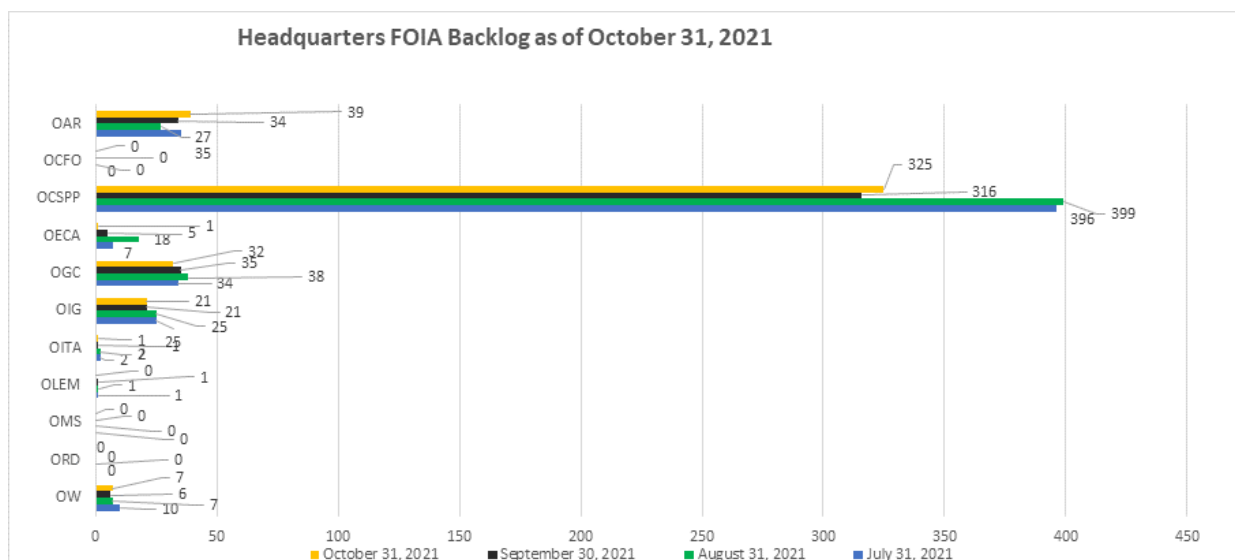
This email provides information on the Agency's backlog of overdue FOIA requests – specifically, it provides detail regarding the end of fiscal year 2021 results for each office and the current status at the end of October 2021. Notably, the Agency's backlog of overdue FOIA requests declined significantly in September to produce 24% reduction from the beginning of the fiscal year. Overall, the Agency's backlog of overdue FOIA requests went down by the end of October to 1,044 from 1,056 at the end of September.

-
Congratulations for a zero backlog at the end of October to OCFO, OLEM, OMS, ORD and Regions 1, 3, 4, 5, 7, 8, 9, and 10.
Congratulations also to the following additional offices for a backlog below five: OECA, OITA, and Regions 6. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to eliminate the FOIA backlog. Notably, the Regions collectively received 42% of the FOIA requests assigned for response in FY 2021 and have been able to keep their backlog of overdue requests below 20 for more than four months.

End of October Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: October, September, August, and July, 2021. The Office of the Administrator reduced its backlog to 618 at the end of October.





For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The July data in this report was generated from FOIAonline on August 2; the August data on September 1; the September data on October 1, and the October data on November 1, 2021. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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National FOIA Office
EPA Office of General Counsel

From: [Epp Timothy](#)
To: [Career Deputy Assistant Administrators](#); [Leadership Deputy Associate Administrators](#); [Leadership Assistant Administrators](#); [Leadership Regional Administrators](#); [Leadership Deputy Regional Administrators](#); [Leadership Associate Administrators](#); [Leadership Deputy Assistant Administrators](#); [Deputy Regional Counsels](#); [Regional Counsels](#); [Regional FOIA Officers](#); [FOIA Coordinators-Officers/Alternates and Supervisors](#); [EPA FOIA Community](#)
Cc: [Chaudhary Dimple](#); [Hope Brian](#); [Joffe Brian](#); [OGC NFO](#); [Vendinello Lynn](#); [Gross Louann](#); [Wachter Eric](#); [Weaver Susannah](#)
Subject: December 2021 EPA FOIA Backlog Report
Date: Wednesday, December 8, 2021 9:53:13 AM
Attachments: [image006.png](#)
[image007.png](#)

Colleagues,

This email reports on the Agency's backlog of overdue FOIA requests at the end of November 2021. Overall, the Agency's backlog of overdue FOIA requests went up by the end of November to 1,064 from 1,044 at the end of October.

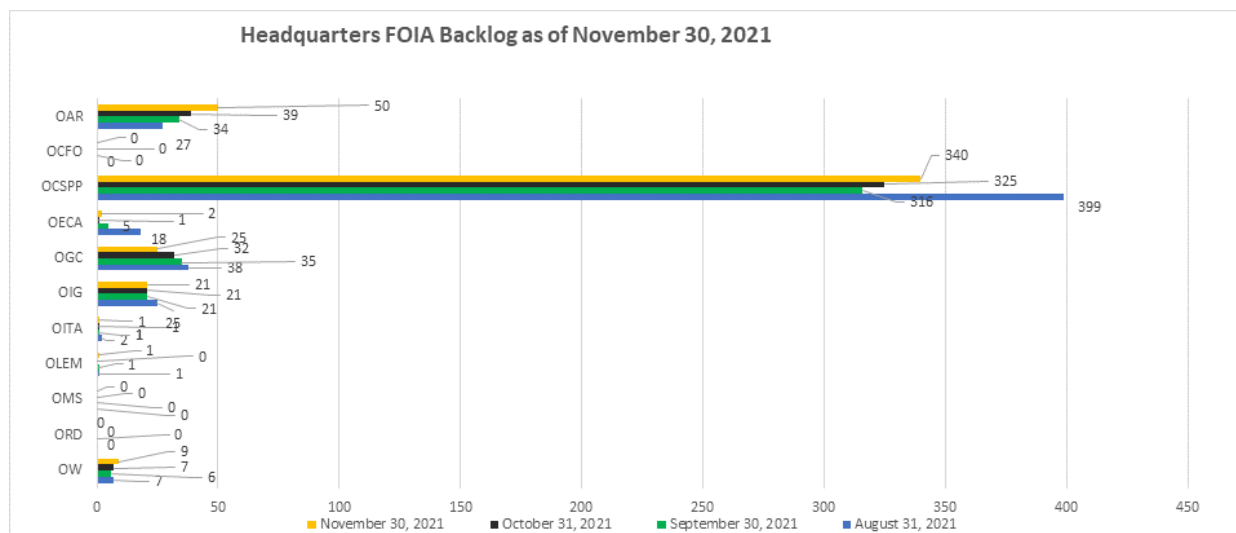
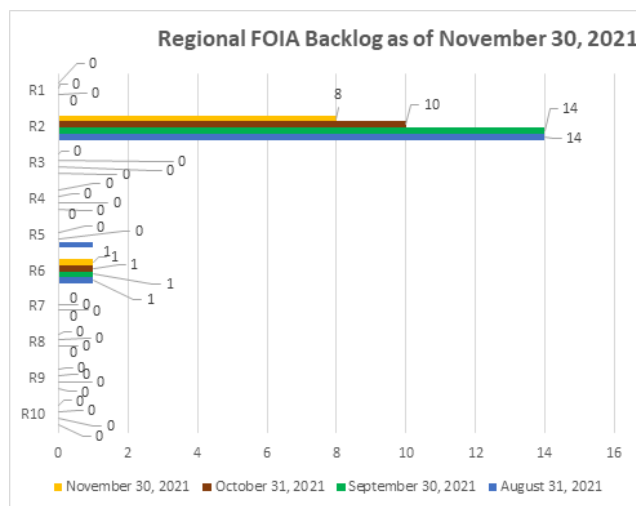
-

Congratulations for a zero backlog at the end of November to OCFO, OMS, and ORD and Regions 1, 3, 4, 5, 7, 8, 9, and 10.

Congratulations also to the following additional offices for a backlog below five: OECA, OITA, OLEM, and Region 6. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to eliminate the FOIA backlog. (This month, NFO in coordination with OCFO will be participating in listening sessions regarding the annual glide path for the Agency to reach a zero backlog and regarding the annual targets for each office that cascade from the agency-wide glide path.)

End of November Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: November, October, September, and August 2021. The Office of the Administrator reduced its backlog by 3 to 615 at the end of November.



For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or

notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The August data in this report was generated from FOIAonline on September 1; the September data on October 1, and the October data on November 1, and the November data on December 7, 2021. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

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National FOIA Office
EPA Office of General Counsel

From: E. Timothy
To: Career, Deputy Assistant Administrators; Leadership, Deputy Associate Administrators; Leadership Assistant Administrators; Leadership Regional Administrators; Leadership Deputy Regional Administrators; Leadership Associate Administrators; Leadership Deputy Assistant Administrators; Deputy Regional Counselors; Regional Counselors; Regional FOIA Officers; FOIA Coordinators/Officers/Alternates and Supervisors; EPA FOIA Community
Cc: Chaudhry, Dipinder; Hope, Robin; Joffe, Brian; OGC, NCS; Vanden, Lynn; Gross, Louann; Wachter, Eric; Weaver, Susanah
Subject: January 2022 EPA FOIA Backlog Report (FY22 Q1 Results)
Date: Thursday, January 6, 2022 1:15:06 PM
Attachments: image001.png
image002.png

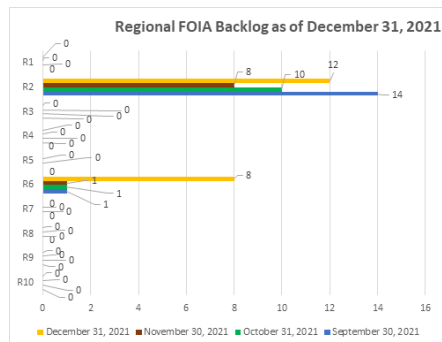
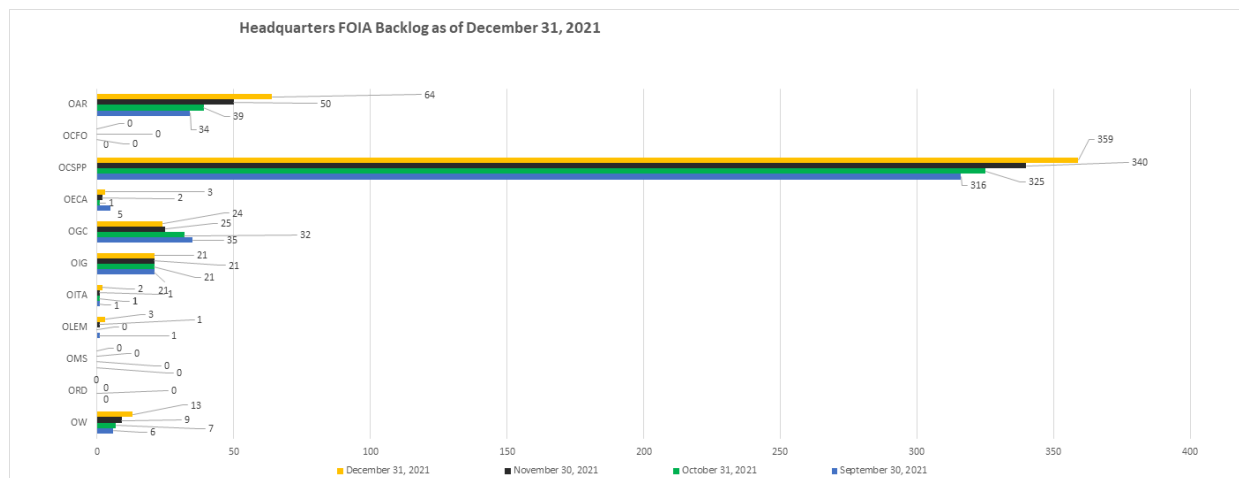
Colleagues,

This email reports on the Agency's backlog of overdue FOIA requests at the end of December 2021 – the end of fiscal year 2022's first quarter. Overall, the Agency's backlog of overdue FOIA requests *increased* by the end of December to 1,146 from 1,064 at the end of November. The backlog at the end of December is an 8.5% increase from the beginning of the fiscal year when the backlog was 1,056. The increase was concentrated in only a few offices, while most offices maintained prior levels or very low numbers.

Congratulations for a zero backlog at the end of December to OCFO, OMS, and ORD and Regions 1, 3, 4, 5, 7, 8, 9, and 10. Congratulations also to OGC for achieving a 30% backlog reduction in the first quarter of FY22, and to the following additional offices for a backlog below five at the end of December: OECA, OITA, OLEM. Maintaining these low numbers is critical to the Agency's overall commitment to transparency and the specific objective to eliminate the FOIA backlog.

End of December Overdue FOIA Data

The charts below show the number of overdue FOIA requests in EPA headquarters program offices and the regions at the end of the most recent four months: December, November, October, and September 2021. The Office of the Administrator's backlog increased by 22 to 637 at the end of December.



For this report, overdue FOIA request is defined as a FOIA request pending for more than 20 working days as of the end of the month or beyond an applicable due date extension that has been documented in FOIAonline (by agreement, proper notice of unusual circumstances, or notice of clock stoppage for clarification or fee assurances that is recorded as a due date extension). Please note that this definition of the backlog is different from the definition required for the Agency's annual report to the Department of Justice, which does not take into account unusual circumstances extensions beyond 10 days or other statutorily authorized due date extensions documented in the FOIAonline tracking system.

The September data in this report was generated from FOIAonline on October 1; the October data on November 1; the November data on December 7, 2021; and the December data on January 3. If you would like to discuss the data, what additional data you would like to see reported, or to discuss ideas on how we can more rapidly reduce the Agency's FOIA backlog and more effectively meet the Agency's FOIA responsibility, please contact me at epp.timothy@epa.gov or at (202) 564-2830.

Tim

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FY 2020 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2020		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Agency-wide Overdue FOIA Requests	Target	2153	2131	2052	1973	1894	1815	1736	1657	1578	1499	1420	1341	1269
AAships/Regions														
Office of the Administrator (OA)	Target	1193	1138	1095	1053	1010	967	924	881	838	796	753	710	667
Office of Air and Radiation (OAR)	Target	104	102	98	95	91	87	83	79	75	72	68	64	60
Office of the Chief Financial Officer (OCFO)	Target	0	0	0	0	0	0	0	0	0	0	0	0	0
Office of Chemical Safety and Pollution Prevention (OCSPP)	Target	368	372	365	358	351	344	337	317	297	277	256	235	214
Office of Enforcement and Compliance Assurance (OECA)	Target	28	24	23	22	21	21	20	19	18	17	16	15	14
Office of General Counsel (OGC)	Target	76	86	82	79	76	73	69	66	63	60	57	53	50
Office of International and Tribal Affairs (OITA)	Target	2	2	2	2	2	1	1	1	1	1	1	1	0
Office of Land and Emergency Management (OLEM)	Target	18	20	20	19	18	17	17	16	15	14	14	13	12
Office of Mission Support (OMS)	Target	10	10	10	9	9	8	8	7	7	6	6	5	5
Office of Research and Development (ORD)	Target	11	11	10	9	8	7	6	5	4	3	2	1	0

Note: DOJ requires, for consistency across agencies, that the annual report backlog calculation account for only 20-day or 30-day statutory response timeframes. EPA's backlog figures represented here account for additional time to process requests under unusual circumstances, EPA's communication with requesters, and alternative timeframes for processing as provided in § 552(a)(6)(B)(ii).

FY 2020 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2020		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Office of Water (OW)	Target	31	32	31	30	29	28	27	26	25	24	23	22	21
Region 1	Target	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 2	Target	113	115	111	107	102	98	94	89	85	81	76	72	68
Region 3	Target	7	11	10	9	8	7	6	5	4	3	2	1	0
Region 4	Target	15	14	13	12	11	10	9	8	7	6	4	2	0
Region 5	Target	53	94	90	87	83	80	76	73	69	65	62	59	50
Region 6	Target	5	8	8	8	7	7	7	6	6	6	5	5	4
Region 7	Target	1	1	1	1	1	1	1	1	1	1	1	1	0
Region 8	Target	0	1	1	1	1	1	1	1	1	1	1	1	0
Region 9	Target	5	4	4	4	3	3	3	2	2	2	1	1	0
Region 10	Target	0	0	0	0	0	0	0	0	0	0	0	0	0

FY2021 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2021		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Agency-wide Overdue FOIA Requests	Target	1363	1302	1241	1180	1119	1058	997	936	875	814	753	692	635
AAships/Regions														
Office of the Administrator (OA)	Target	733	700	667	634	601	568	535	502	469	436	403	370	342
Office of Air and Radiation (OAR)	Target	41	39	37	35	33	31	29	27	25	23	21	19	17
Office of the Chief Financial Officer (OCFO)	Target	1	1	1	1	1	0	0	0	0	0	0	0	0
Office of Chemical Safety and Pollution Prevention (OCSPP)	Target	354	338	322	306	290	274	258	242	226	210	194	178	165
Office of Enforcement and Compliance Assurance (OECA)	Target	17	14	13	12	11	10	9	9	8	8	7	7	6
Office of General Counsel (OGC)	Target	67	64	61	58	55	52	49	46	43	40	37	34	31
Office of International and Tribal Affairs (OITA)	Target	1	1	1	1	0	0	0	0	0	0	0	0	0
Office of Land and Emergency Management (OLEM)	Target	4	4	4	3	3	3	2	2	2	1	1	0	0
Office of Mission Support (OMS)	Target	9	8	7	7	6	5	5	4	3	3	2	1	0
Office of Research and Development (ORD)	Target	1	1	1	1	1	1	0	0	0	0	0	0	0

Note: DOJ requires, for consistency across agencies, that the annual report backlog calculation account for only 20-day or 30-day statutory response timeframes. EPA's backlog figures represented here account for additional time to process requests under unusual circumstances, EPA's communication with requesters, and alternative timeframes for processing as provided in § 552(a)(6)(B)(ii).

FY2021 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2021		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Office of Water (OW)	Target	1	1	1	1	1	1	0	0	0	0	0	0	0
Region 1	Target	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 2	Target	57	54	51	48	45	42	39	36	33	30	27	24	27
Region 3	Target	4	4	4	3	3	3	2	2	2	1	1	1	0
Region 4	Target	3	3	3	3	2	2	2	2	1	1	1	1	0
Region 5	Target	22	22	20	18	12	10	9	8	7	6	5	4	3
Region 6	Target	9	7	7	5	5	5	4	4	4	3	3	3	2
Region 7	Target	1	1	1	1	1	1	0	0	0	0	0	0	0
Region 8	Target	0	1	1	1	1	1	1	1	1	1	1	1	0
Region 9	Target	0	0	0	0	0	0	0	0	0	0	0	0	0
Region 10	Target	0	0	0	0	0	0	0	0	0	0	0	0	0

FY 2022 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2022		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Agency-wide Overdue FOIA Requests	Target	1056	1038	1020	1002	984	966	948	930	912	894	876	858	845
AAships/Regions														
Office of the Administrator (OA)	Target	622	622	622	612	600	588	575	560	548	535	522	510	508
Office of Air and Radiation (OAR)	Target	34	34	34	34	34	34	33	32	31	30	29	27	27
Office of the Chief Financial Officer (OCFO)	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Office of Chemical Safety and Pollution Prevention (OCSPP)	Target	316	316	316	316	316	308	300	292	284	276	268	260	257
Office of Enforcement and Compliance Assurance (OECA)	Target	5	5	5	5	5	4	4	3	3	3	2	2	2
Office of General Counsel (OGC)	Target	35	35	34	33	32	31	30	29	28	28	28	28	27
Office of International and Tribal Affairs (OITA)	Target	1	1	1	1	1	1	1	1	1	1	0	0	0
Office of Land and Emergency Management (OLEM)	Target	1	1	1	1	1	1	1	1	1	1	0	0	0
Office of Mission Support (OMS)	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Office of Research and Development (ORD)	Target	0	1	1	1	1	1	1	1	1	1	0	0	0

Note: DOJ requires, for consistency across agencies, that the annual report backlog calculation account for only 20-day or 30-day statutory response timeframes. EPA's backlog figures represented here account for additional time to process requests under unusual circumstances, EPA's communication with requesters, and alternative timeframes for processing as provided in § 552(a)(6)(B)(ii).

FY 2022 EPA FOIA Backlog Reduction Goals

Month Over Month

FY 2022		Begin FY	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Office of Water (OW)	Target	6	6	6	6	6	4	4	3	3	2	2	2	2
Region 1	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 2	Target	14	13	12	11	10	9	8	7	6	6	5	5	5
Region 3	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 4	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 5	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 6	Target	1	1	1	1	1	1	1	1	1	1	0	0	0
Region 7	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 8	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 9	Target	0	1	1	1	1	1	1	1	1	1	0	0	0
Region 10	Target	0	1	1	1	1	1	1	1	1	1	0	0	0

Quarterly Performance Reports

Number of Overdue FOIA Requests

2.2.1 Reform Plan Priority Area (FY21-22): Speeding Up FOIA Responses
FY2018 through FY2021



National FOIA Office
EPA Office of General Counsel

EPA-2022-001623

Data Gap

SM 2.2.1: Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests

Description of data gap

Target development; some results available for supporting measures. As of May 31, 2018:

- FOIA Requests received in FY 2018: 7,897
- FOIA Requests closed w/in Statutory Deadline in CY 2018: 1,493 (29%)
- Backlog beginning FY 2018: 1,528
- Current backlog: 2,539 (60% increase)

Root Cause

This is a new performance measure.

Actions to be taken by Sept. 30 to gather data

- Working to establish baseline to set targets.

Speeding Up FOIA Responses

Executive Sponsor: Matt Leopold Process Owner: Neil Bigioni Project Lead: Wendy Schumacher, Joan Moumbleaux

Goal

By September 30, 2022, eliminate the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests.

Current Backlog: 2,539

Actions in 2018

February: FOIA Lean Kaizen event

April: Completed reorganization of OEI National FOIA Program and OGC FOIA Expert Assistance Team into the OGC National FOIA Office (NFO)

May: Established Intake Centralization Team and FOIA Process Flow Team

Actions Planned through Sept. 30

- Publish draft FOIA regulations in Federal Register
- Hold Kaizen events for new FOIA teams
- Hire additional staff for NFO FOIA operations work
- Develop process to capture data for new measure #41 or propose alternate method to measure monthly progress on backlog

Challenges

- Regulations must be revised to allow for meaningful centralization of intake process.
- Integrating OGC's FEAT and OEI's National FOIA program, along with any newly hired staff, into a fully functional team, and providing for permanent NFO management.
- Tracking new measures or changes to current measures through FOIAonline or other tools

Metric	YTD		Feb.	March	April	May
Overdue FOIA Requests (cumulative)	Target	-	-	-	-	-
	Actual	2,539	2,325	2,331	2,419	2,539
New FOIA requests not responded to in a timely manner	Target					
	Actual					EPA-2022-001623

Missed Target & Reform Area: Speeding Up FOIA Response

Executive Sponsor: Elise Packard Process Owner: Timothy Epp Project Lead: Larry Gottesman/Denise Walker Metric Owner: Timothy Epp

PG 2.2.1: Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests

Project Goal: By September 30, 2022, eliminate the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests

Results:

Performance Metric Title	Custom Field	JOP	Target Direction		YTD	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests		1/31/2018	Decrease	Target	-	-	-	-	-	-	-	-	-	-	-	-	-
		2325		Actual	2616	-	-	-	2325	2331	2419	2537	2539	2597	2553	2942	2616

Root Cause

Significant increase in FOIA requests; complicated lines of authority and inadequate accountability in a decentralized program.

Progress Made in FY18

- Re-organized National FOIA Office and announced Regional Office reorganization to improve accountability and begin centralization
- Began hiring for expanded staff (NFO and AO)
- Developed performance appraisal standard to be included in manager agreements

Actions Planned through End of 1st Quarter FY19

- Conclude hiring and on-boarding in NFO
- Complete transition of site specific FOIA requests to publicly available MyProperty information
- Complete evaluation of options and publish FOIA regulations proposal in Federal Register

Challenges: FOIAonline 3.0 (incomplete migration of data and released records); managing data quality; training staff in FOIA processing



Missed Target & Reform Area: Speeding Up FOIA Response

Executive Sponsor: Elise Packard Process Owner: Timothy Epp Project Lead: Larry Gottesman/Denise Walker Metric Owner: Timothy Epp

Goal/PG 2.2.1 Eliminate the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests

Results

Metric ID	Performance Metric Title	Custom Field	JOP	Target Direction		FY 2018 EOY	YTD	Oct	Nov	Dec	Jan	Feb
PG 2.2.1	Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests		1/31/2018	Decrease	Target	-	2325	2484	2431	2378	2325	2272
			2325		Actual	2616	3106	2503	2721	2664	3106	

Root Cause

- Significant increase in FOIA requests
- Complicated lines of authority and inadequate accountability in a decentralized program.

Progress Made in FY18

- Re-organized National FOIA Office and announced Regional Office reorganization
- Began hiring for expanded staff (NFO and AO)
- Developed performance appraisal standard to be included in manager agreements

Actions Planned through End of 1st Quarter FY19

- Publish Phase 1 update to FOIA regulations in Federal Register and begin Phase 2 options analysis
- Complete development and begin delivery of agency-wide supervisor training
- Improve centralized FOIA intake and assignment process

Challenges Managing data quality; training staff in FOIA processing; reviewing voluminous document collections

Missed Target & Reform Area: Speeding Up FOIA Response

Executive Sponsor: Elise Packard Process Owner: Timothy Epp Project Lead: Larry Gottesman/Denise Walker

PG 2.2.1 Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests.

Root Cause

Significant increase in FOIA requests; complicated lines of authority and inadequate accountability in a decentralized program

Progress Made Towards Goal

- Re-organized National FOIA Office
- Completed hiring for expanded staff (NFO and AO)
- Began issuing monthly backlog reports for HQ and Regional Offices
- Completed FOIA Flow Board training kit
- Complete regional FOIA office realignment into Regional Counsel Offices

Challenges

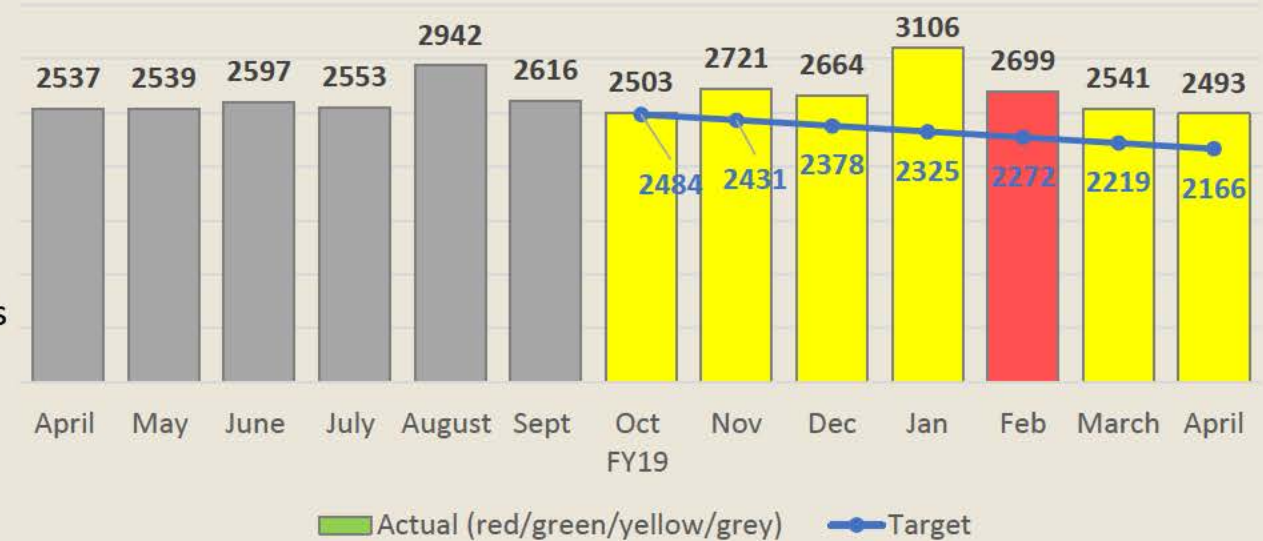
- Managing data quality; Training staff in FOIA processing

Actions Planned through End of 3rd Quarter FY19

- Publish Phase 1 update to FOIA regulations in Federal Register
- Begin Phase 2 options analysis
- Complete development and begin delivery of agency-wide supervisor training
- Analyze data collected from pilot offices and refine National Pulse Board
- Improve centralized HQ FOIA intake and assignment process

Number of FOIA Requests in Backlog

Preferred Direction: *Decrease*



Missed Target & Reform Area: Speeding Up FOIA Response

Executive Sponsor: Elise Packard Process Owner: Timothy Epp Project Lead: Larry Gottesman/Denise Walker

PG 2.2.1 Eliminate backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests.

Root Cause

Significant increase in FOIA requests; complicated lines of authority and inadequate accountability in a decentralized program

Progress Made Towards Goal

- Re-organized National FOIA Office & Regional FOIA Offices
- Began issuing monthly backlog reports for HQ and Regional Offices
- Rolled out FOIA Flow Boards & began collecting National Pulse Board data
- Published FOIA regulation update & centralized FOIA intake
- Completed development and begin delivery of supervisor training

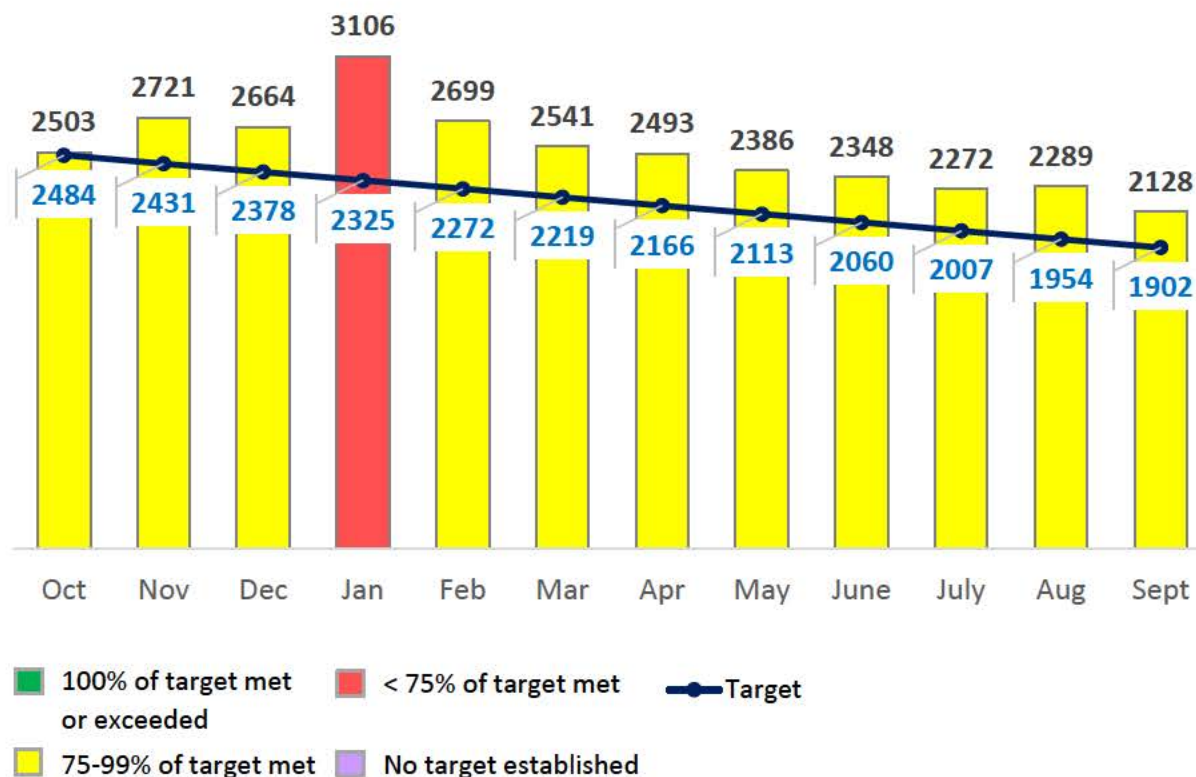
Actions Planned through End of 1st Quarter FY 2020

- Analyze data collected from pilot offices and refine National Pulse Board
- Improve centralized HQ FOIA intake and assignment process
- Add cascading FOIA bowling chart targets for all HQ and Regional Offices
- Develop agency-wide supervisor training plan for FY 2020

Challenges

- Managing data quality; Training staff in FOIA processing

Number of FOIA Requests in Backlog
In FY 2019

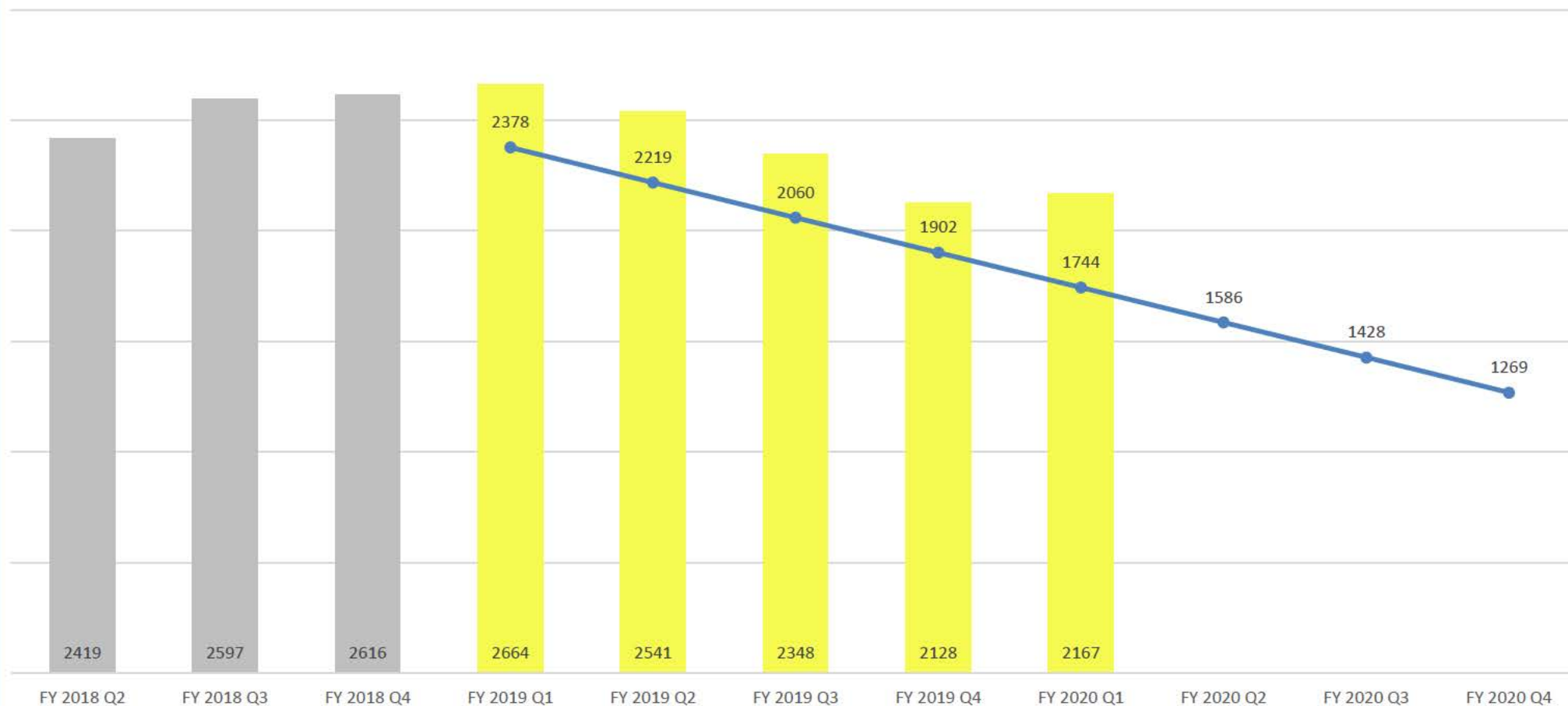


Number of Overdue FOIA Requests

2.2.1

Reform Plan Priority Area (FY19-22): Speeding up FOIA Responses

Preferred Direction: *Lower Than Target*



100% of target met or exceeded < 75% of target met 75-99% of target met No target established

Target

EPA-2022-001623

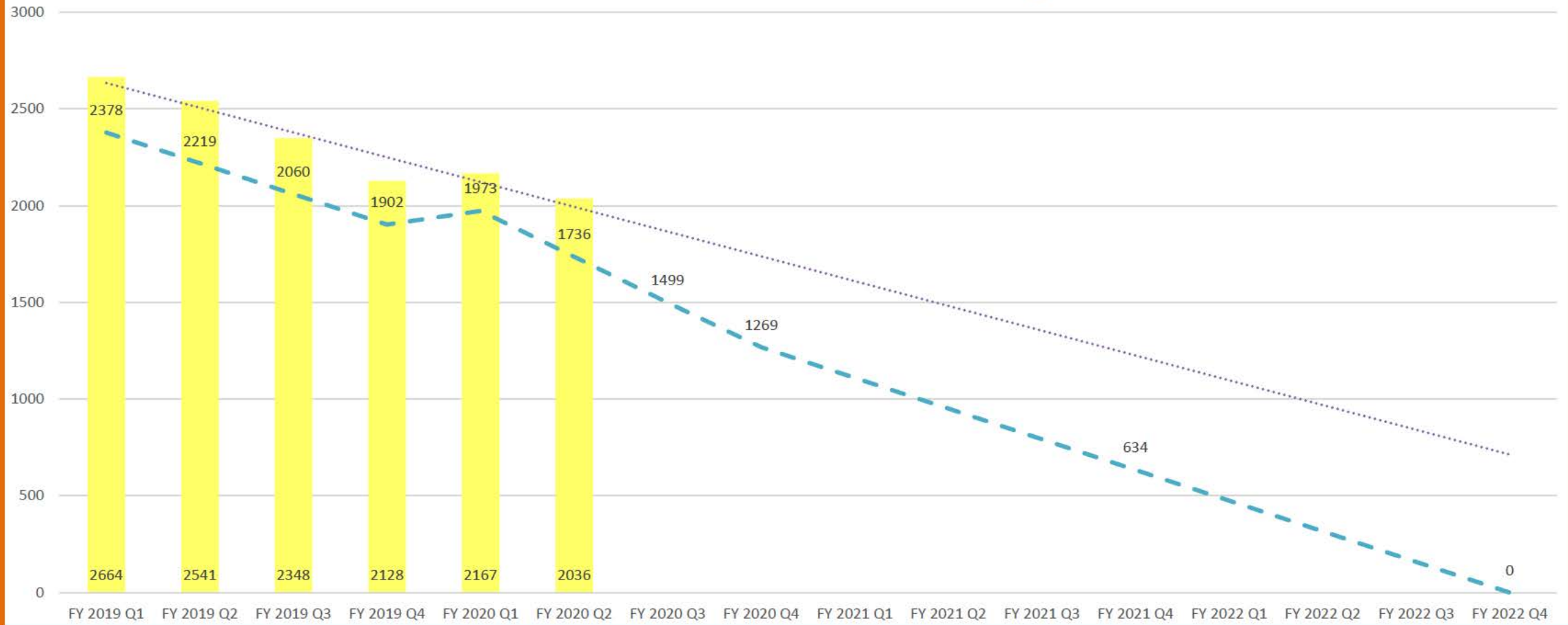


Number of Overdue FOIA Requests

2.2.1

Reform Plan Priority Area (FY1-22): Speeding Up FOIA Responses

Preferred Direction: Lower Than Target

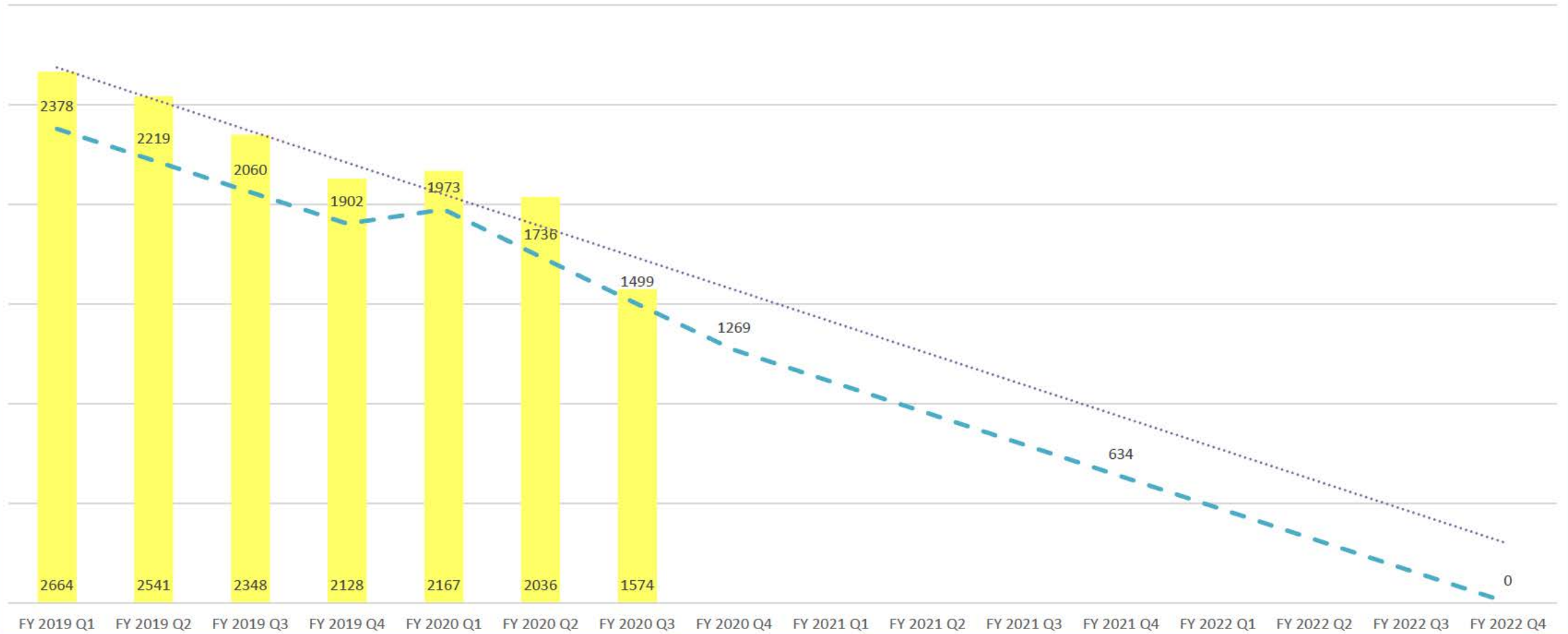


Number of Overdue FOIA Requests

2.2.1

Reform Plan Priority Area (FY1-22): Speeding Up FOIA Responses

Preferred Direction: *Lower Than Target*



Number of Overdue FOIA Requests

2.2.1

Reform Plan Priority Area (FY19-22): Speeding Up FOIA Responses

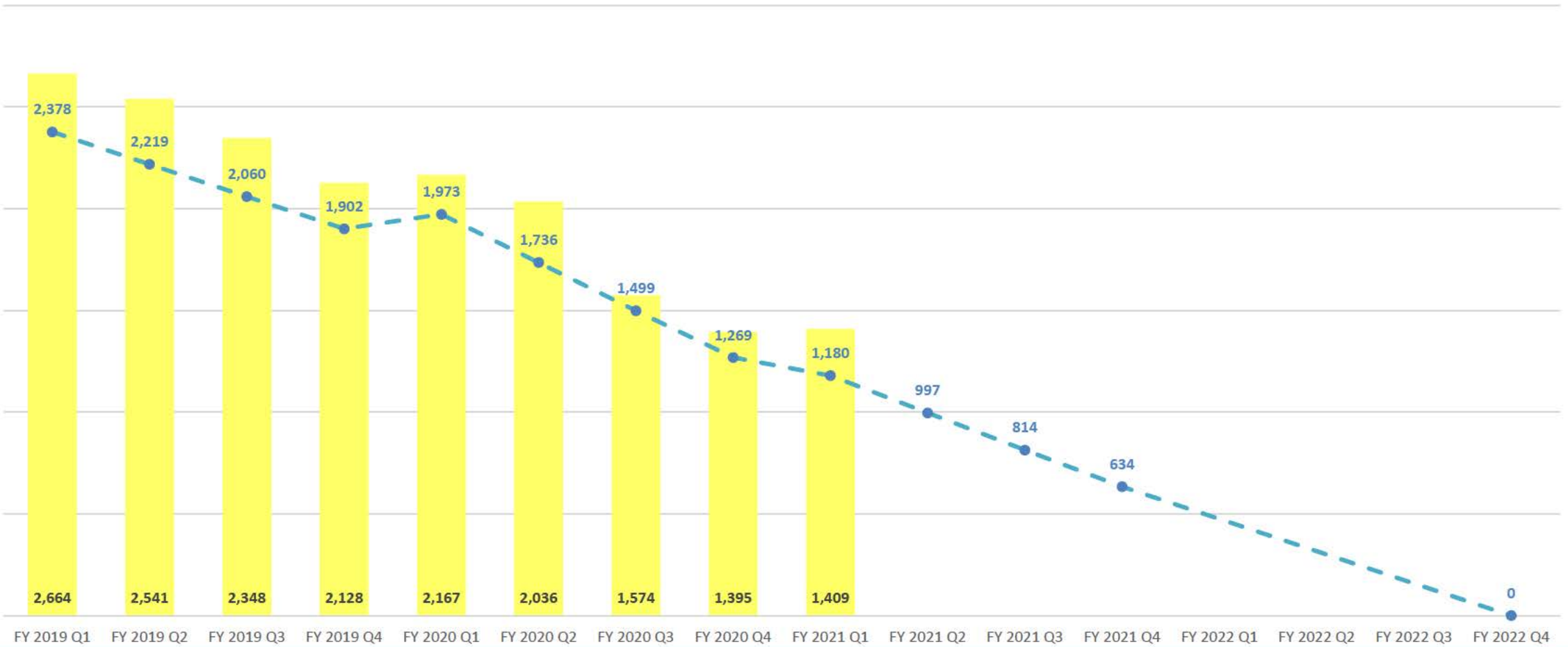
Preferred Direction: *Lower Than Target* ↓ +



Number of Overdue FOIA Requests

2.2.1

Preferred Direction: *Lower Than Target*



Number of Overdue FOIA Requests

2.2.1

Preferred Direction: *Lower Than Target*



This LTPG will continue in EPA's FY 2022-2026 Strategic Plan with some changes in methodology

EPA-2022-001623