Description of document:	Environmental Protection Agency (EPA) Copies of selected FOIAonline Contractor Progress Reports, 2019-2021
Requested date:	07-April-2022
Appealed date:	13-July-2022
Release date:	02-June-2023
Posted date:	19-June-2023
Source of document:	FOIA Request National FOIA Office US Environmental Protection Agency 1200 Pennsylvania Avenue NW (2310A) Washington, DC 20460

February 10, 2023

Re: Freedom of Information Act ("FOIA") PBI Tracking No. EPA-2022-005500
        (FOIA Request EPA-2022-003572)

I am responding to your April 7, 2022 Freedom of Information Act ("FOIA") request. You received an initial partial denial of your request on July 13, 2022 from Brian Thompson, Division Director for the eDiscovery Division of the Office of Enterprise Information Systems, Office of Mission Support ("decision") of the U.S. Environmental Protection Agency ("EPA" or "Agency"). In your FOIA request, you sought FOIAonline monthly performance reports.

Consistent with the EPA's FOIA regulations under 40 C.F.R. §2.204(d), the April 7, 2022 Decision stated that your request was initially denied because the responsive records were preliminarily determined to be exempt from disclosure under Exemption 4 (confidential business information ("CBI")) of the FOIA. 5 U.S.C. § 552(b)(4). Twenty-three documents were withheld in full in response to this FOIA request. This included nine FOIAonline progress reports, nine FOIA monthly financial reports, and five invoice reconciliation documents.

EPA requested that the affected company substantiate any CBI claims associated with these twenty-three documents. In its substantiation, the Company withdrew its confidentiality claims with respect to the nine FOIAonline progress reports and certain information in the monthly financial reports and invoice reconciliation documents. These FOIAonline progress reports are being provided to you today in full. Redacted versions of the financial reports and invoice reconciliation documents are being provided to you as well.

The company continues to assert claims of confidentiality over the names of employees and sensitive financial data including actual cost data that is contained in the nine monthly

financial reports. The company also continues to assert claims of confidentiality over financial information contained in the invoice reconciliation documents.

On January 30, 2023, the Office of General Counsel issued a final determination and found that the information claimed as CBI was entitled to confidential treatment. Pursuant to 40 C.F.R. § 2.205(e), the final determination concludes your request, and the file is now closed.

In accordance with 5 U.S.C. § 552(a)(4)(B), you have the right to seek judicial review of this determination by instituting an action in the district court of the United States in the district in which you reside, or have your principal place of business, or in which the Agency records are situated, or in the District of Columbia. As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) within the National Archives and Records Administration was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD, 20740-6001; e-mail, ogis@nara.gov; telephone, 301-837-1996 or 1-877-684-6448; and facsimile, 301-837-0348.

Please contact me at bermes.peter@epa.gov if you have further questions regarding this matter.

Sincerely,

Peter Bermes

Peter Bermes
Attorney-Advisor
General Law Office

cc: Brian Thompson, Division Director, eDiscovery Division, OEIP, OMS

July 13, 2022

Re: Freedom of Information Act Request No. EPA-2022-003572

This letter is in reference to your Freedom of Information Act (FOIA) request received by the U.S. Environmental Protection Agency on 4/7/2022, in which you requested records relating to:

"A copy of each FOIAonline Monthly Performance Report provided by the contractor (Booz Allen Hamilton) to the program office that manages FOIAonline and Regulations.gov. I limit this request to reports during the timeframe January 2020 to April 2022. This is about 28 reports in all. I also request a copy of the two most recent FOIAonline WEEKLY Performance Reports."

The Office of Mission Support, Office of Enterprise Information Programs has concluded its search for records responsive to your request and is withholding all the responsive records.

The responsive records are exempt from disclosure Exemption 4, Trade Secrets and Confidential Business Information (CBI) (also referred to as Proprietary Business Information (PBI)): Exemption 4 protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." Based on this wording, the exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential.

Pursuant to 40 C.F.R. § 2.204(d)(1), your request is being initially denied because further inquiry by EPA is required before a final determination can be made. We will consult with the third party(ies) in connection with their business confidentiality claim(s) covering these records and the Office of General Counsel will issue a final confidentiality determination.

There is no charge for this FOIA request.

This letter concludes our response to your request. As noted above, the information withheld under Exemption 4 will be reviewed by the appropriate legal office, which will issue a final confidentiality determination. Therefore, you do not need to appeal the withholding of information under Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released.

To the extent you would like to appeal any other issue, including any non--Exemption 4 withholdings, 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 me at Thompson.BrianK@epa.gov.

Sincerely,

BRIAN
THOMPSON

Digitally signed by BRIAN
THOMPSON
Date: 2022.07.13 10:55:15
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Brian Thompson, Division Director
eDiscovery Division
Office of Enterprise Information Programs

FOIAonline Programs System Application and Infrastructure Support

MONTHLY PROGRESS REPORT

NOVEMBER 2019

Prepared for the FOIAonline PMO and the EPA Office of Acquisition Management

MONTHLY PROGRESS REPORT

1 STATUS AND ACCOMPLISHMENTS

PERFORMANCE OBJECTIVE	ACCOMPLISHMENTS	UPCOMING ACTIVITIES/DELIVERABLES
Program/Project/Technical Management and Communications	• Continued preparations for SSA Implementation • Provided demonstrations for prospective partner agencies • Secured ODC approval and renewed Alfresco license	• Develop Roadmap and schedule • Routine monthly reports
Operations and Maintenance	• Implemented VPN setup with SSA • Collaborate with SSA on implementing .DAT file delivery solution • Supported DOJ case export activities • Ongoing Help Desk support • Routine Patching • Routine vulnerability analysis and remediation	• Routine patches & maintenance • .DAT file delivery implementation
Security	• Attended security meeting and provided artifacts as requested • Reviewed security controls • Monitoring vulnerability and POAM items	• Accreditation preparation activities
Development	• Provided Year End Annual Reporting and RDE support • Continued development and testing of 3.12 (SSA and other items) • Worked with Pay.gov program to integrate SSA payments into release 3.12	• SSA Coordination and testing

2 DIFFICULTIES AND REMEDIAL ACTIONS

PERFORMANCE OBJECTIVE	DESCRIPTION
Program/Project/Technical Management and Communications	• None encountered during reporting period
Operations and Maintenance	• None encountered during reporting period
Security	• None encountered during reporting period
Development	• None encountered during reporting period

3 MAJOR PROGRAM RISKS

DESCRIPTION	MITIGATION/CONTINGENCY	RANK	STATUS/DATE
Target budget is currently $85K/month for labor. This severely constrains the program's ability to handle unexpected operational events, requests, or other activities without impact to schedule, partner commitments, and cost.	Continuous prioritization and schedule review to address requirements within budget target.	High Probability/High Impact	Closed, EPA has indicated that program will increase budget to address its priorities

4 ITEMS REQUIRING CO ATTENTION

ITEM	REQUIRED BY
None	None

Booz | Allen | Hamilton

FOIAonline Programs System Application and Infrastructure Support

MONTHLY PROGRESS REPORT

DECEMBER 2019

Prepared for the FOIAonline PMO and the EPA Office of Acquisition Management

MONTHLY PROGRESS REPORT

1 STATUS AND ACCOMPLISHMENTS

PERFORMANCE OBJECTIVE	ACCOMPLISHMENTS	UPCOMING ACTIVITIES/DELIVERABLES
Program/Project/Technical Management and Communications	• Continued preparations for SSA Implementation • Provided preparations for prospective partner agencies • Vendor meetings with Alfresco and Symflofy for technical input	• Update Roadmap and schedule • Routine monthly reports
Operations and Maintenance	• Tested VPN setup with SSA • Supported DOJ case export activities • Ongoing Help Desk support • Routine Patching • Routine vulnerability analysis and remediation	• Routine patches & maintenance • .DAT file delivery implementation
Security	• Attended security meeting and provided artifacts as requested • Reviewed security controls • Monitoring vulnerability and POAM items	• Accreditation preparation activities
Development	• Continued development and testing of 3.12 (SSA and other items) • Worked with Pay.gov program to integrate SSA payments into release 3.12	• SSA Coordination and testing • Complete SSA Implementation

2 DIFFICULTIES AND REMEDIAL ACTIONS

PERFORMANCE OBJECTIVE	DESCRIPTION
Program/Project/Technical Management and Communications	• None encountered during reporting period
Operations and Maintenance	• None encountered during reporting period
Security	• None encountered during reporting period
Development	• None encountered during reporting period

3 MAJOR PROGRAM RISKS

DESCRIPTION	MITIGATION/CONTINGENCY	RANK	STATUS/DATE
Target budget is currently $85K/month for labor. This severely constrains the program's ability to handle unexpected operational events, requests, or other activities without impact to schedule, partner commitments, and cost.	Continuous prioritization and schedule review to address requirements within budget target.	High Probability/High Impact	Closed, EPA has indicated that program will increase budget to address its priorities

4 ITEMS REQUIRING CO ATTENTION

ITEM	REQUIRED BY
None	None

Booz | Allen | Hamilton

FOIAonline Programs System Application and Infrastructure Support

MONTHLY PROGRESS REPORT

FEBRUARY 2021

Prepared for the FOIAonline PMO and the EPA Office of Acquisition Management

MONTHLY PROGRESS REPORT

1 STATUS AND ACCOMPLISHMENTS

PERFORMANCE OBJECTIVE	ACTIVITIES	UPCOMING ACTIVITIES/DELIVERABLES
Program/Project/Technical Management and Communications	• Continued providing support with development, security, and infrastructure activities	• Monitor and maintain schedule of activities • Routine monthly reports
Operations and Maintenance	• Competed PostgreSQL RDS 9.5 EOL to 12.3 upgrade • Applied Linux and Oracle JDK patches • Began providing information to transfer hosting to the EPA AWS environment • Created daily FOIA Health Dashboard notices • Ongoing Help Desk support	• Routine patches & maintenance • Execute environment revisions as directed
Security	• Continued supporting Year 1 Security Assessment • Responded to artifacts requests from assessment team • Updated and reviewed contingency plan • Conducted CP Test Table Top Exercise for ISSO • Supported POAM tracking	• Support ISSO and FAA in annual security assessment • POAM resolution
Development/Migration	• Supported deployments of Release 4.3 • Completed EOUSA data extraction	• Support development team activities as required • Support EOUSA migration activities

2 DIFFICULTIES AND REMEDIAL ACTIONS

PERFORMANCE OBJECTIVE	DESCRIPTION
Program/Project/Technical Management and Communications	• None encountered during reporting period
Operations and Maintenance	• None encountered during reporting period
Security	• None encountered during reporting period
Development	• None encountered during reporting period

3 MAJOR PROGRAM RISKS

DESCRIPTION	MITIGATION/CONTINGENCY	RANK	STATUS/DATE
EPA has directed transition from Alfresco Enterprise Edition to Community Edition by early November. There are likely several unknowns that will arise and need to be worked through in a tight timeline. Community Edition has several limitations, e.g., no clear path to clustering, a key component of High Availability. It also is not supported by the vendor, instead relying on community support.	To address unknowns, the conversion path will proceed through two pre-production environments, undergo functional and load testing. Additionally, EPA, BAH, and CGI have daily meetings for coordination. To address limitations, EPA has accepted the risk unsupported version. BAH will add monitoring, and configure environment for resiliency to the extent practicable in the current schedule and post cutover.	High	Closed, 11/30

4 ITEMS REQUIRING CO ATTENTION

ITEM	REQUIRED BY
None	None

FOIAonline Programs System Application and Infrastructure Support

MONTHLY PROGRESS REPORT

APRIL 2021

Prepared for the FOIAonline PMO and the EPA Office of Acquisition Management

MONTHLY PROGRESS REPORT

1 STATUS AND ACCOMPLISHMENTS

PERFORMANCE OBJECTIVE	ACTIVITIES	UPCOMING ACTIVITIES/DELIVERABLES
Program/Project/Technical Management and Communications	• Continued providing support with development, security, and infrastructure activities	• Monitor and maintain schedule of activities • Routine monthly reports
Operations and Maintenance	• Applied Linux and Oracle JDK patches • Continued providing information to transfer hosting to the EPA AWS environment as requested • Adjusted Demo environment size and jobs schedule to support development team activities • Ongoing Help Desk support	• Routine patches & maintenance • Execute environment revisions as directed
Security	• Continued supporting Year 1 Security Assessment • Responded to artifacts requests from assessment team • Supported POAM tracking	• Support ISSO and FAA in annual security assessment • POAM resolution
Development/Migration	• Confirmed development team will remove EOUSA and OIP data after the AWS environment transition	• Support development team activities as required

2   DIFFICULTIES AND REMEDIAL ACTIONS

PERFORMANCE OBJECTIVE	DESCRIPTION
Program/Project/Technical Management and Communications	• None encountered during reporting period
Operations and Maintenance	• None encountered during reporting period
Security	• None encountered during reporting period
Development	• None encountered during reporting period

3 MAJOR PROGRAM RISKS

DESCRIPTION	MITIGATION/CONTINGENCY	RANK	STATUS/DATE
EPA has directed transition from Alfresco Enterprise Edition to Community Edition by early November. There are likely several unknowns that will arise and need to be worked through in a tight timeline. Community Edition has several limitations, e.g., no clear path to clustering, a key component of High Availability. It also is not supported by the vendor, instead relying on community support.	To address unknowns, the conversion path will proceed through two pre-production environments, undergo functional and load testing. Additionally, EPA, BAH, and CGI have daily meetings for coordination. To address limitations, EPA has accepted the risk unsupported version. BAH will add monitoring, and configure environment for resiliency to the extent practicable in the current schedule and post cutover.	High	Closed, 11/30

4 ITEMS REQUIRING CO ATTENTION

ITEM	REQUIRED BY
None	None

FOIAonline Programs System Application and Infrastructure Support

MONTHLY PROGRESS REPORT

MAY 2021

Prepared for the FOIAonline PMO and the EPA Office of Acquisition Management

MONTHLY PROGRESS REPORT

1 STATUS AND ACCOMPLISHMENTS

PERFORMANCE OBJECTIVE	ACTIVITIES	UPCOMING ACTIVITIES/DELIVERABLES
Program/Project/Technical Management and Communications	• Developed Phaseout Transition Plan and Project Transition Checklist • Continued providing support with development, security, and infrastructure activities	• Monitor and maintain schedule of activities • Routine monthly reports
Operations and Maintenance	• Applied Linux and Oracle JDK patches • Continued providing information to transfer hosting to the EPA AWS environment as requested • Coordinating planning of environment cutover timeline, removal of data, and validation • Ongoing Help Desk support	• Routine patches & maintenance • Execute environment revisions as directed
Security	• Reviewed and prioritized findings from Year 1 Security Assessment • Supported POAM tracking	• Support ISSO and FAA in annual security assessment • POAM resolution
Development/Migration	• Supported Development team's deployment of SAML NLRB Signing Certificate update and fixes for Session Lock and Privacy Statement Findings	• Support development team activities as required

2 DIFFICULTIES AND REMEDIAL ACTIONS

PERFORMANCE OBJECTIVE	DESCRIPTION
Program/Project/Technical Management and Communications	• None encountered during reporting period
Operations and Maintenance	• None encountered during reporting period
Security	• None encountered during reporting period
Development	• None encountered during reporting period

3   MAJOR PROGRAM RISKS

DESCRIPTION	MITIGATION/CONTINGENCY	RANK	STATUS/DATE
EPA has directed transition from Alfresco Enterprise Edition to Community Edition by early November. There are likely several unknowns that will arise and need to be worked through in a tight timeline. Community Edition has several limitations, e.g., no clear path to clustering, a key component of High Availability. It also is not supported by the vendor, instead relying on community support.	To address unknowns, the conversion path will proceed through two pre-production environments, undergo functional and load testing. Additionally, EPA, BAH, and CGI have daily meetings for coordination. To address limitations, EPA has accepted the risk unsupported version. BAH will add monitoring, and configure environment for resiliency to the extent practicable in the current schedule and post cutover.	High	Closed, 11/30

4   ITEMS REQUIRING CO ATTENTION

ITEM	REQUIRED BY
None	None