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

JUN 12 2014

Christopher Horner
Senior Fellow
Competitive Enterprise Institute
1899 L Street, NW, 12th Floor
Washington, D.C. 20036

OFFICE OF
GENERAL COUNSEL

Re: Freedom of Information Act Request No. EPA-HQ-2014-006434

Dear Mr. Horner:

I am writing in regard to your FOIA request, EPA-HQ-2014-006434, seeking certain records sent to or from employees in the Office of General Counsel that refer or relate to Gina McCarthy and text messaging, as described by your May 13, 2014 request.

By this letter I am notifying you that the Office of General Counsel has collected records responsive to your request, and intends to comply with your request for records by releasing non-exempt, responsive portions of records. The Office of General Counsel also will be withholding records or portions of records under Exemptions 5 and 6, and will describe those withholdings consistent with EPA's FOIA regulations in our final production of records.

Unusual circumstances exist because EPA anticipates that the response will require significant amount of EPA's resources and time to search for, and appropriately examine the voluminous amount of records to complete this response. The Office of General Counsel expects to provide you with its response on or before July 31, 2014. Of course, we will be working diligently working on the request and will determine whether we may be able to provide you records on a rolling basis, and if we can respond sooner, we will let you know. In the interim, please contact Lynn Kelly of my staff at 202-564-3266 or via email at kelly.lynn@epa.gov with questions regarding the status of your request. In addition, you may contact the EPA FOIA Public Liaison, Larry Gottesman, at 202-566-1667 or Gottesman.larry@epa.gov, to assist with this matter.

Sincerely,

Lynn Kelly
Attorney-Advisor
Office of General Counsel