SOUTHERN ENVIRONMENTAL LAW CENTER

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April 3, 2017

Regional Freedom of Information Officer
U.S. EPA, Region 4
AFC Building, 61 Forsyth St., S.W., 9th Floor (4PM/IF)
Atlanta, GA 30303-8960
(404) 562-9891

Re: FOIA Request: Executive Order 13777

Dear Regional FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, the Southern Environmental Law Center ("SELC") respectfully requests all records in the possession of the U.S. Environmental Protection Agency ("EPA") that in any way relate to Executive Order 13777, Enforcing the Regulatory Reform Agenda, and the execution or implementation of this Executive Order.

For the purposes of this request, the term "records" includes all written, printed, recorded, or electronic materials, communications, correspondence, memoranda, notations, copies, diagrams, charts, books, papers, maps, photographs, data, tables, spreadsheets, formulas, directives, observations, impressions, contracts, letters, messages, and mail in the possession, custody, or control of EPA. Please provide any electronic records in native file format. Please also include all responsive records generated up to the date this request is filled.

The disclosure of the requested materials would be in the public interest because it is likely to contribute significantly to public understanding of EPA's activities in relation to EPA's execution and implementation of Executive Order 13777, which could have profound impacts on the work of EPA and its mission to protect human health and the environment, and is not in the commercial interest of SELC. SELC is a 501(c)(3) non-profit organization working to protect the natural resources of the Southeast and, in particular, to gather, analyze, and disseminate public information about activities affecting human health and the environment in the Southeast. As part of its work, SELC has been actively engaged in protecting the environment of the Southeast for three decades.

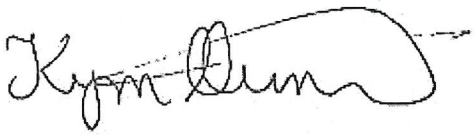
We request that you waive any search and duplication fees and provide the requested records without charge, or at a reduced charge, pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). The disclosure of the requested materials would be in the public interest because it is likely to contribute significantly to public understanding of EPA's activities and is not in the commercial interest of SELC or our clients. Courts have recognized that Congress intended FOIA's fee

waiver to be "liberally construed in favor of waivers for noncommercial requesters." *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284 (9th Cir. 1987).

Should our request for reduced or waived fees be denied, we are prepared to bear the reasonable costs necessary to fulfill this request, although we request that you contact us before processing this request to discuss fees. We reserve our right to appeal a denial of our request for a fee waiver or reduction.

FOIA directs a responding agency to make a "determination" on any request within twenty working days of receipt. 5 U.S.C. § 552(a)(6)(A). Should our request be denied, we ask that you inform us of the grounds for denial and the specific administrative appeal rights that are available. Please contact me at (919) 967-1450 or *khunter@selcnc.org* to arrange for inspection, copying, and electronic transmission of the requested documents.

Sincerely,



Kym Hunter
Staff Attorney