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Comment On: EPA-HQ-OPP-2016-0385-0001
Meetings: Federal Insecticide, Fungicide, and Rodenticide Act Scientific Scientific Advisory Panel

Document: EPA-HQ-OPP-2016-0385-0128
Anonymous public comment

Submitter Information

General Comment

On September 16, 2016, it appears that a large number of documents were posted to this public docket. However, the great majority of them (IDs 0018 through 0080, 0099, 0100) are not actually present. Instead, we are invited to make a FOIA request for them. Does EPA guarantee that such requests will be honored in time to perform a meaningful review of the documents in time for the Oct 4 deadline for comments? The whole point of a public docket is to make documents accessible to the public for review; the approach taken by EPA here appears designed to frustrate any review.

The statement made in the "show more details" link for each of these documents (except ID No 0042, see below) is:

"This document may be requested under the Freedom of Information Act Http://www.epa/pesticide/foia or contact the Office of Pesticide Programs Regulatory Docket at (703) 305-5805. Access is restricted to entities not engaged in the production sale or distribution of pesticides outside the United States."

I can see no basis for such access restriction in FOIA, which lists exactly nine exemptions, none of which appears to allow for partial restrictions of this nature. It should be obvious that any attempt to restrict access in the manner indicated would be entirely futile in practice.

In view of the short time available for review, the large number of documents, and the futility of any attempted restriction, I request that EPA post all these documents to www.regulations.gov to allow adequate time for review and comment.

One further point. Document ID No. 0042 has absolutely no information on how to obtain a copy (the "show more details" link does not even indicate accessibility through a FOIA request). In case that was deliberate, I request that EPA provide details on how to obtain a copy.