Message

From: Graff, Jeannine [Graff.Jeannine@epa.gov]
Sent: 7/6/2017 3:46:39 PM
To: Fritz, Frank [Fritz.Frank@epa.gov]; Baldwin, Edward [baldwin.edward@epa.gov]; Butler, John [Butler.JohnJ@epa.gov]
CC: Tate, Rita [Tate.Rita@epa.gov]
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Guess I was overthinking it...not uncommon. Ed – you were right! Thanks Frank.

Jeannine S. Graff
Office of Communications and Government Relations
EPA Region III
215-814-5106

From: Fritz, Frank
Sent: Thursday, July 06, 2017 11:40 AM
To: Graff, Jeannine <Graff.Jeannine@epa.gov>; Baldwin, Edward <baldwin.edward@epa.gov>; Butler, John <Butler.JohnJ@epa.gov>
Cc: Tate, Rita <Tate.Rita@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Another thought: Why not take the requester at his word and search for:

> Sent:6/24/16..7/6/17 AND ("AWPA standards" OR "American Wood Protection Association standards")

Frank

From: Fritz, Frank
Sent: Thursday, July 06, 2017 11:34 AM
To: Graff, Jeannine <Graff.Jeannine@epa.gov>; Baldwin, Edward <baldwin.edward@epa.gov>; Butler, John <Butler.JohnJ@epa.gov>
Cc: Tate, Rita <Tate.Rita@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Folks,

The time frame is relatively short (6/24/16..today) and we're searching only one person's email, so that should cut down on the number of emails retrieved.

John, as a test, could you please copy and paste the following into your search bar in your email:

> Sent:6/24/16..7/6/17 AND ("Treated wood" OR "Treated lumber" OR "Wood preservation" OR "American Wood Protection Association" OR "AWPA" OR "Wood preservation standards" OR "Sustainable wood products" OR "Cromated copper arsenate" OR "CCA")

Tell us how many documents the search returns.

I ran the search on my own email and got lots of headline news articles.

Let's see what happens with John's email box.

Thanks,

Frank A. Fritz, III | Senior Assistant Regional Counsel | U.S. EPA Region III (3RC42) | 1650 Arch St, Philadelphia, PA 19103 | 215-814-2664 | 215-814-2603 fax

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From: Graff, Jeannine
Sent: Thursday, July 06, 2017 11:11 AM
To: Baldwin, Edward <baldwin.edward@epa.gov>
Cc: Tate, Rita <Tate.Rita@epa.gov>; Fritz, Frank <Fritz.Frank@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Hey Ed,
Usually I'm talking folks out of unnecessary keywords, especially if they are too general but in this case I feel like John is making every effort for the search to pick up any possible responsive email by including these additional terms. Do you think we risk generating a ton of unresponsive emails with his list of keywords? The request asks for anything mentioning or *[though the requester wrote "of" but I think that's a typo]* referencing AWPA standards, so my fear is that the acronym might not be in the email but if even if it's described differently, it might still be responsive.

While I don't want to drag this process out longer than it already is, I have to say Frank appears WAAAY more versed in how to conduct/ request a search, so I hope you don't mind my copying him here. Frank, thoughts on using all the keywords put forth by John? Should I include "AND" anywhere in my request?

Thanks,
Jeannine

Jeannine S. Graff
Office of Communications and Government Relations
EPA Region III
215-814-5106

From: Baldwin, Edward
Sent: Thursday, July 06, 2017 9:24 AM
To: Graff, Jeannine <Graff.Jeannine@epa.gov>
Cc: Tate, Rita <Tate.Rita@epa.gov>
Subject: FW: Freedom of Information Act Request #007549 - John Butler Email

Hi Jeannine and Rita,

John Butler sent me this list of search terms yesterday. If this is too many or too long, I would suggest going with "wood preservation" and "AWPA". The others just seem like variations of those 2. Let me know if you need more input from SME, John Butler.

Thanks,

Ed

From: Butler, John
Sent: Wednesday, July 05, 2017 1:46 PM
To: Baldwin, Edward <baldwin.edward@epa.gov>
Cc: El-Abdaoui, Fatima <El-Abdaoui.Fatima@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Hi Ed,

Here is a short list of words to use when conducting a search on the subject below.

- Treated wood
- Treated lumber
- Wood preservation
- American Wood Protection Association (AWPA)
- Wood preservation standards
- Sustainable wood products
- Cromated copper arsenate (CCA)

Please let me know if you have any questions. Thanks!

John

John J. Butler
Regional Pesticide Expert
EPA Region III
Land and Chemicals Division
Pesticides and Asbestos Programs Branch
1650 Arch Street (3LC42)
Philadelphia, PA 19103-2029

Phone: 215-814-2127
Email: butler.johnj@epa.gov
Website: www.epa.gov/pesticides

From: Baldwin, Edward
Sent: Wednesday, July 05, 2017 9:04 AM
To: Butler, John <Butler.JohnJ@epa.gov>
Subject: FW: Freedom of Information Act Request #007549 - John Butler Email

Hi John,

I feel we made the best case we could. But deep down, as a person who lives FOIA's 5 days a week, I suspected that we would be doing things this way. I will likely need some search terms from you. I will also likely contact the requestor to explain that we will need more time to complete this request.

You are always welcome to contact me.

Ed

From: Fritz, Frank
Sent: Monday, July 03, 2017 2:37 PM
To: Gardner, Allison <Gardner.Allison@epa.gov>; Tate, Rita <Tate.Rita@epa.gov>; Baldwin, Edward

<baldwin.edward@epa.gov>
Cc: Thompson, Virginia <thompson.virginia@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

Completely agreed. Thanks for catching my mistake on the year.

Thanks, Frank

From: Gardner, Allison
Sent: Monday, July 03, 2017 2:33 PM
To: Fritz, Frank <Fritz.Frank@epa.gov>; Tate, Rita <Tate.Rita@epa.gov>; Baldwin, Edward <baldwin.edward@epa.gov>
Cc: Thompson, Virginia <thompson.virginia@epa.gov>
Subject: RE: Freedom of Information Act Request #007549 - John Butler Email

All,

I think Frank's approach is correct (except that the start date for the search should be 6/24/**2016**, not 2017). Also, if the search turns up nothing and Mr. Butler does not think he actually has any responsive email, I would engage the requester on that issue – i.e., we can and will run the OEI search, but it is unlikely that it will return anything either, etc.

Thanks.

Allison

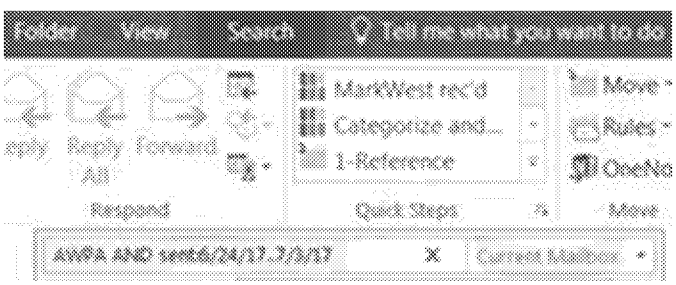
From: Fritz, Frank
Sent: Monday, July 03, 2017 2:22 PM
To: Tate, Rita <Tate.Rita@epa.gov>; Baldwin, Edward <baldwin.edward@epa.gov>
Cc: Gardner, Allison <Gardner.Allison@epa.gov>; Thompson, Virginia <thompson.virginia@epa.gov>
Subject: FW: Freedom of Information Act Request #007549 - John Butler Email

Dear Ed and Rita,

To be absolutely sure that John Butler (LCD branch chief) has no email responsive to this request (i.e., mentions "AWPA" and is dated after June 24, 2017), I believe we have to ask OEI to search John's email.

I would, however, suggest that you help John search his entire mailbox using Outlook and tell the requester about the results, while we're waiting for OEI.

The search should look EXACTLY like this (upper case is very important for AND) and use the date you search instead of 7/3/17:



Click "Find more on server" if you can.

If the Outlook search finds nothing, call the requester and explain that we did a quick search and found no documents responsive to his request. Explain that to be absolutely sure of the results, we need to use a different search tool, and that the wait time for learning about the results of the search will be about [whatever the normal wait time is these days]. Ask for an appropriate extension of time.

Virginia, what is the usual wait time for OEI to run an Exchange Admin Console search and tell us about the results?

Allison, please correct me as you see fit.

Thanks,

Frank A. Fritz, III | Senior Assistant Regional Counsel | U.S. EPA Region III (3RC42) | 1650 Arch St, Philadelphia, PA 19103 | 215-814-2664 | 215-814-2603 fax

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From: Gardner, Allison
Sent: Thursday, June 29, 2017 5:33 PM
To: Fritz, Frank <Fritz.Frank@epa.gov>
Subject: Fwd: Freedom of Information Act Request #007549 - John Butler Email

Frank,

Would you kindly take this one? Thanks.

Sent from my iPhone

Begin forwarded message:

> **From:** "Tate, Rita" <Tate.Rita@epa.gov>
> **Date:** June 29, 2017 at 4:54:16 PM EDT
> **To:** "Baldwin, Edward" <baldwin.edward@epa.gov>
> **Cc:** "Gardner, Allison" <Gardner.Allison@epa.gov>
> **Subject: FW: Freedom of Information Act Request #007549 - John Butler Email**
>
> Ed…I would LOVE to agree with you and really would prefer not to go through OEI but I'm passing this by Allison for a 3rd opinion.
>
> Allison…I too think that we could get away with not doing an email search for this one. Thoughts?
>
> *Rita Tate*
>
> Freedom of Information Officer
> U.S. EPA Region III (3CG00)
> 1650 Arch Street
> Philadelphia, PA 19103
> 215-814-2050 (FOIA Main)
> 215-814-3424 (Direct)

From: Baldwin, Edward
Sent: Thursday, June 29, 2017 1:24 PM
To: Tate, Rita <Tate.Rita@epa.gov>
Subject: Freedom of Information Act Request #007549 - John Butler Email

Hi Rita,

This request asks for a very specific email on a very specific date. John says he has no emails concerning "AWAP." Can we close this out with him sending me an email saying he doesn't have it?

Because the request is so specific, I feel like it would be sort of overkill to go the Relativity route but I don't want get the rules wrong.

Thanks,

Ed