Please forward assigned FOIA request to your Division Director so they can determine if request should be assigned to RA for responsive records. (This includes 6RA, 6RA-D and 6RA-DA.)

FREEDOM OF INFORMATION ACT REQUEST

EPA-R6-2021-006284

REQUEST DATE: August 27, 2021 REQUEST RECEIVED: August 30, 2021

REQUESTOR INFORMATION:

Madison Rogers
EENR Advocates, PLLC
1921 S. Boston Ave
Tulsa, OK 74119

Email: admin@eenradvocates.com Work Phone: # (918) 764-8984
Fax: #: (281) 200-0118

FEE CATEGORY: Commercial

**********SUBJECT********** ***

RE: FOIA Request about Muscogee Nation meat processing and wastewater treatment facility located in Okmulgee County, Oklahoma;

Dear Sir or Madam:

Pursuant to U.S.C. § 552(a), we request the following records:

1. All records relevant to the initial request (EPA-R6-2021-003043) from May 7, 2021, to present.
2. All permits issued to the Muscogee Nation for, including but not limited to, construction and operation of a meat processing plant and/or a wastewater treatment facility in Okmulgee County, Oklahoma located in Section 2-15N-12E.
3. All records related to permit inquiries, discussions, applications, and issued permits by and to, including but not limited to, the Muscogee Nation, the Looped Square Meet Company, and the Muscogee Nation Natural Resources Department from January 2020 to present.

Please contact EENR at 918-764-8984 if you have any questions concerning these requests.

**********ASSIGNED OFFICE(s)**********

6AR
6ECD
6WD

DUE DATE: September 28, 2021

**********SPECIAL INSTRUCTIONS TO DIVISIONS**********

1. **Always note Fee commitment by requester: $ 500**
2. **Call the requester with a fee estimate, if cost is expected to exceed amount committed $ 500**
3. **Each Division must obtain Division Director or delegate concurrence on denial log before routing to ARA signature.**
4. **Send a copy of the response and cost information sheet to the FOIA Office (6MD-OE).**

**********DO NOT WRITE IN THIS SPACE, FOR FOIA OFFICE USE ONLY**********

6AR
6ECD
6WD

EPA-R6-2021-006284

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202-2733

CERTIFICATION OF ADEQUACY OF SEARCH ON "NO RECORD" RESPONSES

I, , certify that I am employed by the Environmental Protection Agency, Region 6, in Dallas, Texas (or acting as a representative) as , that I am familiar with the records requested and/or that I am responsible for conducting the search for responsive records for Request Identification Number_____ and that I have conducted an "adequate" search for responsive records by searching the below listed location(s) (as applicable):

1.

2.

3.

I further certify that I am aware that a search for responsive records need not be perfect, only adequate and that adequacy is measured and/or determined by the "reasonableness" of the effort of the search in light of the specific request. Specifically, I have searched for the documents in all places that it is practical for the documents to be located. Moreover, after conducting an adequate search for records on behalf of the Air and Radiation Division Air Permits Section Division/Unit, I have located no records responsive to this request or portions thereof. Further, I am attaching an itemized listing of all records which my search supports are not in the Region's possession.

Dated:_____, _____ _____

Signature of Person Conducting Search

Dated:_____, _____ _____

Signature of Designated Supervisor for Person Conducting Search

Approved by OGC

STAFF CHECKLIST FOR TRANSMITTAL OF RECORDS/INFORMATION

EPA-R6- 2021-006284

	YES	NO	N/A
Program has responsive records	X		
Searched all possible locations (hard copy/e-mail, Files in workstation, file rooms, hard/flash/shared drives, CDs, blackberries etc.)	X		
Advised RFO/DFC of any special circumstances/ Sensitivity related to the FOIA Request		X	
Consulted with the FOIA Requester and/or RFO/DFC For further clarification of the request		X	
Completed "Certification of Adequate Search" form for "No Records" Response		X	
Completed Cost Sheet	X		
Provided responsive records to the assigned FOIA Specialist by due date on transmittal form	X		

Date: Sept 2, 2021 Signature: ERICA LE DOUX Digitally signed by ERICA LE DOUX Date: 2021.09.02 16:54:58 -05'00' Ext. 214-665-7265

Printed Name: Erica Le Doux Office Name: Air and Radiation Division Air Permit Section

COMMENTS: _____

THIS FORM SHOULD BE COMPLETED AND RETURNED TO THE REGIONAL FOI OFFICER ALONG WITH THE RESPONSIVE RECORDS, A COST SHEET AND "NO RECORDS" CERTIFICATION FORM (IF NECESSARY), FOR EACH FOIA REQUEST PROCESSED.

INTERNAL USE ONLY – DO NOT SEND THIS TO REQUESTER

Please read instructions on back before completing form.

FOIA FEE CALCULATION WORK SHEET

1.REQUEST NUMBER EPA-R6-	2.TYPE OF REQUESTER	3.DATE COMPLETED	4.ACTION OFFICE

NOTE: The Freedom of Information Act and EPA's regulations state that the Federal Government must obtain a fee commitment from a FOIA requester before billing can occur. So if no fee commitment is plainly given in the request letter or if other Divisions also have records, please contact the requester. Provide the requester with an estimate. Make sure the requester understands what program records you refer to and make a note of his/her fee commitment.

5. FEE COMMITMENT AMT	6. DATE OF VERBAL/WRITTEN COMMITMENT	7. FEE COMMITMENT RECEIVED FROM

8. CLERICAL PERSONNEL	TOTAL HRS	¼ HOUR RATE	COST
a. Search - $4.00 @ ¼ HOUR		x $4.00 =	
b. Review - $4.00 @ ¼ HOUR		x $4.00 =	
9. PROFESSIONAL PERSONNEL	**TOTAL HRS**	**¼ HOUR RATE**	**COST**
a. Search - $7.00 @ ¼ HOUR	1.5	x $7.00 =	10.50
b. Review - $7.00 @ ¼ HOUR	1.5	x $7.00 =	10.50
10. MANAGERIAL PERSONNEL	**TOTAL HRS**	**¼ HOUR RATE**	**COST**
a. Search - $10.25 @ ¼ HOUR		x $10.25 =	
b. Review - $10.25 @ ¼ HOUR		x $10.25 =	
11. DUPLICATION/REPRODUCTION	**TOTAL**	**RATE OR ACTUAL**	**COST**
a. Paper or Computer Page (2 sided copy = 2 copies)		x $ .15 pg =	
b. Diskette or CD (Specify 3 CD's, 1 CD etc.)		x $ 1.00 each =	
c. Microfiche		x $ 1.00/sheet =	
d. Microfilm		x $10.00/cartridge =	
e. Video or Audio Cassette (Specify)		x $5.00/each =	
f. Maps			
g. Photos			
12. OTHER COSTS	**TOTAL**	**RATE OR ACTUAL**	**COST**
a. Computer Cost		x =	
b. Certifications		x $25.00 =	
c. Special Handling – Overnight Mail		x =	
d. Other		x =	
13. ACTUAL ADMIN. COST FOR NON-BILLABLE STAFF TIME	**TOTAL**	**¼ HOUR RATE**	**COST**
a. Preparer's Name: Grade/Step:		x =	

b. Preparer's Name:	Grade/Step:			

14. FOR FOIA OFFICE USE ONLY

a. TOTAL ADMINISTRATIVE/PROCESSING FEES

b. TOTAL COLLECTABLE FEES

c. TOTAL CHARGED

d. FEES WAIVED/REDUCED YES OR NO

R6 FOIA FORM 6/03

INSTRUCTIONS FOR COMPLETING THE FOIA FEE CALCULATION WORK SHEET

Pursuant to the Electronic Freedom of Information Act Amendment of 1996, the Annual Report to Congress that all agencies are required to submit must include the administrative cost to implement FOIA.

The FOIA Office will generate a bill for the requester but we also need your help to capture the actual administrative cost to process a FOIA request. Therefore, this worksheet is to be completed for all FOIA requests by all personnel involved in answering a FOIA request. Please complete the following information and return it to the FOIA Office along with a copy of the response letter. If you have any questions, please contact Latasha Hill at 214-665-8335 or hill.latasha@epa.gov.

1. REQUESTER NUMBER- e.g . 06-FOIA-0342-03.

2. TYPE OF REQUESTER

#1 Commercial Use Request: requester charged for search, review & duplication costs.

#2 Educational & Non-CommercialScientific Institutions: requester charged for duplication costs excluding the first 100 pages.

#3 Representative of the news medi a:requester charged for duplication costs excluding the first 100 pages.

#4 All Other Requests: requester charged for search & duplication time excluding the first two hours of search time & the first 100 pages of duplication.

3. DATE COMPLETED- Enter month, day and year.

4. ACTION OFFICE- Mailcode of responder.

5. FEE COMMITMENT AMT- fee commitment amount received from requester for the processing of FOIA request.

No Fee Charged for<= $14.00
Bills sent between $14.01 - $25.00, no payment assurance required
Written Assurance of payment from requester for amounts > $25.00

6. DATE OF VERBAL / WRITTEN COMMITMENT- date when verbalor written fee commitment was given.

7. FEE COMMITMENT RECEIVED FROM- name of person from which you received verbalor written fee commitment.

8. CLERICAL PERSONNEL - enter totalhours x hourly rate = cost.

a. Search - Time spent in locating the requested information.

b. Review- Time spent in reviewing the document content for releasable documents.

9. PROFESSIONAL PERSONNEL- enter totalhours x hourly rate= cost.

Search/Review - see explanation above.

10. MANAGERIAL PERSONNEL- enter total hours x hourly rate= cost.

11. DUPLICATION / REPRODUCTION- Enter Total x Rate or Actual= Cost.

12. OTHER COSTS- Enter Total x Rate or Actual =cost.

13. ACTUAL ADMIN. COST FOR NON-BILLABLE STAFF TIME enter totalx hour rate = cost

Time spent in activity other than above, such as hand carrying documents to other locations, restoring files,preparing ltr, telephone calls etc.

a. Preparer's Name is the person who prepares ltrs/telephone calls etc. Grade/Step is grade & step of preparer.

.F OR FOIA OFFICE USE ONLY

a. TotalAdministrative / Processing Fees- add the actual administrative cost block in the cost column.

b. TotalCollectable Fees- add the review / search blocks in the cost column.

c. TotalCharged- enter the amount that the requester was charged.

d. Fees Waived / Reduced - indicate if the cost of processing the request was waived or reduced by circling yes or no.

Search/Review - see explanation above	