UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

DEC 22 2014

Paula Dinerstein
Public Employees for Environmental Responsibility
2000 P Street, N.W. Suite 240
Washington, D.C. 20036

Re: Freedom of Information Act Request No. EPA-R9-2014-009923

Dear Ms. Dinerstein:

This is in response to your Freedom of Information Act request dated August 19, 2014, regarding:

All emails and other written communications and notes of all communications from October 1, 2013 to the present between certain identified EPA employees and other EPA staff or certain outside parties concerning or referencing suspected or actual toxic contamination with PCBs or other substances at schools in the Santa Monica Malibu School District.

Enclosed you will find copies of the documents responsive to your request that are releasable.

We are unable to provide you with other responsive documents, or portions of documents, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b), exemption 5. These documents are pre-decisional and/or attorney-client email messages and attachments from October 1, 2013 through August 19, 2014 between EPA staff and EPA legal counsel, and therefore are protected under exemption 5 for inter-agency deliberative process or attorney-client privilege. There are approximately 1200 of these documents. There are also ten documents that have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b), exemption 6. These documents are personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later

than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the assigned FOIA request number - EPA-R9-2014-009923). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

The Land Division's RCRA Records Center is maintained by Toeroek Associates Inc., under contract to EPA Region IX. If you have any questions regarding the enclosed documents, please contact Deirdre Nurre at 415-947-4290.

Sincerely,

for

Jeff Scott, Director
Land Division