Mr. Kurt Altman
Goldwater Institute
500 East Coronado Road
Phoenix, AZ 85004

Re: Freedom of Information Act Request: EPA-R9-2013-008006

Dear Mr. Altman:

This is in response to your Freedom of Information Act request regarding documents and records related to the Navajo Generating Station, specifically, relating to the Joint Federal Agency Working Group, the Salt River Project Stakeholder Group, the Central Arizona Project Technical Work Group, and any consideration or proposal to replace, repower, or fuel switch at the Navajo Generating Station.

Enclosed, you will find a CD containing all of the electronic ~~files of some of the~~ documents that are responsive to your request and are not otherwise exempt. We are also enclosing copies of documents from our hard copy files that were not included in electronic format.

We have not included on the CD and are unable to provide you with the documents, or portions of documents, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b) (Exemptions 2 and 5). An itemized list of withheld material, along with the basis for withholding, is provided as an electronic file on the enclosed CD. ~~We~~ EPA Region 9 has~~have~~ coordinated our document and record search with the Office of Air and Radiation, Office of Air Quality Planning and Standards, and the Office of General Counsel. One individual, at the Office of General Counsel, was unavailable to conduct a document and record search due to extended medical leave. We expect that any records from this individual would be duplicative of documents and records produced from the search of the files of other individuals. However, when this individual returns from medical leave ~~this month~~, we will ensure that she conducts a search of her documents and records for your FOIA request. We will provide you with any responsive documents or records that were not already provided in the enclosed CD.

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-R9-2013-008006). For quickest possible handling, the appeal letter and its envelope should be marked “Freedom of Information Act Appeal.”

Please contact Ann Lyons at (415) 972-3883, should you have any questions concerning this matter.

Sincerely,

Deborah Jordan
Director, Air Division

Enclosures: CD including released documents and index of documents withheld

bcc: Regional FOI Office