From: Sotelo, Alan
To: FOIA_HQ@EPA
Subject: FOIA: Clean Air Act; Clean Water Act; Civil; FIFRA; RCRA; Safe Drinking Water Act; TSCA
Date: 07/23/2013 03:51 AM

Dear National Freedom of Information Act Officer:

MSCI ESG Research is a nonpartisan organization that compiles and analyzes information on social issues for institutional investors interested in environmental stewardship practices of publicly traded companies. Pursuant to the Freedom of Information Act, MSCI ESG Research requests that the Environmental Protection Agency provide MSCI with the following extracts from the current version of ICIS.

Table	**Fields**
Administrative Part 1a	EFA Enforcement Action Identifier EFA Enforcement Action Name EFA Law Section-All EFA Violation Type EFA Selected Pollutants Complaint/Proposed Order Actual Dat Final Order Issued Actual Date Admin EA Closed Actual Date EFA Enforcement Action Resolution
Admininistrative Part 1B	EFA Enforcement Action Identifier EFA Enforcement Action Name Settlement Number Federal Penalty Required Cost Recovery Required Cost of SEP Cost of Physical Action Cost of Non-Physical Action
Administrative Part 2	EFA Enforcement Action Identifier EFA Defendant Name EFA Defendant Named In Complaint EFA Defendant Named In Settlement
Administrative Part 3	EFA Enforcement Action Identifier EFA Facility/Program ID EFA Facility Name EFA Facility Address EFA Facility State EFA Facility City EFA Facility State Code EFA Facility SIC Description EFA Facility Zip Code EFA Facility SIC Code
Judicial Part 1	EFA Enforcement Action Identifier EFA Enforcement Action Name EFA Law Section-All EFA Violation Type

	EFA Selected Pollutants EFA Defendant Name Complaint Filed Actual Date Concluded Actual Date Judicial EA Closed Actual Date EFA Judicial District Federal Penalty Required Cost Recovery Required EFA Enforcement Action Resolution
Judicial Part 1B	EFA Enforcement Action Identifier EFA Enforcement Action Name Settle Date Enter/Final Order Issue Settlement Number Federal Penalty Required Cost Recovery Amount Required Cost of SEP Cost of Non-Physical Action Cost of Physical Action
Judicial Part 2	EFA Enforcement Action Identifier EFA Defendant Name EFA Defendant Named In Complaint EFA Defendant Named In Settlement
Judicial Part 3	EFA Enforcement Action Identifier EFA Facility/Program ID EFA Facility Name EFA Facility Address EFA Facility State EFA Facility City EFA Facility State Code EFA Facility SIC Description EFA Facility Zip Code EFA Facility SIC Code

Please include an additional field(s) for both the Administrative and Judicial data that would give me information similar to the LAW1 field of the old Docket database system. I am requesting this information on behalf of MSCI because many of the cases in the Docket replacement database have more than one section of law cited or even multiple statues. (i.e., please include in this version a rank order of statues for the case so that there will always be a "primary" statue. I would consider the primary statute to be the dominant law and make my assessment accordingly, i.e. if CWA is ranked in priority over RCRA we would consider that to be a CWA case).

Please include in these tables the following for penalties occurring from the beginning of January 1, 2012 to the end of December 31, 2012:

- All administrative violations of the **Clean Air Act** for which a monetary penalty was assessed in calendar year 2012. We specifically request information on violations at all sources, both major and minor.
- All administrative violations of the **Clean Water Act** for which a monetary penalty was assessed in calendar year 2012 by industrial facilities only.
- All **Civil** enforcement actions for which a monetary penalty was assessed for calendar year 2012

from EPA's Docket System.

- All administrative and civil violations of the **Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)** for which a monetary penalty was assessed only in calendar year 2012.
- A list of all administrative and civil enforcement actions under the **Resource Conservation and Recovery Act** (RCRA) for which a monetary penalty was assessed in calendar year 2012 (up to December 31, 2012).
- All **administrative violations** of the underground injection regulations of the **Safe Drinking Water Act** for which a monetary penalty was assessed in calendar year 2012.
- All administrative and civil violations of the **Toxic Substances Control Act (TSCA)** for which a monetary penalty was assessed in calendar year 2012.

We would also like to request for a data dictionary, for the information publicly available through your office. If available, please include SIC code and CUSIP for each violator (MSCI has CUSIP license from Standard & Poor's).

We respectfully request this data be made available to MSCI in Microsoft Access or Microsoft Excel format. If it is not feasible to have the data provided in this format please provide the data in tab-delimited-text or ASCII delimited format. We also respectfully request the **most recent documenter report** for this data (i.e. a "readme" file). This documenter report should feature a list of field names with an explanation of their contents, a file layout, an explanation of the relationships between the various tables, as well as all other relevant documenter report elements.

Please send the data by e-mail to alan.sotelo@msci.com

MSCI ESG Research has requested and received this data from the EPA for all years since 1988 for independent research purposes – **please notify me immediately if the requested data is not available this year.** Also, please notify me if the costs to MSCI will exceed $25. Also please notify me if this data can now be attained over the Internet (instead of through a Freedom of Information Act request). Thank you in advance for your assistance.

Sincerely,

Alan Sotelo
ESG Operations
MSCI

15/F Solaris One Building
130 Dela Rosta St., Legaspi Village
Makati City 1229
Philippines
T: +63.2.902.3675
alan.sotelo@msci.com

This email message and any attachments are for the sole use of the intended recipients and may contain proprietary and/or confidential information which may be privileged or otherwise protected from disclosure. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not an intended recipient, please contact the sender by reply email and destroy the original message and any copies of the message as well as any attachments to the original message. Local registered entity information: http://www.msci.com/legal/local_registered_entities.html