

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

)	
CAUSE OF ACTION INSTITUTE)	
1875 Eye Street, N.W., Suite 800)	
Washington, D.C. 20006,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:17-cv-509
)	
ENVIRONMENTAL PROTECTION AGENCY)	
1200 Pennsylvania Avenue, N.W.)	
Washington, D.C. 20460,)	
)	
Defendant.)	
)	

EXHIBIT 3 TO COMPLAINT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 9 - 2017

OFFICE OF
ENVIRONMENTAL INFORMATION

Mr. Ryan P. Mulvey
Cause of Action
1875 Eye Street, NW
Suite 800
Washington, DC 20006

Request Number: EPA-HQ-2017-003560

Dear Mr. Mulvey:

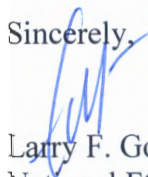
This is in response to your request for a fee waiver and expedited processing in connection with your Freedom of Information Act (FOIA) request to the U.S. Environmental Protection Agency (EPA) seeking records created or received by and EPA employee on Signal.16.2., all records reflecting any permission, clearance, or approval granted to EPA employees by the agency.

Based on the information provided in your request, we have determined your request does not reach the minimum billable amount, so there are no charges associated in processing your request. As far as your expedited processing is concerned, you have not demonstrated that the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, therefore your request for expedited processing is denied. Your request will be processed as expeditiously as possible by the Administrator's Office (AO).

This letter concludes our response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the National Freedom of Information Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. 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 received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals received after the 90 calendar day limit. Appeals received after 5:00 pm EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information

Act Appeal.” Additionally, you may seek assistance from EPA’s FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; e-mail, ogis@nara.gov; telephone, 301-837-1996 or 1-877-684-6448; and facsimile, 301-837-0348.

Sincerely,



Larry F. Gottesman
National FOIA Officer