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March 12, 2001

Via Hand Delivery

Agency Freedom of Information Officer
United States Environmental Protection Agency
Ariel Rios Building, Room 2334
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: FOIA Requests

Dear Sir/Madam:

Pursuant to the Freedom of Information Act ("FOIA") 5 U.S.C. § 552, and the implementing regulations of the U.S. Environmental Protection Agency ("EPA"), 40 C.F.R. Part 2, I request copies of the following:

1. All records concerning, discussing, relating to, referring to, or that describe KEM SAN™ or its registration under the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA").
2. All records that accompanied copies of the application for the registration of KEM SAN™ under FIFRA that have been sent or otherwise disseminated to any EPA employee or office, to any other Federal agency, to any state agency, or to any other person.

The Office of Prevention, Pesticides and Toxic Substances is likely to have responsive records, but my requests are **not** limited to that office.

Where records, including data, are maintained on magnetic or other electronic media, I request both a paper copy and an electronic copy of those records, along with a description of the computer program or equipment necessary to access the electronic copy of those records. Paper copies of electronic mail may be provided in lieu of electronic copies. For each record that is produced, please indicate the name of the office where the record was located and the request to which the record is responsive.

Fee Category - Commercial

OPPTS
HQ-RIN-01488-01
Due Date: 4-9-01

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For the purposes of this request, the term "records" shall be construed as broadly as possible under 5 U.S.C. §552 and all applicable rules and regulations, and shall include, without limitation: documents, information, memoranda, letters, reports, drafts, communications, records of communications, telephone message records, calendars, handwritten or typed notes, facsimile transmissions, electronic mail, recordings, tapes and all other types of records that are in the custody, possession, or control of any office of EPA or any related department or agency. In addition, the term "or" shall mean and/or.

For all records responsive to these requests that are not produced based on an asserted exemption from disclosure, please prepare a privilege and/or exemption log describing, at a minimum: (i) the type of record withheld; (ii) the date(s) of the creation of the record; (iii) the subject of the record; (iv) the identity of the author and all recipients of the records; and (iv) a detailed description of the basis upon which EPA is withholding the record (e.g., the claim of privilege, FOIA exemption, etc.). To the extent any responsive records are withheld based upon a claim of privilege or other exemption from disclosure, please produce redacted copies of all non-privileged or non-exempt factual material contained within such documents.

I confirm in advance my willingness to pay for all reasonable costs associated with searching for and copying these records. However, should these costs exceed \$300, I ask that you contact me prior to proceeding.

Please direct any inquiries, notices, or determinations to me at (202) 736-8127. Thank you for your anticipated assistance.

Sincerely,



Lesley C. Foxhall

cc: Christopher L. Bell