

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 10/26/2017 8:43:05 PM
Subject: EDF sues EPA over delays in releasing public records

By Emily Holden

10/26/2017 04:41 PM EDT

The Environmental Defense Fund said today it is suing EPA for failing to release public records about Administrator Scott Pruitt's potential ethics conflicts, schedule or plans for agency science that the group has sought under the Freedom of Information Act.

According to the [lawsuit](#) filed with the D.C. Circuit of the U.S. Court of Appeals, one of EDF's requests dates back to January, and the others are from March and June. A statutory deadline gives EPA 20 days to make a determination on whether to release information unless there are certain "unusual circumstances." EDF says EPA has not demonstrated those circumstances or sought an extension.

The agency has said it is receiving high volumes of public records requests. The Office of Public Affairs, for example, recently said it received 154 requests in fiscal 2017, compared to 14 in fiscal 2016. OPA has said some requests will take more than a year to fulfill.

An EPA spokesperson said the agency does not comment on pending litigation.

EDF is seeking information about an ethics agreement Pruitt signed while his nomination was pending, including why he determined he could work on a rule to withdraw the Clean Power Plan even though he brought lawsuits against it as attorney general of Oklahoma.

The group is seeking Pruitt's daily schedules, too. EDF argues that releases so far have included many redactions and that a recently published public calendar is brief and vague.

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