



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C., 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

April 18, 2019

Jonathan Kalmuss-Katz
Staff Attorney
Earthjustice Northeast Office
48 Wall Street, 15th Floor
New York, NY 10005

Re: Freedom of Information Act Request No. EPA-HQ-2019-001853.

Dear Mr. Kalmuss-Katz:

This letter is in response to the above referenced Freedom of Information Act (FOIA) request directed to the U.S. Environmental Protection Agency (EPA) on December 4, 2018 in which Earthjustice requested records relating to EPA's Risk Evaluation for Pigment Violet 29 (PV29) (Anthra[2,1,9-def:6,5,10-'e'f'] diisoquinoline-1,3,8,10(2H,9H)-tetrone).

An interim response to Earthjustice's request was provided on March 19, 2019. Complete responses were provided for four of the queries (2,3,4 and 6), a partial response was provided for query 1, and a limited response was provided for query 5. Earthjustice has since informed EPA that it is not seeking a response to query 1 in EPA-HQ-2019-001853 and that request will be addressed in another FOIA request.

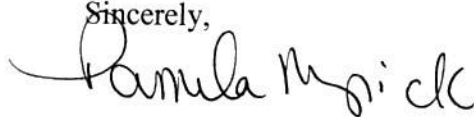
Query 5 was a request for copies of each of the 24 scientific studies described in the draft risk evaluation for PV29. Those 24 studies were initially withheld as confidential business information pending further review by the Office of General Counsel. On March 22, 2019, the EPA communicated in a letter to your colleague, Mariana Lo, that the review was concluded. Earthjustice was advised that a final decision had been issued upholding confidentiality claims made in 9 of the studies. The letter noted that EPA has released sanitized, redacted, versions into the PV29 risk evaluation docket. Business submitters waived confidentiality claims for other 15 studies responsive to the request. Those studies were also available in the PV29 risk evaluation docket.

This letter constitutes EPA's final determination on your FOIA request. In accordance with 5 U.S.C. § 552(a)(4)(B), you have the right to seek judicial review of this determination by instituting an action in the district court of the United States in the district in which you reside, or have your principal place of business, or in which the Agency records are situated, or in the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) within the National Archives and Records Administration was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. 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.

If you have any questions concerning this response, please contact Scott Sherlock of my staff at 202-564-8257 or at sherlock.scott@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Pamela Myrick". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Pamela Myrick, Director
Information Management Division
Office of Pollution Prevention and Toxics

cc: John Latham, FOIA Officer