

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

**CITIZENS FOR RESPONSIBILITY AND  
ETHICS IN WASHINGTON,** )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
**U.S. ENVIRONMENTAL PROTECTION** )  
**AGENCY, et al.,** )  
 )  
 Defendants. )  
 )

Civil Action No. 19-cv-2181 (TJK)

**DECLARATION OF TIMOTHY EPP**

I, Timothy Epp, declare and state as follows:

1. I declare that the following statements are true and correct to the best of my knowledge, and are based on my personal knowledge, information acquired by me in the course of performing my duties, information contained in the records of the United States Environmental Protection Agency (EPA or Agency), and information supplied to me by current and former EPA employees including employees under my direction. This declaration is filed in support of EPA’s Opposition to Plaintiffs’ Cross-Motion for Partial Summary Judgement and Reply in Support of its Motion to Dismiss.
2. I am the Associate General Counsel who manages the National Freedom of Information Act Office (NFO) within the Office of General Counsel (OGC) of the United States Environmental Protection Agency (EPA or Agency). I have managed the NFO on an acting basis starting in August 2018 and held my current position on a permanent basis since August 2019.
3. The NFO handles FOIA request intake and assignment for all FOIA requests received by EPA.
4. From October 2017 to July 26, 2019, the effective date of the FOIA Regulation Update, the NFO planned for and undertook a number of efforts to improve EPA’s implementation of the FOIA, including planing for implementation of centralized intake.

5. Between February and May 2019, the NFO hired and onboarded five additional staff members. The addition of these staff members expanded NFO's capacity to perform, among other things, FOIA request intake-related work.

I declare under penalty of perjury under 28 U.S.C. §1746 that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of December, 2019.

Timothy Epp  
Associate General Counsel, National Freedom of  
Information Act Office  
Office of General Counsel  
U.S. Environmental Protection Agency