



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

NOTIFICATION THAT RECORDS DO NOT EXIST

Date: June 12, 2009

Mr. Don Amador
Western Representative
Blue Ribbon Coalition, Inc.
555 Honey Lane
Oakley, CA 94561

Re: Freedom of Information Act (FOIA) Request 09-RIN-00359-09

Dear Mr. Amador:

This is in response to your Freedom of Information Act request of May 14, 2009 concerning the Clear Creek Management Area (CCMA) in San Bernardino County, California. Sara Goldsmith, from EPA's Office of Regional Counsel, clarified by telephone call on May 27, 2009 that your request was seeking correspondence and/or notes documenting communications or correspondence between EPA, BLM, and or DOI (on one hand) and members of the public, including the specific groups you listed (on the other hand), regarding potential Agency liability or threats of litigation regarding continued public access to CCMA and/or asbestos health risk associated with the CCMA.

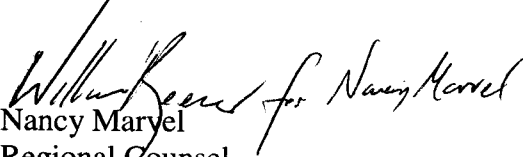
I wish to advise you that the Agency has no records responsive to your request.

You may appeal this no records determination to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), Facsimile: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to the address at 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, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than thirty (30) calendar days from the date of this letter. The Agency will not consider appeals received after the thirty (30) calendar day limit. The appeal of the no records determination may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the

assigned FOIA request number - 09-RIN-00359-09). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Sara Goldsmith at (415) 972-3931 or Jere Johnson (415) 972-3094 should you have any questions concerning the matter.

Sincerely,


Nancy Marvel
Regional Counsel
EPA Region 9

cc: Ivry Johnson, Regional FOI Office