



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

SEP 11 2009

OFFICE OF THE
EXECUTIVE SECRETARIAT

Mr. Jeff Ruch
Public Employees for Environmental Responsibility
2000 P Street, N.W.
Suite 240
Washington, D.C. 20036

Subject: Freedom of Information Act Request Number HQ-RIN-01586-09

Dear Mr. Ruch:

This letter is the U.S. Environmental Protection Agency's response to your Freedom of Information Act request dated July 7, 2009. You requested the following information concerning testing or filed monitoring recently conducted by the U.S. Environmental Protection Agency concerning potential toxicity of tire crumbs or crumb rubber-infill from shredded tires used on playgrounds and/or athletic fields. The request is limited to records from January 1, 2009 to present. Specifically, you request the following:

Any scientific assessments, studies or field monitoring by EPA personnel or contractors concerning possible health effects from use of recycled tire crumbs in playgrounds or in direct contact with children, including but not limited to 1) volatile organics and respirable particulate mater; 2) potential flammability of the materials; and 3) presence of potentially harmful chemicals such as arsenic, cadmium, chromium, manganese, mercury and lead; aliphatic and aromatic organix compounds such as acetone, methyl ethyl ketone, chloroethane, polycyclic aromatic hydrocarbons, benzene and halogenated fire retardants; and

All external communication from EPA officials, including communications with other federal agencies, such as the Consumer Product Safety Commission, concerning the safety of tire crumbs as playground fill material.

On August 12, 2009, in a telephone conversation with Trina Porter, AO FOIA Coordinator, and a reference to a Philadelphia Inquirer article dated June 30, 2009, entitled "Breathing Easier on Artificial Turf" by Jan Hefler, you clarified that you were seeking any and all information, including a copy of the final report, on an alleged EPA study assessing the health effects on the use of tire crumbs in children's playgrounds.

The Agency has not conducted research to evaluate children's "health effects" from tire crumb constituents. A literature review was conducted in 2008 to help understand the issue and identify potential data gaps. The results revealed that there were limited U.S. research data, and, more importantly, there were no evaluated methods for characterizing environmental contaminants on or around synthetic turf fields and playgrounds that include tire crumb materials. A very limited methods evaluation study was conducted in late 2008 to evaluate readily available monitoring methods for characterizing environmental contaminant concentrations at these recreational fields. The study report is in the final stages of internal review and will be made available to the public once cleared by the Agency.

If you consider this a denial of your request, you may appeal this denial in writing to the National Freedom of Information Act Officer at:

Mr. Larry F. Gottesman
National Freedom of Information Act Officer
Records, FOIA, and Privacy Branch
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (2822T)
Washington, D.C. 20460
Fax: (202) 566-2147
E-mail: lu.foia@epa.gov

Please note that only correspondence mailed through the United States Postal Service may be delivered to the address above. If you want to deliver your appeal in person, via courier service or via an overnight delivery service, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20001.

Your appeal must be submitted no later than 30 calendar days from the date of this letter. The appeal letter should include the request number listed above. The Agency will not consider appeals received after the 30 calendar-day limit. For the quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,



Eric E. Wachter
Director
Office of the Executive Secretariat