OFFICE OF GENERAL COUNSEL
WASHINGTON, D.C. 20460

January 14, 2026

Kyle Moring
[redacted]

Re: Freedom of Information Act Request – 2026-EPA-02222
Expedited Processing Determination

Dear Kyle Moring:

This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA), National FOIA Office (NFO) on January 9, 2026 in which you are seeking:

> Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I am requesting access to and copies of records in the possession of the U.S. Environmental Protection Agency relating to environmental enforcement matters involving Walmart Inc. and its retail facilities, as described below.
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> Background
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> In its Annual Report on Form 10-K for fiscal year ending January 31, 2025 (filed with the Securities and Exchange Commission), Walmart Inc. disclosed the following:
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> "In October 2023, the Company received a Finding of Violation from the U.S. Environmental Protection Agency (the 'EPA') alleging violations of the Clean Air Act in connection with the Company's refrigeration leak detection and repair program at certain of its facilities. The Company is evaluating the findings and cooperating with the EPA in its investigation. The EPA may seek to impose monetary and non-monetary penalties for the alleged violations of the Clean Air Act."
>
> I am seeking records related to this disclosed enforcement matter, as well as records concerning a specific Walmart facility (Store #131, Mount Pleasant, Texas) that may be connected to the same or similar violations.
>
> Records Requested
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> I request copies of the following records:
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> 1. October 2023 Finding of Violation:

The Finding of Violation issued to Walmart Inc. in October 2023, alleging violations of the Clean Air Act in connection with refrigeration leak detection and repair programs, including any attachments, exhibits, or supporting documentation.

2. Related Enforcement Records:

All records relating to the investigation, enforcement action, or compliance proceedings arising from or related to the October 2023 Finding of Violation, including but not limited to:

a. Inspection reports, field notes, and investigation memoranda

b. Correspondence between EPA and Walmart Inc. or its representatives

c. Any consent agreements, administrative orders, or settlement documents

d. Penalty calculations or assessments

e. Compliance schedules or corrective action plans

f. Any amendments to or updates of the original Finding of Violation

3. Facility List:

Any list, index, or identification of the specific Walmart facilities referenced in the October 2023 Finding of Violation or subject to the related investigation, including facility addresses, store numbers, and the nature of alleged violations at each location.

4. Walmart Store #131 (Mount Pleasant, Texas) Records:

All records in EPA's possession relating to environmental compliance, violations, complaints, inspections, or enforcement actions at Walmart Store #131, located at 2311 S. Jefferson Avenue, Mount Pleasant, Texas 75455, including but not limited to:

a. Records indicating whether this facility is included in the scope of the October 2023 Finding of Violation or related investigation

b. Any NESHAP (National Emission Standards for Hazardous Air Pollutants) notifications, complaints, or enforcement records

c. Any referrals to or from EPA concerning this facility (including referrals to/from Texas DSHS, TCEQ, or other agencies)

d. Refrigeration-related compliance records, including leak detection and repair program documentation

e. Asbestos-related records, including any NESHAP demolition/renovation notifications

f. Complaints received by EPA concerning this facility from January 1, 2023 to present

5. Referral Records:

Records of any referrals from EPA to state agencies (including Texas Commission on Environmental Quality and Texas Department of State Health Services) or from state agencies to EPA concerning Walmart facilities in Texas, from January 1, 2023 to present.

6. Clean Air Act Section 113 Records:

Any notices of violation, administrative penalty orders, compliance orders, or civil referrals issued to Walmart Inc. under Clean Air Act Section 113 from January 1, 2020 to present.

Time Frame Unless otherwise specified above, this request covers records created, received, or maintained from January 1, 2020 to the present date.

EPA has received your request for expedited processing. In your justification, you provided the following:

I request expedited processing of this FOIA request pursuant to 40 C.F.R. § 2.104(e). There is an urgency to inform the public about actual or alleged federal government activity because:

1. The Texas Commission on Environmental Quality Environmental Crimes Unit has an active criminal investigation concerning the same Walmart facility (Store #131) referenced in this request

2. The Texas Department of State Health Services has issued violation notices for asbestos-related Clean Air Act (NESHAP) violations at the same facility

3. Understanding whether these matters are connected to EPA's existing Walmart investigation is necessary for coordination among enforcement agencies and for public accountability

I certify that the foregoing statements regarding expedited processing are true and correct to the best of my knowledge and belief.

Your request for expedited processing must demonstrate there is a "compelling need". 5 U.S.C. § 552(a)(6)(E)(i)(I) (2018); *see also* 40 C.F.R. §2.104(f) (2018). To determine whether your justification statement supports a finding of a "compelling need", EPA must evaluate your statement as to whether there is either an urgency to inform the public about an actual or alleged Federal government activity by a person primarily engaged in disseminating information to the public, or whether a lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.

Your application does not speak to any urgency to inform the public, and it does not speak to any expectation that lack of expedited treatment would pose an imminent threat to the life or physical safety of an individual. Thus, your request does not contain the information required to support a finding that your request meets either of these criteria. Therefore, your request for expedited processing is denied. Your FOIA request will be processed as expeditiously as possible.

You may appeal this determination in writing within 90 calendar days from the date of this letter by one of the following methods:

1. Visit EPA's FOIA submission website (https://foiapublicaccessportal.epa.gov/), sign into your account by clicking *Sign-In*, and select *Submit Appeal*;
2. U.S. Mail sent to the following address: National FOIA Office, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW (2310A), Washington, DC 20460; or
3. Overnight delivery service to National FOIA Office, U.S. Environmental Protection Agency, 1200 Pennsylvania NW, Room 7309C, Washington, DC 20460.

The Agency will not consider appeals received after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received on the next business day. The appeal should include the FOIA tracking number listed above. For quickest possible handling by mail or overnight delivery, the appeal letter, and its envelope, should be marked "Freedom of Information Act Appeal."

If you need any further assistance or would like to discuss any aspect of your request, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. You may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. For all media inquiries, please contact press@epa.gov.

Sincerely,

TRACEY KLOSTERMAN

Digitally signed by TRACEY KLOSTERMAN
Date: 2026.01.14 09:28:37 -05'00'

Tracey Klosterman
Government Information Specialist
National FOIA Office