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March 12, 2007

David B. McCoy
Director, Citizen Action New Mexico
Post Office Box 4276
Albuquerque, New Mexico 87196-4276

Dear Mr. McCoy:

This letter is to respond to your March 2, 2007 letter to James Bearzi in which you inquire into the time period for preserving Citizen Action's right to administratively appeal the decision of the New Mexico Environment Department ("NMED") that a draft report from an NMED contractor, Techlaw, is a draft document and is therefore not a public record subject to inspection under the Inspection of Public Records Act ("IPRA"). Section 14-2-12 of IPRA sets forth the procedure for enforcing IPRA. NMED does not have a separate appeal process for IPRA requests.

I hope this responds to your question.

Sincerely,

Tannis L. Fox
Deputy General Counsel

C: James Bearzi, Chief, HWB, NMED ✓