



Allen, Pam, NMENV

From: Maestas, Ricardo, NMENV
Sent: Thursday, October 11, 2012 3:05 PM
To: Allen, Pam, NMENV
Subject: FW: Documents

WIPP file

From: Kieling, John, NMENV
Sent: Friday, September 14, 2012 2:23 PM
To: Don Hancock
Cc: Davis, Jim, NMENV; Kliphuis, Trais, NMENV; Maestas, Ricardo, NMENV; Holmes, Steve, NMENV; Flynn, Ryan, NMENV
Subject: RE: Documents

Don,

The NMED Hazardous Waste Bureau has in the past been inconsistent in responding to records requests through the Inspection of Public Records Act (IPRA). It has always been NMED policy that record requests be submitted through the Inspection of Public Records Act (IPRA) process. This in no way reduces transparency and provides you a protection in gaining the information requested in accordance with IPRA.

Thanks,
John Kieling

John E. Kieling, Chief
Hazardous Waste Bureau
New Mexico Environment Department
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Santa Fe, NM 87505

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john.kieling@state.nm.us

-----Original Message-----

From: Don Hancock [<mailto:sricdon@earthlink.net>]
Sent: Tuesday, September 11, 2012 1:40 PM
To: Davis, Jim, NMENV; Kieling, John, NMENV
Subject: Documents

I'm trying to understand what may be a new NMED policy regarding document requests. John has some knowledge of my concern, but since I believe Jim is involved (and perhaps others), I'm trying to get further information about what's going on.

For the past almost 15 years, I have frequently requested copies of documents from the Hazardous Waste Bureau related to WIPP, usually via email. The requested documents have generally been provided without difficulty. In recent years, since NMED receives most WIPP-related documents in electronic form, I've received the documents electronically.



That practice has been helpful to me to obtain public documents relatively easily and quickly and has not been particularly burdensome on NMED personnel, since they can typically just forward me an electronic version of the document.

My first notice that something had changed was in early August regarding two Waste Stream Profile Forms (WSPFs) that Trais said she could not provide to me, except under an IPRA request.

John was away at the time, so I sent him the following email:

From: Don Hancock [mailto:sricdon@earthlink.net]
Sent: Friday, August 03, 2012 5:13 PM
To: Kieling, John, NMENV
Subject: IMPORTANT: Need some assistance

John,

I know that you've been out this week, and you'll likely to have a backlog on Monday. But I have an urgent need to understand what seems to be a new policy.

For the past 13 years, I've periodically requested WIPP Waste Stream Profile Forms and have always gotten them.

Now, Trais understands that they are only available through an IPRA request.

That seems contrary to many things, including Secretary Martin's regular statements to me and others about improved transparency in this administration.

So I want to know if it is a new policy, and if so, who established the policy. If you established the new policy, I'd like to understand why you want to put me and others and your staff through more work, which IPRA requests are. I have no problem in submitting requests to you or Trais or whoever by email, so that there's a record of the request.

I also want to get two Waste Stream Profile forms: as submitted in June and SR221H-PuOX as revised and resubmitted in the last day or two.

Thanks for your assistance.

Don Hancock
Southwest Research and Information Center
262-1862

On August 10, John sent the two requested WSPFs with the following message:

Don,

Find attached the WIPP Waste Stream Profile forms you requested.

Also, we will let you know in the coming weeks how we will process future requests.

Thanks,

John Kieling

In the last almost five weeks I've heard nothing more from John, but I have sent Trais emails regarding documents that she's saying she now understands are only available under IPRA. As I'd suggested in my August 3 email to John, that is a change that's hard to understand.

But in any case, I want to understand what the policy is so that I can comply with it or try to get it changed.

Thanks for clarifying what's going on and providing the written policy, if there is one.