

TO: Ms. Melissa Mascarenas
Custodian of Records
New Mexico Environment Department
via email: melissa.mascarenas@state.nm.us



RE: IPRA / WIPP

October 24, 2013

Dear Ms. Mascarenas,

Pursuant to Section 14-2-8 the New Mexico Inspection of Public Records Act, this email is a "written request" to you to make available for "Inspection Immediately" *all records* in your custody or the custody of the New Mexico Environment Department relating to the Waste Isolation Pilot Plant (WIPP) most recent audit and assessment schedules and the most recent Weekly Map Updates regarding underground mining at WIPP in panels 6, 7, 8, and the SDI project. I believe that these documents are in the custody of the Hazardous Waste Bureau.

By "relating to," I mean to include, but not limit to, every email, memorandum, attachment, letter, comment, note and any other writing, whether final or in draft form, that was generated by anyone, including all emails forwarded to other email recipients, pertaining to the subject referenced above.

In other words, this request is intended to cover every type of record whatsoever, including but not limited to the complete original or a complete copy if the original is not available, and each non-identical copy (whether different from the original because of notes made on the copy or otherwise) of all written, recorded, electronic, and graphic matter of every kind and description.

I am aware that some, but not all, of the requested documents were provided on July 2, 2013, related to an earlier IPRA request of June 20, 2013. Documents provided on July 2, 2013 do not need to be provided again, unless NMED desires to do so.

In accordance with state law, I request that records in electronic format be made available in that format where available.

Additionally, I also request that for any exemption or denial of inspection, you cite the specific exemption your office is claiming under IPRA.

I understand that if "inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request." NMSA 1978, § 14-2-8(D).

Thank you for your attention to this matter.

Don Hancock
Southwest Research and Information Center
(505) 262-1862
sricdon@earthlink.net

131023





SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Office of the Secretary

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Jeffrey M. Kendall, General Counsel



RYAN FLYNN
Cabinet Secretary-Designate
BUTCH TONGATE
Deputy Secretary

October 24, 2013

VIA E-MAIL

Don Hancock
sricdon@earthlink.net

Re: Request to Inspect Public Records

Dear Mr. Hancock:

On October 24, 2013 this office received a request for public information. You request information pertaining to: WIPP. (See attached request).

I forwarded your request to the bureau on October 24, 2013. The bureau will respond by November 8, 2013.

Should you have any questions, please contact the Hazardous Waste Bureau at (505) 476-6035.

Sincerely,

Melissa Y. Mascareñas
New Mexico Environment Department
Department Public Records Custodian

cc: John Kieling, Chief, Hazardous Waste Bureau



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Jeffrey M. Kendall, General Counsel



RYAN FLYNN
Cabinet Secretary-Designate
BUTCH TONGATE
Deputy Secretary

MEMORANDUM

To: John Kieling, Chief, Hazardous Waste Bureau
From: Melissa Y. Mascareñas, Department Public Records Custodian
Date: October 24, 2013
Subject: Request to Inspect Public Records

We have received a request from **Mr. Don Hancock** asking for information regarding:

SEE ATTACHED REQUEST

The Inspection of Public Records Act requires a response to a requester of public records within fifteen (15) calendar days from receipt of a request. Please respond to the requestor by no later than **November 8, 2013**.

Your response may take several forms:

- a) Provide the requested information; or
- b) Notify the requester of a delay; you must give reasons for the delay and the date when the information will be available; or
- c) Deny the request or part of it; provide the records that can be released and identify the reason(s) for denial of any records; or
- d) Ask for more information or clarification; and
- e) Notify the requester of any mailing or photocopy charges.

A copy of my initial response to this request is attached for your records. **Please provide me with a copy of any responses you make to this request and/or notify me when the records have been made available for inspection.**