

**Allen, Pam, NMENV**

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**From:** Maestas, Ricardo, NMENV  
**Sent:** Wednesday, June 25, 2014 3:50 PM  
**To:** Allen, Pam, NMENV  
**Subject:** FW: IPRA  
**Attachments:** letter001 (3).pdf; memo001 (7).pdf

March

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**From:** Kieling, John, NMENV  
**Sent:** Thursday, March 13, 2014 9:07 AM  
**To:** Kliphuis, Trais, NMENV; Maestas, Ricardo, NMENV; Smith, Coleman, NMENV; Holmes, Steve, NMENV  
**Subject:** FW: IPRA

FYI...

Trais – I suggest you discuss with Billy Jimenez and coordinate. We have until March 28<sup>th</sup> to comply.

Have you heard anything from Billy or others on the Tracy Hughes IPRA?

John

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**From:** Mascarenas, Melissa, NMENV  
**Sent:** Thursday, March 13, 2014 9:03 AM  
**To:** Flynn, Ryan, NMENV; Tongate, Butch, NMENV; Kendall, Jeff, NMENV; Winchester, Jim, NMENV; Kieling, John, NMENV; Skibitski, Thomas, NMENV; king, jack, NMENV; Kesler, Michael, NMENV  
**Cc:** Jimenez, Billy, NMENV  
**Subject:** FW: IPRA

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**From:** Clausing, Jeri [<mailto:JClausing@ap.org>]  
**Sent:** Wednesday, March 12, 2014 4:19 PM  
**To:** Mascarenas, Melissa, NMENV  
**Subject:** IPRA

Melissa – Thanks for your help on the IPRA. Here is one more for you. – Jeri

**AP** Associated Press

March 12, 2014

This is a request under the New Mexico Inspection of Public Records Act, New Mexico Stat Ann. §§ 14-2-1 – 14-2-12 (the “Act”), and under the common law right of access. I am making this request in my capacity as a full-time journalist with The Associated Press.

Pursuant to the Act, I am requesting a copy of the following public records:

All communication between the New Mexico Environment Department and the Nuclear Waste Partnership as well as all communications by NMED employees, internal and external, involving the Waste Isolation Pilot Project in Carlsbad between Feb. 5 and March 12, 2014. This request includes, but is not limited to, any and all documents, notes, correspondence or memoranda, in whatever tangible or physical form, that relate to the requested records.

I would like to receive the information in electronic format.

I ask that you waive any and all fees associated with this request. I am making the request as an AP reporter and this request is made as part of newsgathering. Release of the information will primarily benefit the general public because it will contribute significantly to the public understanding of the governor. If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50. I remind you that a public body may only charge "reasonable fees." New Mexico Stat Ann. § 14-2-9.

If this request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act, and inform me of appeals procedures available to me under the law. I also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Under the Act, this request must be acted upon as soon as possible, but in no event later than fifteen (15) business days following receipt of this letter. New Mexico Stat Ann. § 14-2-10.

As I am making this request as a journalist and the information is of timely value, I would appreciate your communicating with me by telephone 505-822-900 or [jclausing@ap.org](mailto:jclausing@ap.org), rather than by mail, if you have questions regarding this request

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you.

Thank you for your assistance.

Sincerely,

**AP**  

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Jeri Clausing  
Supervisory Correspondent  
Albuquerque, N.M.  
(o) 505-822-9022  
(c) 505-228-8437

**AP**  

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Jeri Clausing

Supervisory Correspondent  
Albuquerque, N.M.  
(o) 505-822-9022  
(c) 505-228-8437

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this email. Thank you.

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SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Office of the Secretary*

Harold Runnels Building  
1190 Saint Francis Dr., Santa Fe, NM 87505  
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Jeffrey M. Kendall, General Counsel



RYAN FLYNN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary

March 13, 2014

VIA E-MAIL

Jeri Clausing  
[JClausing@ap.org](mailto:JClausing@ap.org)

Re: Request to Inspect Public Records

Dear Ms. Clausing:

On March 12, 2014 this office received a request for public information. You request information pertaining to: All communication between the New Mexico Environment Department and the Nuclear Waste Partnership as well as all communications by NMED employees, internal and external, involving the Waste Isolation Pilot Project in Carlsbad between Feb. 5 and March 12, 2014. This request includes, but is not limited to, any and all documents, notes, correspondence or memoranda, in whatever tangible or physical form, that relate to the requested records. (See attached request).

I forwarded your request to the bureaus on March 13, 2014. The bureaus will respond by March 28, 2014.

Should you have any questions, please contact the Office of the Secretary and the Office of General Counsel at (505) 827-2855, Hazardous Waste Bureau at (505) 476-6035, the District III Field Office at (575) 885-9023 and the DOE Oversight Bureau at (505) 845-5932.

Sincerely,

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

cc: Ryan Flynn, Cabinet Secretary  
Butch Tongate, Deputy Secretary  
Jeffrey M. Kendall, General Counsel

Jim Winchester, Public Information Officer  
John Kieling, Chief, Hazardous Waste Bureau  
Tom Skibitski, DOE Oversight Bureau  
Jack King, Acting Bureau Chief, Field Operations & Infrastructure Division  
Michael Kesler, Acting District Manager

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RYAN FLYNN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary

Jeffrey M. Kendall, General Counsel

**MEMORANDUM**

To: Ryan Flynn, Cabinet Secretary  
Butch Tongate, Deputy Secretary  
Jeffrey M. Kendall, General Counsel  
Jim Winchester, Public Information Officer  
John Kieling, Chief, Hazardous Waste Bureau  
Tom Skibitski, DOE Oversight Bureau  
Jack King, Acting Bureau Chief, Field Operations & Infrastructure Division  
Michael Kesler, Acting District Manager

From: Melissa Y. Mascareñas, Department Public Records Custodian *MYS*

Date: March 13, 2014

Subject: Request to Inspect Public Records

We have received a request from Ms. Jeri Clausing 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 **March 28, 2014**.

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.**