TO: Benito Garcia, Chief, HRMB
FROM: Tom Duker, Public Records Officer
DATE: April 16, 1996
SUBJECT: Public Records Request

We have received a request from US Department of Energy, Albuquerque Office asking for information regarding Records pertaining to RCRA Part B Permit Application filed by DOE and Westinghouse for the WIPP facility in Carlsbad.

By New Mexico Law and the Environment Department Policy on Public Record Information Requests we must respond to a requestor of public records within fifteen (15) calendar days from receipt of such a request. Please respond to this request no later than May 1, 1996.

Your response may take several forms:

a) providing the requested information.
b) Notifying requestor of a delay. Give reasons and date when information will be available.
c) Denying the request or part of it. Give what cannot be released and the reason(s). Let requestor know of their right to appeal.
d) Ask for more information or clarification.
e) Notifying requestor of any mailing or photocopy charges.

A copy of my initial response to this request is enclosed.

Please send me a copy of any responses you make to this request.
Tom Seeley, Public Records Officer

Personal telephone conversation of 4/11/96.

Thanks!
April 15, 1996

Mr. Tom Duker
Public Records Officer
P.O. Box 26110
Santa Fe, NM 87502

Re: Inspection of Public Records Act Request

Dear Mr. Duker:

Pursuant to the Inspection of Public Records Act, §§14-2-1-14-2-12, N.M.S.A. 1978 (1995 Repl.), and confirming our telephone conversation of last week, this is to request the opportunity to inspect, and perhaps copy portions of, all records in the possession, custody or control of the New Mexico Environment Department (NMED) that pertain to the RCRA Part B Permit Application filed by the U.S. Department of Energy and Westinghouse Electric Corp., Waste Isolation Division, for the WIPP facility in Carlsbad, New Mexico, that are not exempt or excepted under §14-2-1.

Please call me at (505) 845-5216 if you have any questions with regard to this request. Thank you for your assistance and cooperation.

Very truly yours,

Michele A. Reynolds
Attorney
Office of Chief Counsel

cc:
Susan McMichael, Esq.
Assistant General Counsel
Environment Department
P.O. Box 26110
Santa Fe, NM 87502-6110
Ms. Michelle A. Reynolds  
Office of Chief Counsel  
US Department of Energy  
Albuquerque Operations Office  
P.O. Box 5400  
Albuquerque, NM 87185-5400  

April 16, 1996  

Dear Ms. Reynolds:  

Your request was received today regarding the inspection of New Mexico Environment Department records pertaining to RCRA Part B Permit Application filed by the Department of Energy and Westinghouse Electric Corporation for the WIPP facility in Carlsbad, New Mexico.  

I have forwarded your request to Mr. Benito Garcia, Chief of the Hazardous and Radioactive Materials Division. That bureau will reply directly to you. If the information requested cannot be furnished within three days, they will respond no later than May 1, 1996 and inform you as to when such requested records will be available.  

Please find enclosed a copy of Appendix C of the New Mexico Environment Department Policy on Public Records Requests which explains what you, as a requestor of records, should know.  

Sincerely,  

Thomas C. Duker  
Public Records Officer  
encl: Appendix C