
Sample: Document-Request Letter

Preparing for Permit Review

Rick Elkins
Public Record Officer
Division of Environmental Quality
224 South Arthur
Pocatello, Idaho 83204

Dear Mr. Elkins:

In accordance with the Idaho Public Records Law, title 9 section 338 et seq; the Shoshone-Bannock Tribes request access, for review and copying, to the following information pertaining to J.R. Simplot Fertilizer Plant located in Pocatello, Idaho adjacent to Fort Hall Reservation:

Any documents, memorandum, letters, reports, requests, and/or data pertaining to:

- * all existing air permits for the above facility
- * the application filed by the facility in conjunction with these air permits
- * documentation regarding emissions or compliance monitoring for the above facility from the past three years,
- * documentation of any existing compliance plans, schedule of compliance, and compliance certification,
- * documentation regarding inspections, actual or potential fines, and enforcement actions taken against the above facility.

The Shoshone-Bannock Tribes request a fee waiver for copying charges, because the information sought is pertinent to tribal operations and is to be used for the benefit of the general public, to increase the public's understanding of the manner in which a State agency is carrying out its operations as well as the public's capacity to perform the public oversight functions envisioned in the Federal Clean Air Act. Charging a fee will have a very chilling effect on the public's right to information about permitting decisions as established in the Federal Clean Air Act, and the public's ability to safeguard the public health and safety through informed public participation. Because of the complexity of issues surrounding Title V permit issuance, the public will generally need to review a considerable number of lengthy documents to participate in a meaningful way in the State permit process. The burden of potential copying charges would be a bar to active citizen participation in the State permitting process, contrary to intent of the Federal Clean Air Act, and would cause the public's understanding of the operation of the State permit agency to suffer.

I will expect a response within three working days of your receipt of this request, as provided by law. I will call you to arrange a mutually convenient time to review the documents. Thank you for your assistance in this request.

Sincerely,

Farshid Farsi, Air Quality Program Director
