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Date: Friday, May 8 2009 10:25 am

From: <dmccoy@swcp.com>

To: hqfoia@epa.gov

CC: rhgilkeson@aol.com

Reply-To: dmccoy@swcp.com

Subject: EPA FOIA Appeal

Full Headers: Display Headers

05/08/2009

National Freedom of Information Officer,  
U.S.EPA,  
Records, FOIA and Privacy Branch,  
1200 Pennsylvania Avenue, NW (2822T),  
Washington, D.C. 20460

FOIA 06-RIN-00246-09  
hqfoia@epa.gov

*FOIA Hotline confirmed receipt of 00246-09  
→ HQ APP - 00103-09  
due date 6/9/09*

Appeal is taken for the above numbered FOIA. The reason for the appeal is that the documents that were sought that were written by Richard Mayer and others in EPA Region 6 were not specifically mentioned, searched for, nor provided by the FOIA denial of April 7, 2008. The documents were not identified and no exemptions have been taken therefrom.

Rich Mayer specifically informed Citizen Action and Mr. Robert Gilkeson that Mayer and a group of at least 2 others had written reports regarding the well monitoring network at the Mixed Waste Landfill at Sandia National Laboratories. These reports or documents were written based on ongoing discussions between Dave McCoy, Citizen Action Director, Mr. Gilkeson and others that Mr. Mayer contacted.

The documents written by Mr. Mayer went beyond the letter that EPA Region 6 later sent to Citizen Action and Mr. Gilkeson. EPA Region 6 is attempting to deny significant knowledge, conclusions and information about the Mixed Waste Landfill monitoring network to Citizen Action and Mr. Gilkeson that are contained in the writings of EPA Region 6 by Mr. Mayer and others.

Based on information from the EPA Inspector General team that met with Citizen Action and Mr. Gilkeson, the Mayer documents were possibly delivered to the New Mexico Environment Department by Kathy Thomas, Region 6 EPA.

Sincerely,

David B. McCoy, Director  
Citizen Action  
PO Box 4276  
Albuquerque, NM 87196-4276  
505 2621862

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