



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
APPLICATION FOR ACCESS TO RECORDS
 (See Instructions on Reverse Side)

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• TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

I hereby apply to inspect the following records under the provisions of the Freedom of Information Law:

Address of Facility or Site (if applicable)

Spill No. (if applicable) _____ Facility ID No. (if applicable) _____

PBS No. (if applicable) _____

Other: _____

After inspection, should I desire copies of all or part of the records inspected, I will identify the records to be copied and hereby offer to promptly pay the established fees. (Cost of reproduction or 25¢ per page as applicable). Contact me if cost will exceed \$ _____.

Name (Print or type) _____ Telephone No. _____ Fax No. _____

Company (if applicable) _____ E-Mail Address _____

Mailing Address _____

Signature _____

Date _____

TO APPLICANT:

RECORDS PROVIDED

- The reproduction costs for the records provided \$ _____
- Records have been (partially, fully) provided
 (If not provided, date when records are expected to be fully provided: _____)

RECORDS NOT AVAILABLE

- Records cannot be located after a diligent search The Department is not the custodian for records indicated

RECORDS DENIED

I hereby advise that access to the records, or part of the records, has been denied for the reason(s) checked below:

- | | |
|---|--|
| <input type="checkbox"/> Specifically exempt by another statute | <input type="checkbox"/> Unwarranted invasion of privacy |
| <input type="checkbox"/> Would impair present or imminent contract awards or collective bargaining negotiations | <input type="checkbox"/> Trade secrets |
| <input type="checkbox"/> Compiled for law enforcement purposes | <input type="checkbox"/> Could endanger life or safety of any other person |
| <input type="checkbox"/> Inter-agency or intra-agency materials that are not: | |
| statistical or factual tabulations or data | |
| instructions to staff that affect the public | |
| final agency policy or determinations; or | |
| external audits, including but not limited to audits performed by the comptroller and the Federal government | |
| <input type="checkbox"/> Other exemptions (as applicable) | |

Records Custodian signature _____

Date: _____

INSTRUCTIONS

TO APPLICANT: (The completion of this form is voluntary; however, it will facilitate access to records you seek.)

1. Please identify the specific records you wish to inspect under the "applicant" portion of this form, sign and date in the appropriate place, and give or mail to the Records Access Officer, NYS Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1500. In the alternative, you may send your request electronically to foil@gw.dec.state.ny.us
2. If after inspection you should desire copies, identify to the Records Custodian the specific records to be copied. Make check or money order payable to the "New York State Department of Environmental Conservation" for copies reproduced by the Department.
3. If you are denied access to records or portions of records, you may submit a written appeal to the FOIL Appeals Officer, Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1500. Such appeal has to be made within 30 days after the denial. Please attach a copy of this form showing the "Records Denied" portion when filing your appeal. The FOIL Appeals Officer will evaluate the appeal and respond in writing to you within ten (10) business days after receipt of the appeal.

TO DEC RECORDS CUSTODIAN:

1. Conduct search for records:
 - 1a. If records requested for inspection are not in the custody of the Department, advise the applicant if possible as to the identity and location of the proper custodial agency.
 - 1b. If records are found, determine accessibility (in accordance with Public Officers Law Section 87.2)
2. After determination of accessibility:
 - 2a. If accessible—make available to applicant for inspection.
 - 2b. If not accessible—complete "Records Denied" portion of this form, make and retain one copy of completed form, and give original to applicant fully explaining reason for denial.
3. If applicant desires copies—collect total cost from applicant, and make copies (or arrange with applicant to have copies made with outside vendor and applicant pays vendor). Originals must be returned to Department Records Custodian(s).
4. If you are not able to respond to a request within five (5) business days, acknowledge receipt of the request in writing by the fifth business day and estimate when your final response will be made. If a request can not be fulfilled within (20) business days from the date of the acknowledgment letter, you must advise the requester of a date certain for completion of the request.

SPECIAL NOTE

See www.dec.ny.gov/public/373.html for answers to the most commonly asked questions about DEC and the New York State Freedom of Information Law.