



Subject: Request for Writings and Records
From: "David A. Ludder" <daidaludder@enviro-lawyer.com>
Sent: 9/14/2022 11:16:22 AM
To: "Lance LeFleur" <director@adem.alabama.gov>; "ADEM Records" <records@adem.alabama.gov>;
Attachments: Request for Writings and Records.pdf
Signed by: David A. Ludder

Please find attached a request for writings and records.

DAVID A. LUDDER

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Tel 850.386.5671 | Web www.enviro-lawyer.com



September 14, 2022

Sent Via Electronic Mail

Hon. Lance R. LeFleur, Director
Office of the Director
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama
director@adem.alabama.gov

Sent Via Electronic Mail

Ms. Azure Jones, Public Records Officer
Permits and Services Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama
records@adem.alabama.gov

Re: Request to inspect and copy ADEM writings and records

Dear Mr. LeFleur and Ms. Jones:

On behalf of the Environmental Defense Alliance, an Alabama non-profit corporation, and pursuant to the Open Records Law, Ala. Code 1975 §§ 36-12-40 and -41, and ADEM Admin. Code r. 335-1-1-.06(1), I request permission to inspect and copy the following writings and records in the possession, control or custody of any officials of the Alabama Department of Environmental Management created subsequent to September 15, 2019:

(a) draft and final preliminary analyses or discussions of, or preliminary opinions or recommendations for, possible actions to be taken by the Department concerning the development, proposal or adoption of new or revised water quality criteria for toxic pollutants which have or have not been shared between Department officials or between Department officials and any entity or person outside of the Department;

(b) draft versions of administrative rules intended to establish new or revised water quality criteria for toxic pollutants;

(c) draft and final memoranda and correspondence, records of telephone conversations and meetings, and electronic mail messages between Department officials, or between Department officials and any other entity or person outside of the Department, concerning the development, proposal or adoption of new or revised water quality criteria for toxic pollutants.

Pursuant to ADEM Admin. Code r. 335-1-1-.06(5), if it is determined that any of the requested writings or records will not be provided or that, to the best knowledge of the Director, any of the requested writings or records do not exist, I request to be notified in writing that the request is denied and the reasons for denial. If the reasons for denial are based on a claim of exemption or privilege permitting non-disclosure, I request that you identify the claimed exemption or privilege and provide sufficient information as to the nature of the writings or records withheld from disclosure to permit me to determine the validity of the claim of exemption or privilege.

Please do not hesitate to contact me to obtain clarification of the writings and records sought, if necessary.

Sincerely,

A handwritten signature in cursive script, appearing to read "David A. Ludder".

David A. Ludder
Attorney for Environmental Defense Alliance