STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Public Records Request

Frequently Asked Questions

What is a public records request?

A public records request (PRR) is a request from a member of the public (e.g., a person, corporation, or government agency) to examine or copy records maintained by the Idaho Department of Environmental Quality (DEQ), per the Idaho Public Records Act.

What is a public record?

A public record is any information documenting programmatic or administrative business activities conducted by DEQ.

How are public records requests submitted?

Public records requests must be submitted in writing to DEQ by one of three methods:

1. *Online Public Records Request Form*—The best option
2. *Printable Form*—Email to *publicrecords@deq.idaho.gov*
3. *Printable Form*—Mail or hand-deliver to:

    Idaho Department of Environmental Quality
    Attn: PRR Coordinator
    1410 North Hilton St.
    Boise, Idaho 83706

What information is needed in the description?

Provide details in the request. Include, when available, facility names and addresses, prior facility names and owners, county, type of records desired, time frame involved, and so on. The more specific the request is, the better DEQ is able to respond to it.

How long does DEQ have to respond to a public records request?

DEQ is required to respond to all public records requests within 3 working days from the date the request was received. DEQ may require additional time to respond and require a time extension.

Accommodation services: The Idaho Department of Environmental Quality will provide reasonable language access services and/or disability services for documents at no charge. To request an accommodation under Title VI of the Civil Rights Act of 1964 or Americans with Disabilities Act, contact DEQ's Title VI Coordinator at (208) 373-0271 or accessibility@deq.idaho.gov. Para obtener información en español, visite https://www.deq.idaho.gov/about-us/accessibility/

What if I receive an extension letter?

An extension letter is sent to the requester when more than 3 working days are required to fulfill the request. This notice informs the requester an additional 7 business days is needed to fill the request. An extension notice does not indicate the denial of a request.

What if I receive a denial or partial denial letter?

Certain records may be withheld from disclosure due to their confidential nature (Idaho Code §§ 74-104 through 74-120), resulting in a partial or full denial of a request, based on an attorney review. The letter sent to the requester includes the reason for not disclosing the information and the relevant statutory citations. Requesters have the right to file an appeal within 180 days of the mailing date of the denial notice.

How much will it cost me to obtain the records?

Idaho Code and DEQ policy waive the first 2 hours of labor associated with fulfilling the request, and most requests are fulfilled in less than 2 hours. Public records request fees are outlined in the *Fee Schedule*. If a request will take substantial effort due to the volume of records, DEQ will contact the requester before proceeding. Many times, the scope of the request can be revised to focus on the most relevant information to the requester and minimize the fees associated with processing the request.

What if I'm unable to cover the costs for my request?

Requesters may submit a *Public Records Fee Waiver Request Form*. DEQ may waive any cost or fee for copies or labor when the requester is an Idaho resident and demonstrates their request contributes significantly to the public's understanding, does not pertain to the requester's interest in litigation, and the requester has insufficient financial resources to cover any fees (Idaho Code § 74-102(12)).

How am I billed for my request?

If there is a fee associated with fulfilling a PRR, the requester will receive an email containing an itemized invoice. The invoice will reflect that the first 2 hours of labor and certain copying costs were waived. The requester has 30 days to remit payment per Idaho Code § 74-102 (10). Upon receipt of payment, records will be released through the public portal.

Who can I contact with public records request questions?

Deborah Naas, DEQ's Public Records Coordinator, can be reached at (208) 373-0226 or via email at *publicrecords@deq.idaho.gov*.

Where can I find more information about public records requests?

- Idaho Statutes—*Public Records Act*
- *Attorney General's Idaho Public Records Law Manual*
- *IDAPA 58.01.23*—Contested Case Rules and Rules for Protection and Disclosure of Records

- *DEQ Policy for Public Records Requests*