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November 9, 2000

Jeffrey R. Lamb
PO Box 248
Philomath, OR 97370

Re: *Petition for Public Records Disclosure Order*
Department of Environmental Quality Records

Dear Mr. Lamb:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. We received your petition on November 3, 2000. Your petition asks the Attorney General to order the Department of Environmental Quality (DEQ) to disclose the name of the person who filed a complaint with DEQ regarding your business, Auto Care Unlimited, on September 26, 2000 (Complaint # WRE 2000-0047).

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Any person denied the right to inspect or to receive a copy of a public record may petition the Attorney General to determine whether the record may be withheld from inspection. ORS 192.450(1).

On September 26, 2000, DEQ received a complaint that the routine burning of left-over lacquer paint was occurring at Auto Cars Unlimited. DEQ investigated the complaint on October 2, 2000, and found no burn barrel or other evidence of burning. You requested of DEQ, by telephone, the name of the person who filed the September 26 complaint. On October 11, 2000, DEQ denied your request.

We have spoken with DEQ Environmental Specialist, Joe Petrovich, regarding your petition. Mr. Petrovich informs us that he contacted you by telephone this morning and disclosed the name of the complainant. We understand from Mr. Petrovich that DEQ

will forward to you by mail a copy of the record containing the complainant's name. Because DEQ has agreed to provide the record to you, we deny your petition as moot.

Sincerely,

DAVID SCHUMAN
Deputy Attorney General

AGS05875
cc: Kerri Nelson, DEQ, Western Region Interim District Administrator