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June 23, 1994

John G. Kelley
47993 W. 2nd St.
P.O. Box 817
Oakridge, OR 97463

Re: Petition for Public Records Disclosure Order: State Fire Marshal Records

Dear Mr. Kelley:

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. Your petition, which we received on June 20, 1994, asks the Attorney General to direct the "Office of State Fire Marshal * * * to make available for inspection and copying all public records related to fire safety inspections in the region of Crescent Lake, * * *." You further state that you made this request of Mr. Floyd Wilton, the Deputy State Fire Marshal for Klamath County, on June 16, 1994, and that Mr. Wilton refused this request.

The Office of the State Fire Marshal informs us that Mr. Wilton will make such records as you describe, which he has in his custody and control, available to you. We wish to advise that the Public Records Law authorizes a state agency to charge fees reasonably calculated to reimburse it for its actual cost in making public records available, including the cost of providing requested copies. ORS 192.440 (3).

Because the Office of State Fire Marshal has agreed to provide you access to the records you requested, we dismiss your petition as moot.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:TET:bjs/JGG09D75
c: Henry Hanf, Acting State Fire Marshal
4760 Portland Road NE
Salem, OR 97305-1760
Floyd Wilton, Deputy State Fire Marshal
2525 Biehn Street, Klamath Falls Office OSP
Klamath Falls, OR 97601