DAVE FROHNMAYER
ATTORNEY GENERAL
STATE OF OREGON

WILLIAM F. GARY
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

March 16, 1987

Greg H. Brown
Helvetia/Mountaindale Preservation
Coalition, Inc.
Route 1, Box 507
Hillsboro, Oregon 97124

Re: Public Records Petition
Dated March 9, 1987
DOJ File No. 340-410-P0010-85

Dear Mr. Brown:

This letter responds to your March 9, 1987 petition for an Attorney General's order directing the Department of Environmental Quality (DEQ) to produce certain records for your inspection. We received your petition on March 10, 1987. We conclude you have no basis for petitioning the Attorney General for a public records order at this time because the DEQ has not denied you reasonable access to the documents you seek to review.

We have reviewed your petition and discussed your request for document disclosure with Mr. Steve Greenwood, Facility Siting Project Manager of the Hazardous and Solid Waste Division, Oregon Department of Environmental Quality. We have also reviewed Mr. Greenwood's letter to you of March 2, 1987, which expressly states DEQ's agreement to comply with your request for "all records pertaining to the referenced project." More specifically, we understand that items numbered 1 through 9 and item 11 either are currently available for your inspection or, in some cases, have in fact been copied and provided to you. Finally, with respect to item 10, DEQ has informed us that it is gathering these materials together and that the documents will be available for your inspection on or about Monday, March 23, 1987.

In short, we find that DEQ has agreed to provide you with the records you wish to inspect within a reasonable time. We therefore will not, at this time, order DEQ to do that which it already has done or that which it intends to do in the reasonably near future.

Very truly yours,

JAMES E. MOUNTAIN, Jr.
Special Counsel to the
Attorney General

JEM:ti
cc: Steve Greenwood, DEQ
David Ellis, DOJ
Michael Huston, DOJ