ELLEN F. ROSENBLUM
ATTORNEY GENERAL

MARY H. WILLIAMS
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

October 9, 2013

Chuck Erickson
2727 Stanton St.
North Bend, OR 97459

Re: Petition for Public Records Disclosure Order
Oregon Department of Environmental Quality
DOJ File No. 340310-GA0101-13

Dear Mr. Erickson:

This letter is the Attorney General's order in response to your petition asking our office to direct the Oregon Department of Environmental Quality (DEQ) to disclose certain records to you under the Oregon Public Records Law, ORS 192.410 to 192.505. Specifically, your petition asks that we order disclosure of three things:

1. Sunset Beach bacterial source study.
2. State Parks – Sunset Beach septic system / collection system testing
3. Copy of total maximu[m] daily load assessment and management plan for Sunset Beach.

We have spoken to DEQ about your petition and reviewed correspondence between you and DEQ, dated July 27 and August 6 of this year. It does not appear that you requested the records in question from DEQ. Because you have not requested the records in question from DEQ, we cannot order DEQ to provide the records to you. ORS 192.450 (permitting petitions by persons "denied the right to inspect or to receive a copy of any public record of a state agency"). Instead, you should file a request for records with DEQ using DEQ's process. The process is described at http://www.deq.state.or.us/records/recordsRequestFAQ.htm. DEQ informs us that it does not believe that it has any records responsive to your second or third numbered requests, but it does have a record responsive to your first numbered request. Based on the notation in your petition, it appears that you may want to contact the State Parks

Department concerning some aspects of your request. Because DEQ has not denied a request for public records, we must respectfully deny your petition.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

c via email only: Pam Blake, DEQ