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DEPARTMENT OF JUSTICE
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December 30, 2010

Neil Svarerud
17880 S.E. Grand Island Road
Dayton, OR 97114

Re: Petition for Public Records Disclosure Order:
Department of Geology and Mineral Industries

Dear Mr. Svarerud:

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 December 23, 2010. The petition asks the Attorney General to direct the Oregon Department of Geology and Mineral Industries ("DOGAMI") to provide the following records to you:

> Information between Baker Rock Resources and Dogami. It is for site visits to Grand Island in 2010. Their DOGAMI ID is # 36-0061. Who went? What was said? Memos? E-mails?

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. A person "denied the right to inspect or to receive a copy of any public record of a state agency" may petition the Attorney General for review of the denial. ORS 192.450(1). Thus, by its terms, ORS 192.450(1) authorizes the Attorney General to order a state agency to disclose records only when the agency has "denied" a records request.

Your petition, dated December 23, 2010, states that, on December 20, 2010, James Roddey of DOGAMI emailed to you "copies of some emails that are incomplete and avoid the one thing that my public records search requested." On December 27, 2010, Mr. Roddey, Earth Sciences Information Officer for DOGAMI, informed us that DOGAMI has provided to you all the records in its custody that are responsive to your request.

The Public Records Law does not require public bodies to answer interrogatory questions. Nor does it require public bodies to have any particular records. We respectfully deny your petition because DOGAMI has not denied your request.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

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c: James Roddy, DOGAMI