

DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES

POLICY AND PROCEDURE

TITLE: PUBLIC RECORDS REQUESTS
NUMBER: ADM 2016-01

Approved by: Governing Board
Date: June 10, 2016

Approved by: Brad Avey, Director/State Geologist
Date: May 26, 2016

Policy

The Department of Geology and Mineral Industries (DOGAMI) complies with the Oregon Public Records Law and responds to public record requests as soon as practicable and without unreasonable delay, in the manner described below. ORS 192.440(7) requires every public body to make available to the public a written procedure for making public record requests.

a. Making a public records request

Public records requests must be made in writing, and include at minimum the requestor's first and last name, name of the organization or entity the requestor is representing (if applicable), requestor's contact information, and a detailed description of the records being requested.

Public records requests may be made by email, via an online web form, or sent by mail to:
Oregon Department of Geology and Mineral Industries
Lori Calarruda, Public Records Coordinator
800 NE Oregon Street, Suite 965
Portland, OR 97232

b. Costs/Fees

The Oregon Public Records Law allows agencies to recover their actual costs in fulfilling a public records request. If the estimated fee is greater than \$20.00, DOGAMI will provide the requestor with written notice of the estimated amount of the fee. In such instances, the DOGAMI Public Records Coordinator will not fulfill the request until the requestor confirms in writing that the requestor wants to proceed with the request and pays the estimated cost.

DOGAMI follows OAR 632-001-0010 in establishing the following fee schedule:

- Standard Copies: \$.15 per page with a minimum charge of \$1.00.
- Labor Charges: at least \$20.00 per hour per person at the discretion of the appropriate supervisor
- Copying of available data, records, or publications electronically for the public will be charged at the minimum rate of \$10.00 per disk copied or as otherwise priced, based upon staff time involved.

- Reproduction using agency equipment by agency personnel of library Open-file Reports or maps from a disk or digital format will carry a minimum charge of \$50.00 to recover costs.
- The department may assess a charge based on the actual cost of labor and materials if the actual costs are significantly greater than the minimum charges or rates established by administrative rule.

c. Fee waivers for public records requests

Requests for fee waivers or reduced fees must be made in writing to DOGAMI's Public Records Coordinator. DOGAMI may furnish copies without charge or at a substantially reduced fee if it is determined that the waiver or reduction of fees is in the public interest because making the records available primarily benefits the general public, per ORS 192.440(5). DOGAMI will determine the appropriateness of requests for fee waivers or adjustments based on the guidance of the relevant statutes and the Attorney General's Public Records and Meetings Manual.

Procedure

Public Records Coordinator	Reviews the public records request to determine if the request information is complete. Requests should contain: Requestor's first and last name Requestor's organization Requestor's contact information (email, phone number, address) A detailed description of the information requested.
Public Records Coordinator	Consults with the Assistant Director regarding content of requested information to determine if clarification is needed regarding the request, whether DOGAMI is in custody of the requested information, whether an Assistant Attorney General consultation is needed, and development of a cost estimate for providing the requested information.
Public Records Coordinator	Acknowledges receipt of the public records request in writing, within three business days of receiving the request. If request is received by mail, acknowledgement is made by certified letter. Responds to public records requests as soon as practicable and without unreasonable delay with one of the following responses: <ul style="list-style-type: none"> • A statement that DOGAMI does not have custody of the requested records. • A statement that DOGAMI does have custody of the requested records, and

	<p>will provide records (if estimated cost is under \$20) or will provide a cost estimate for providing the requested records.</p> <ul style="list-style-type: none"> • A statement that DOGAMI is the custodian of some responsive records, an estimate of time in which copies will be provided or inspection will be available, and an estimate of the fees the requestor must pay • A statement that DOGAMI is uncertain whether it possesses any requested records, a cost estimate for searching for requested records and an estimate of time in which a search will be completed; or • A statement that state or federal law prohibits DOGAMI from acknowledging whether the record exists and a citation to the relevant state or federal law. <p>Note: The above responses may also include a statement that some or all requested records are exempt from disclosure under 192.410 to 192.505.</p> <p>If a requestor fails to respond to inquiries for clarification, cost estimates, or any other communication from DOGAMI within 10 business days, the status of the request will be changed to “Non-Responsive Requestor.”</p> <p>Non-responsive requests may be resubmitted and will be processed as a new request.</p>
Public Records Coordinator	Enters the requestor’s name, organization, the nature of the request, and the status of the request in the Public Records Log and updates the Public Records Log on a weekly basis.
Public Records Coordinator	Prepares and sends an invoice to requestor if costs are incurred by DOGAMI. The request will not be processed until payment is received.
Public Records Coordinator	Coordinates with the Assistant Director and staff to gather requested records. Reviews requested records for exempt records, and consults with the Assistant Attorney General as needed.

	Consults with Agency Director and Communications Director as needed.
Public Records Coordinator	Processes and completes the request by providing requested records, and attaches the requested documents to the Public Records Log.