
RE: 1987-1996 AQ litigation records destruction

From YELLESETTY Leela * DEQ <Leela.YELLESETTY@deq.oregon.gov>

Date Thu 5/11/2023 2:17 PM

To ORMAN Michael * DEQ <Michael.ORMAN@deq.oregon.gov>; STOCUM Jeffrey G * DEQ <Jeffrey.G.STOCUM@deq.oregon.gov>; MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>

Cc RecordsRequest * DEQ <recordsrequest@deq.oregon.gov>

I approve too, thanks all!

From: ORMAN Michael * DEQ <Michael.ORMAN@deq.oregon.gov>

Sent: Wednesday, May 10, 2023 7:47 AM

To: STOCUM Jeffrey G * DEQ <Jeffrey.G.STOCUM@deq.oregon.gov>; MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>

Cc: RecordsRequest * DEQ <recordsrequest@deq.oregon.gov>

Subject: RE: 1987-1996 AQ litigation records destruction

Kristen,

I agree with Jeffrey. If it's past its retention schedule by many years and no one has called on that information in a long time, best to follow the retention schedule and destroy.

-Michael

From: STOCUM Jeffrey G * DEQ <Jeffrey.G.STOCUM@deq.oregon.gov>

Sent: Tuesday, May 9, 2023 4:45 PM

To: MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>; ORMAN Michael * DEQ <Michael.ORMAN@deq.oregon.gov>

Cc: RecordsRequest * DEQ <recordsrequest@deq.oregon.gov>

Subject: RE: 1987-1996 AQ litigation records destruction

Kristen –

I don't think this falls under my section's purview but perhaps it is under the AQ Planning and Michael Orman. My quick Google search indicates that this may be about the establishment of the TV operating permit fees and a fee on motor vehicle registrations around the time of the 1990 CAA. Seems to be long settled stuff, and since it was only to be initially held for 5 yrs ☺ I think the files can be destroyed, but I'd like Michael to think about it too.

Reading further to the bottom, of the link, it does appear that a UST fee and the registration add-on were declared unconstitutional (if this is the correct litigation) but alas it's old stuff and Paul G looked at it, I think we can destroy per the retention policies.

<https://www.casemine.com/judgement/us/5914bedeadd7b049347aac3e>

"(4) Provide adequate resources to fully cover the costs of the Department of Environmental Quality to develop and administer an approvable federal operation permit program in accordance with the Clean Air Act, including costs of *492 permitting, compliance, rule development, emission inventorying, monitoring and modelling and related activities." Or Laws 1991, ch 752, § 2.

<https://law.justia.com/cases/oregon/supreme-court/1992/314-or-479.html>

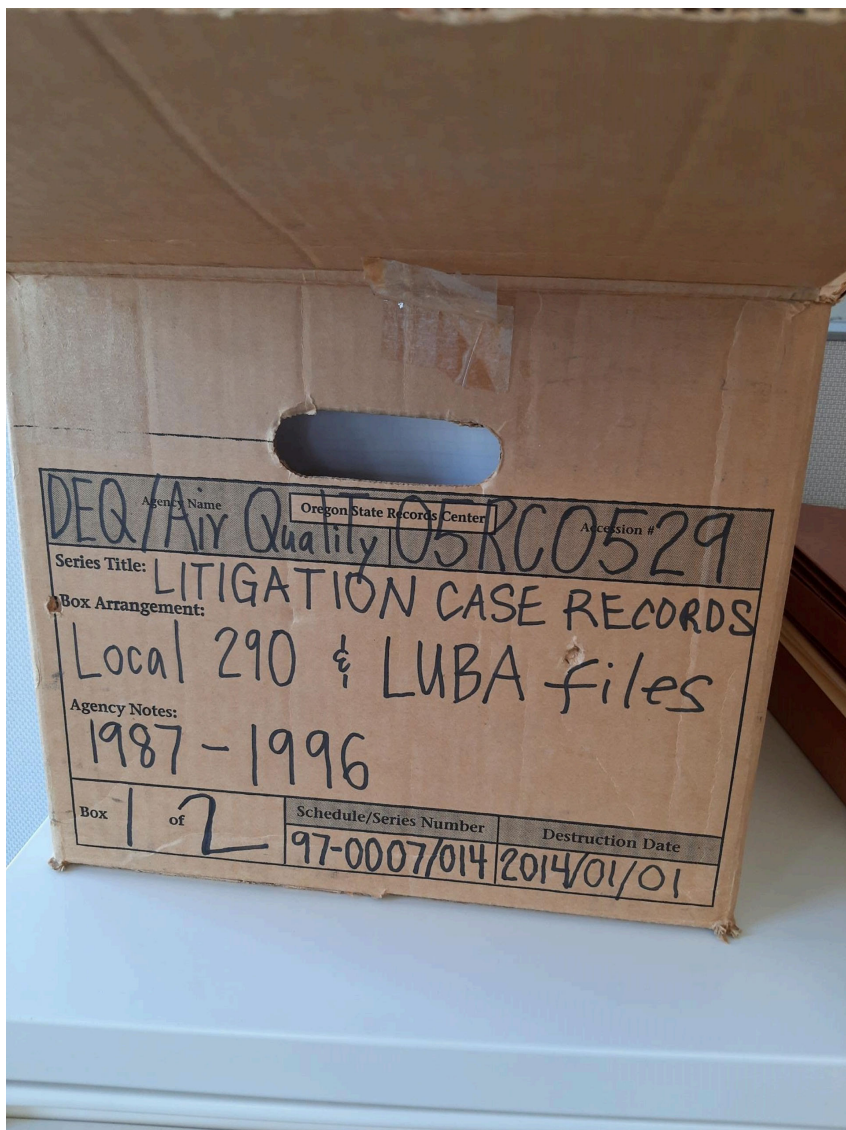
Thanks,
Jeffrey

From: MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>
Sent: Tuesday, May 9, 2023 1:33 PM
To: STOCUM Jeffrey G * DEQ <Jeffrey.G.STOCUM@deq.oregon.gov>
Cc: RecordsRequest * DEQ <recordsrequest@deq.oregon.gov>
Subject: 1987-1996 AQ litigation records destruction

Hello!

Are you the appropriate manager to get records destruction approval for this box of litigation records? We did check with Paul and they are not active cases (please scroll down if you would like more details). If you are the appropriate manager please reply all with your approval (or disapproval) and if I should be seeking this from someone else if you could please point me in that direction I'd greatly appreciate it!

Thank You!
Kristen



From: Garrahan Paul <paul.garrahan@doj.state.or.us>
Sent: Wednesday, May 3, 2023 2:57 PM
To: MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>
Cc: YELLESETTY Leela * DEQ <Leela.YELLESETTY@deq.oregon.gov>
Subject: RE: 1987-1996 litigation records question

Kristen: I think it is fine for you to process these following your standard records retention policies. These are not active cases.

Paul Garrahan
Oregon Department of Justice
503.929.7553 (Mobile)
He/Him/His

From: MERCER Kristen * DEQ <Kristen.MERCER@deq.oregon.gov>
Sent: Wednesday, May 3, 2023 2:16 PM
To: Garrahan Paul <paul.garrahan@doj.state.or.us>
Cc: YELLESETTY Leela * DEQ <Leela.YELLESETTY@deq.oregon.gov>
Subject: 1987-1996 litigation records question

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Hi Paul,

We're doing some cleaning out of old records and came across this box of litigation records 1987-1996. We think they're past retention, but thought we'd run it by you to see if we were missing anything that was still in litigation (we are doing are best to update and track litigations but these are not on the lists we have).

- Sierra club
- Automobile club
- Local 290



Sierra Club/OEC vs. DEQ Exhibits 1987-1989

Automobile Club v. State of Oregon Hearings 1991

Automobile Club v. State of Oregon Hearings 1991
340-990-A0005-0

Automobile Club v. State of Oregon DEQ Pleadings & Court Orders 1991-1992
340-990-A0005-91

Club of Oregon v. DEQ SC 538565



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Authorization is by email only, no signatures required.

[Records destruction procedure](#) [DEQ Retention Schedule](#) [State General Retention Schedule](#)

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Date approved by records officer:

Date destroyed:

Date destroyed:

[illegible]



