PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY
STANDARD INTERNAL OPERATING POLICY

POLICY NO.: Administrative Policy, ADM-006 DATE: February 26, 2002

POLICY: REQUESTS FOR INFORMATION
It is the goal of the Department to comply with all legal requirements while providing outstanding customer service by efficiently responding to inquiries and providing accurate information.

PURPOSE: The purpose of this administrative policy is to ensure that the public will receive accurate information while complying with A.R.S. § 39-121.03. Staff is not mandated to do research or to develop information for the public that is not normally, readily available. We also do not charge a fee for compiling information; however, a fee may be charged for the time spent photocopying information and for the photocopies.

PROCEDURE:

1. Phone Requests:
   A. Provide person requesting information with the department's following forms:
      1) PDEQ Public Records Reproduction Request form; and
      2) PDEQ Reproduction Fee Schedule.
   B. Inform the person that payment may be requested in advance if information includes copying a large number of pages.
   C. Confirm that all documents have been completed. Forward the completed request to the Compliance Supervisor in Field Services for processing. The PDEQ Public Records Reproduction Request form is required for commercial use. The public's request will be processed if they refuse to complete the form and state their use is not for commercial purposes. Any confidential documents which must be removed prior to being viewed by the requestor (See Policy Number TECH-003, Procedure for Processing Confidentiality Claims)
   D. Upon completion of the compilation of records, the Compliance Supervisor will compose a letter citing the results of the request. If payment is not required in advance (See No. 4.), the Supervisor will forward a copy of the request letter results and/or documentation to the requestor; the Supervisor will also forward the original letter and statement of time spent photocopying information to the Executive Administrative Assistant. If payment is required in advance, all documentation will be forwarded directly to the Executive Administrative Assistant for processing and distribution.
2. Walk-In request when information is immediately available:
   A. Provide requesting person with:
      1) PDEQ Public Records Reproduction Request form; and
      2) PDEQ Reproduction Fee Schedule.
   B. Confirm that all documents have been completed. The PDEQ Public Records

Reproduction Request form is required for commercial use. The public's request will be processed if they refuse to complete the form and state their use is not for commercial purposes.

C. Take the request to the Compliance Supervisor or Field Services Manager.

D. The Manager/Supervisor will review the request.

E. The information and/or file(s) must be screened for confidential documents that must be removed prior to being viewed by the requestor (See Policy Number TECH-003, Procedure for Processing Confidentiality Claims).

F. If information can be obtained immediately, the person's request will be accommodated at that time and payment will be required upon delivery of information.

3. Walk-In request when information is <u>not</u> immediately available:

A. If the information cannot be obtained immediately, the Compliance Supervisor will speak with the person and give him/her an approximate date and/or time when the information will be available and arrange method of distribution, i.e., mail, fax, or pick up in person. If our arrangements are unsatisfactory with the requestor, you can offer the following options:

1) We will send material to County Print Shop and they pay copy charges;

2) They can bring in copier service (our files do not leave our offices) with their own photocopier and make the copies for them; or

3) They can pay PDEQ staff overtime to photocopy material after hours.

B. Upon completion of the compilation of records, the Compliance Supervisor will compose a letter citing the results of the request. If payment in advance is not required, (see No. 4.), the Compliance Supervisor will forward a copy of the request letter results and/or documentation to the requestor in the manner previously arranged. The Compliance Supervisor will also simultaneously forward the original letter with the statement of time spent photocopying information to the Executive Administrative Assistant. If payment is required in advance, all documentation will be forwarded directly to the Executive Administrative Assistant for processing and distribution.

C. Payment Procedures:

1) Unless other payment arrangements have been made, all requests shall be paid in advance;

2) The Executive Administrative Assistant will prepare the invoice and request for payment in advance unless other arrangements have been made. If payment in advance is not required, she will then mail the original letter of compilation findings along with two copies of the invoice. The invoice will request that the recipient return one copy of the invoice with their payment.

3) Walk-in Requests shall be paid by cash or check immediately prior to distributing the information.

4) After payment has been received, record payment on check log with returned invoice. Cash payments are given to the accounting offices to deposit. Checks are recorded on the check log in the front office. Checks are to be made out to "Pima County Treasurer".

APPROVED BY:

_____ _____
Director Date

Policy Approved: January 27, 1997
Date(s) Revised: March 10, 2000, June 11, 2001, and January 29, 2002

Public Records Reproduction Request

Fax to: PDEQ at (520) 882-7709 or mail to: PDEQ, 130 West Congress, 3rd Floor, Tucson, AZ 85701

Date:_____

Name of Requesting Party:_____

Address:_____

Phone Number:_____

Fax Number:_____

E-Mail Address:_____

I request that the Pima County Department of Environmental Quality compile and provide a copy or other reproduction of the following public records:
Note: Be specific, provide as much information as possible (name of property owner or business, location such as address or parcel # with T.R.S.)

_____

_____

The records are to be used for (check one):

☐ Non-Commercial Purposes ☐ Commercial Purposes

If the records are to be used for commercial purposes specifically state those purposes:

_____

_____

I can reasonably anticipate this information will result in the monthly amount of $_____ from the direct or indirect use of these records.

Certification

I declare that I have read the information and instructions and understand its contents. If I have indicated above that the reproductions of the public records which I have requested are to be used for commercial purposes, I declare that the reproductions will be used solely for the purpose described above and that the reproductions will not be used directly or indirectly for a different purpose than described above. I declare under penalty of perjury that the foregoing is correct and true.

_____

Requesting Party's Signature

Pima County
Department of
Environmental Quality

Public Records Reproduction Request Information and Instruction Sheet

Pima County
Department of Environmental Quality
130 West Congress Street
Tucson, Arizona 85701-1317
(520) 740-3340
FAX: (520) 882-7709
www.deq.co.pima.az.us

How To Request Information

Most information in the Department's files and computer databases is available to the public. Individuals requesting information or copies of such information must complete and sign the Public Records Reproduction Request.

Process for Gathering Information

The appropriate staff member will address the information request in a timely manner. There are times when the information has been archived and must be retrieved. At other times the files are in several different locations increasing the retrieval time. Requests will be processed in a timely manner, but requesting individuals must allow for delays. At a minimum individuals should allow five working days for response to their request for public records.

Arizona Revised Statutes (A.R.S.)

Pursuant to A.R.S. § 39-121.03, a person requesting copies, printouts or photographs of public records, shall upon making a request, provide a certified statement setting forth the commercial purpose, if any, for which the information will be used.

Individuals stating that the information will not be used for a commercial purpose **will** be furnished the information upon payment of the appropriate reproduction fee.

Individuals seeking the information for a commercial purpose **may** be furnished the information after review and approval by the custodian of records. The fee for the requested information will include the following:

1. A reasonable fee covering the cost of time, equipment and personnel in making the reproduction.
2. The value of reproduction on the commercial market.

Cost estimates for the time and material will be provided upon request.

Penalty for Commercial Misuse

There are penalties and liabilities for:

- obtaining a public record for a commercial purpose without indicating the commercial purpose
- obtaining a public record for a non-commercial purpose and using it for a commercial purpose
- obtaining a public record for a non-commercial purpose and knowingly allowing another to use it for a commercial purpose
- obtaining a public record from anyone other than the custodian of such records and using it for commercial purpose

The penalty of perjury is a fine fixed by the courts of no more than $150,000, or imprisonment in the State Prison for a term of two and one-half years, or both.

"Commercial Purpose" means the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from public records for the purpose of solicitation or the sale of names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of the public record. Commercial purpose does not mean the use of a public record as evidence or as research for evidence in an action in any judicial or quasi-judicial body. A.R.S. §39-121.03(D).

PDEQ Pima County Department of Environmental Quality

Reproduction Fee Schedule

Number of Copies	Cost per Copy
1	Free
2	Free
3	Free
4	.20
5	.40
6	.60
7	.80
8	1.00
9	1.20
10	1.40
11	1.60
12	1.80
13	2.00
14	2.20
15	2.40
16	2.60
17	2.80
18	3.00
19	3.20
20	3.40
21	3.60
22	3.80
23	4.00
24	4.20
25	4.40
26	4.60
27	4.80
28	5.00
29	5.20
30	5.40
31	5.60
32	5.80
33	6.00
34	6.20
35	6.40
36	6.60
37	6.80
38	7.00
39	7.20
40	7.40
50	9.40
60	11.40
70	13.40
80	15.40

First three copies are free, $.20 per page for copies above three.

To calculate total, multiply the total number of copies X .20 and enter the subtotal. Subtract .60 for the first three copies (which are free) from the subtotal and that answer is the total cost of photocopies.

5/15/01