

PETROLEUM UST RELEASE COMPENSATION BOARD

PUBLIC RECORDS POLICY

OUR COMMITMENT

Openness leads to a better-informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, the Petroleum Underground Storage Tank Release Compensation (the Board) is committed to fully complying with and abiding by both the spirit and the letter of Ohio's Public Records Act.

DEFINING PUBLIC RECORDS

All records kept by the Board are public unless they are exempt from disclosure under Ohio law. The Board's records are organized and maintained in such a way that they are available for inspection and copying.

A record is defined to include the following: A document, device, or item, regardless of physical form or characteristic, created, received by, or coming under the jurisdiction of any public office, which document the organization, functions, policies, decision, procedures, operations, or other activities of the Board.

RESPONSE TIMEFRAME

Public records are promptly made available for inspection during regular business hours, with the exception of published holidays. Copies of public records will be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and, the necessity for any legal review and redaction of the records requested.

All requests for public records will be acknowledged in writing, or by telephone, or, if possible, satisfied within three (3) business days following receipt of the request.

HANDLING REQUESTS

No specific language is required to make a request for public records. However, the requester must at least identify the records being requested with sufficient clarity to allow for the identification, retrieval, and review of the records. If it is not clear what records are being sought, the Board's public records officer will contact the requester for clarification, and will assist the requester in revising the request by informing the requester of the manner in which the Board keeps its public records.

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. In addition, it is the Board's general policy that this information will not be requested. However, the law does permit this office to ask for a written request, the requestor's identity, and/or the intended use of the information requested if (1) a written request or disclosure of identity or intended use would benefit the requestor by enhancing this office's ability to identify, locate, or deliver the requested public records; and (2) after telling the requestor a written request is not required and the requester may decline to reveal the requestor's identity or intended use.

In processing the request, this office is not required to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying. Although not required by law, this office may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, the Board's public records officer or a designee must accompany the requester during inspection to make certain original records are not altered or removed from the Board's office.

A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website (www.ohioattorneygeneral.gov) for the purpose of keeping the Board's staff and the public educated as to this office's obligations under the Ohio Public Records Act, Open Meetings Act, records retention laws and Personal Information Systems Act. The Board's public records officer also maintains a printed version on-site.

ELECTRONIC RECORDS

Records in the form of email, text messaging, and instant messaging, including those sent and received via a hand-held communications device (such as a Blackberry) are treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All Board members and staff and representatives of the Board are required to retain email records and other electronic records in accordance with the Board's records retention schedules.

DENIAL OR REDACTION OF RECORDS

If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records from this office, the request may be denied. However, the Board's public records officer will inform the requester of the manner in which records are maintained and accessed by this office and the requester will be provided with an opportunity to revise the request.

Any denial of a public records request will include an explanation, including the legal authority for the denial. If the initial request was made in writing, the explanation will also be in writing. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. When making public records available for public inspection or copying, this office will notify the requestor of any redaction and/or make the redaction plainly visible. If there are redactions, each redaction will be accompanied by an explanation, including the legal authority for the redaction.

COPYING AND MAILING COSTS

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five-cents per page. The charge for electronic files downloaded to a compact disc is \$1 per disc.

A requester may be required to pay the costs involved in providing the copy in advance. The requester may choose to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which this office determines that the record can reasonably be duplicated as an integral part of this office's normal operations.

If a requester asks that documents be mailed, the requestor may be charged the actual cost of the postage and mailing supplies. There is no charge for emailed documents.

MANAGING RECORDS

The Board's records are subject to records retention schedules. This office's current schedules are available at 50 West Board Street, Suite 1500, Columbus, Ohio, a location readily available to the public as required by Ohio Revised Code §149.43(B)(2).