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CITY OF GARDEN GROVE
CITY CLERK'S OFFICE

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ORANGE COUNTY
COASTKEEPER.

3151 Airway Avenue, Suite F-110
Costa Mesa, CA 92626
Phone 714-850-1965
Fax 714-850-1592
www.coastkeeper.org

February 10, 2016

Sent Via USPS

City Clerk
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840

Re: Public Records Act Request – Air Industries Co., 12570 Knott St., Garden Grove, CA 92841 & Air Industries Co., 7100 Chapman Ave., Garden Grove, CA 92841

To Whom It May Concern:

On behalf of Orange County Coastkeeper (“Coastkeeper”) and pursuant to the California Public Records Act, California Government Code Section 6250 *et seq.*, I request access to City Clerk of Garden Grove records received, kept, or maintained by Garden Grove (“the City”) relating to industrial facilities owned and/or operated by Air Industries, Co., located at 12570 Knott St., Garden Grove, CA 92841 and Air Industries, Co., located at 7100 Chapman Ave., Garden Grove, CA 92841.

Specifically, I hereby request that the City provide access to any and all of the following documents and records, including any records on electronic media, that refer, relate or pertain to the following:

1. Any sampling or measurements provided to the City under §6.40.080 by Air Industries, Co.;
2. Any stormwater samples taken by the City’s Public Works Director under City Municipal Code §6.40.060(A)(6);
3. All inspection reports prepared by the Public Works Director and any photos, electronic images, and notes taken during inspections conducted by the City under City Municipal Code §6.40.060(A);
4. Any stop work orders, correction notices, written warnings, monitoring/production information orders, notices of violation, consent orders, compliance orders, civil penalty orders, cease and desist orders, or show cause orders served by the City under City Municipal Code §§6.40.070.
5. Any records of violations pursued or imposed against Air Industries, Co., including administrative violations under City Municipal Code §6.40.070(A); violations of discharge limitations or unclassified violations under §6.40.080(B)-(C);
6. Any revocations of a permit under City Municipal Code §6.40.080(B); orders to terminate service under §6.40.080(B); any civil penalties assessed under §6.40.080(C); and/or any alternative enforcement procedures brought under §6.40.070;
7. Any prosecution undertaken by the City Attorney under City Municipal Code §6.40.070(C);
8. Any notification of potential discharge problems made to the City of Garden Grove by phone, email, or facsimile, and any subsequent written report.

Government Code Section 6253 states that “[p]ublic records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record . . .” If all or part of the request is denied, please provide the name, address, and telephone number of the agency official responsible for the denial, and the official responsible for the appeals of denied requests. Also, if portions of the requested records are exempt from release, I request that all reasonable segregable, nonexempt portions of those records be released. I do, of course, reserve our right to appeal the withholding or deletion of any information.

In addition, if records are withheld, I request that you specifically identify those records by providing a list of records being withheld with an accompanying explanation of the exemptions being used to withhold the requested records. This list should

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include the title and brief description of each of the withheld records, any date or dates associated with each of the withheld records, and a list of attachments, appendices, amendments or other materials included with each of the withheld records.

If your search fails to identify the requested records, I ask you to (1) describe in detail the search procedure, including the information about the files that were searched, (2) identify the person or persons who conducted the search, and (3) explain why a more comprehensive search of your offices would be unreasonable.

As this request is by and for a public interest organization interested in the complete execution of all applicable laws for the protection of human health, the environment, and open government, I request a waiver of any and all costs associated with the satisfaction of this request. A public agency is required under prevailing law to consider this fee waiver request, and failure to do so is an abuse of discretion subject to judicial review. *See North County Parent Organization v. Department of Education*, (1994) 23 Cal.App.4th 144, 148. Please advise me of any informational or other procedural requirements that you may have in order for this request to qualify for a fee waiver. If you are unable to waive the fees associated with the satisfaction of this request, please notify me immediately of any payment required prior to copying any documents. Should you determine that a waiver of fees is not available, and we continue to disagree about the costs of providing copies of the information requested, we request that you allow us to bring our own equipment to scan and/or copy the information ourselves in your office. If any of the documents are available in electronic format, or on the Internet, we request that you provide electronic copies or citations to the internet web address where the document(s) can be located.

If our request is approved, I ask that you direct your response to the address set forth as follows:

Orange County Coastkeeper
ATTN: Colin A. Kelly
3151 Airway Ave., Suite F-110
Costa Mesa, CA 92626
Tel: (714) 850-1965 ext. 307

As the Public Records Act requires a response within ten (10) days, I look forward to hearing from you within that period. *See* Government Code Section 6253(c). On behalf of Coastkeeper, I look forward to working with you on this document request to minimize the imposition on your staff. If you require any information to facilitate this request, or wish to discuss ways to facilitate this document production or reduce its costs, please do not hesitate to contact our office. Thank you very much for your assistance in this matter.

Regards,



Colin A. Kelly
Senior Staff Attorney
Orange County Coastkeeper