

January 21, 1999

Mr. Paul Sarahan
Litigation Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

OR99-0187



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

Dear Mr. Sarahan:

You have asked whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 123112.

— * —
JOHN CORNYN
Attorney General

You assert that the requested information is excepted from disclosure based on section 552.108 of the Government Code. Section 552.108 of the Government Code states that information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from required public disclosure "if release of the information would interfere with the detection, investigation, or prosecution of crime." Gov't Code § 552.108(a)(1). This exception also applies to information concerning a criminal investigation that is held by a custodial agency. Open Records Decision No. 272 at 1-2 (1981) You inform us that the requested information pertains to a criminal investigation. We therefore believe that the release of the information "would interfere with the detection, investigation, or prosecution of crime." *Id.* You may, therefore, withhold the complaint at issue.

— * —
P.O. Box 12548
Austin, Texas
78711-2548

(512) 463-2100
www.oag.state.tx.us

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script that reads "Kay Hastings".

Kay Hastings
Assistant Attorney General
Open Records Division

KHH/nc

Ref.: ID# 123112

Enclosures: Submitted documents

cc: Mr. Terry James
Senior Project Manager
Llano Permian Environmental
Services, Inc.
1031 Anderson Highway
Midland, Texas 79701
(w/o enclosures)