

**Facility Information Request Procedure
SARA, RMP, Crude By Rail**

Revision Date: Nov. 2015

Review Date:

Procedure #

P-002

Procedure for Access to RMP Information

Purpose - To provide the public a means for accessing facility RMP Information while providing for a safe method of disseminating possible security sensitive information.

Scope – Provide the ability for citizens to access RMP facilities in Delaware County Risk Management Program information while providing security for the general public and facilities in the dissemination of this information.

Procedure

In the event a member of the public or an organization in or outside of Delaware County requests access to SARA Title III or RMP information for a Delaware County Risk Management Plan facility the following procedure will be followed:

- 1) The requesting person/organization will complete the SARA/RMP Information Access Form and submit it, when completed, to the LEPC.
- 2) The requestor will provide their driver's license or if they do not have a driver's license an official picture ID (passport, etc.). The driver's license or picture ID will be copied and returned to the requestor.
- 3) The completed form will be forwarded to the respective company. An additional copy will be send to the local Federal Bureau of Investigation (FBI) Office. No multi-company information requests or requestors will be honored on a form. A separate form will be completed for each request and requestor.
- 4) Upon receipt of the completed form the company will provide three dates to the LEPC that the requestor may view the information.
- 5) The LEPC will coordinate the date for viewing with the requestor and the company.
- 6) Once the date has been established the company or LEPC will provide a "read only" area for the requestor and security while the requestor "reads" the information.
- 7) Once the requestor has completed their "read only" review the company will provide the LEPC an overview of the information reviewed and the requestor's visit.

Definitions:

"Read Only" – Reading is the only activity. "Reading only" does not include copying, note-taking or clarification questions.

Requestor – One individual or a group requesting to view information.

SARA/RMP INFORMATION ACCESS FORM

Please read the attached procedure before completing this form. Failure to provide specified information may result in a denial of your request.

Requestor Name:

Address:

Phone number:

Fax number:

E-mail address:

Information Requested: Please provide sufficient detail to support your request. Name and location of RMP facility, information of interest, estimated time for the review, etc.

Reason for Requesting to read this information: Again, please provide sufficient information to support your request. If you are affiliated with any organizations, your reason for the review, your intention or use for the information after review, etc.

Signature:

Date:

Dates available for the review:

Date established for the review:

Date and time of the review:

Overview of the requestors visit:

Identification provided by the requestor:

Company Representative:

Date:

Copies:

LEPC File

Delaware County Emergency Services

Company Named in the request

Local Federal Bureau of Investigation Office

Crude by Rail Information Requests

Crude by Rail Information

Crude by Rail information is governed under the **Guidelines for Handling Sensitive and Confidential Proprietary Business Information** established by the Pennsylvania Emergency Management Agency - PEMA for information containing *highly sensitive and confidential proprietary business information*.

It has been determined by PEMA under the May 7th DOT Order that the information to be provided includes highly sensitive confidential routing information regarding the transportation of Bakken crude oil unit trains in Pennsylvania and Delaware County that could be detrimental to transportation security and public safety if publicly disclosed.

In accordance with DOT guidance, PEMA must treat this information as confidential, providing it only to those with a need-to-know, and with the understanding that recipients of the information will continue to treat it as confidential. Therefore:

The County Emergency Management Agency and LEPC shall restrict the disclosure of information to only County emergency response officials and/or Municipal emergency management agencies and their respective emergency response officials that have a legitimate need-to-know the information for purposes of emergency response planning:

1. The County EMA and LEPC shall prohibit the disclosure of the information to the general public;
2. The County EMA and LEPC shall not post the attached information on any website, including its intranet, or otherwise make the information available through electronic means in a manner that could lead to its disclosure to unauthorized individuals;
3. The County EMA and LEPC shall not provide the attached information in response to any Right-to-Know-Law request or similar state or federal public records act request without first notifying PEMA and either obtaining the prior written consent of the specific railroad company or providing the railroad company with a reasonable opportunity to respond to the request and seek protection or other relief from state or federal court; and
4. The County EMA and LEPC shall make each municipal EMA or other emergency response agency and/or emergency response official that receives a copy of the restricted information aware of the confidentiality and limitations on use of the information as set forth in this letter.
5. All requests for information about Crude by Rail shipments will be directed to the Director, Emergency Services for adjudication.