



**COUNTY CLERK**  
GOVERNMENT CENTER BUILDING  
201 WEST FRONT STREET  
MEDIA, PENNSYLVANIA 19063

---

Phone: (610) 891-4260

**COUNCIL**

**THOMAS J. McGARRIGLE**  
CHAIRMAN

**ANNE M. COOGAN**  
COUNTY CLERK

**MARIO J. CIVERA, JR.**  
VICE CHAIRMAN

August 12, 2014

**COLLEEN P. MORRONE**  
**JOHN P. McBLAIN**  
**DAVID J. WHITE**

Mr. Curtis Tate  
National Correspondent  
McClatchy Newspapers  
700 12<sup>th</sup> Street NW Suite 1000  
Washington, DC 20005

**Re: Right-to-Know Law Request No. 2014-158**

Dear Mr. Tate:

This letter acknowledges receipt by the County of Delaware Office of Open Records of your written request which you made under the *Pennsylvania Right-to-Know Law (Act 3 of 2008, 65 P.S. § 67.101, et seq.)* ("RTKL"). This office received your request on August 6, 2014. Therefore, under the RTKL, a written response to your request was due on or before August 13, 2014. This letter is provided pursuant to that requirement. A copy of your request is attached.

We have reviewed your request and determined at this time that we have no records that are responsive to your request. *RTKL, 65 P.S. §67.705*

To the extent that you believe your request has been denied, your right to appeal is set forth below:

**Right to Appeal**

YOU HAVE A RIGHT TO CHALLENGE THIS DENIAL OF YOUR REQUEST. IN ORDER TO DO SO, YOU MUST FILE A WRITTEN APPEAL WITH:

TERRY MUTCHLER  
EXECUTIVE DIRECTOR  
OFFICE OF OPEN RECORDS  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, 4<sup>TH</sup> FLOOR  
HARRISBURG, PA 17120

WITHIN FIFTEEN (15) BUSINESS DAYS OF THE MAILING DATE OF THIS LETTER. 65 P.S. § 67.1101(a)(1). THE APPEAL SHALL STATE THE GROUNDS UPON WHICH THE REQUESTER ASSERTS THAT THE RECORD IS A PUBLIC RECORD, LEGISLATIVE RECORD OR FINANCIAL RECORD AND SHALL ADDRESS ANY GROUNDS STATED BY THE AGENCY FOR DELAYING OR DENYING THE REQUEST. 65 P.S. § 67.1101(a)(1)

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Sincerely,

A handwritten signature in cursive script that reads "Anne M. Coogan".

Anne M. Coogan  
Open Records Officer  
County of Delaware  
201 W. Front Street  
Media, PA 19063

Attn: Anne Coogan  
Open Records Officer  
Delaware County Government Center  
201 West Front Street, Room 206  
Media, PA 19063

From: Curtis Tate  
McClatchy Washington Bureau  
700 12th St NW Suite 1000  
Washington, DC 20005

Aug. 5, 2014

Dear Ms. Coogan:

I would like to initiate a request, on behalf of McClatchy Newspapers, under the Pennsylvania Right to Know Law.

On May 7, 2014, the U.S. Department of Transportation required rail carriers to begin notifying State Emergency Response Commissions (SERCs) within 30 days about shipments of 1 million gallons or more of Bakken crude oil within state borders.

The Pennsylvania Emergency Management Agency has been receiving these reports. In turn, the agency is supposed to share this information with local emergency response personnel.

I'm requesting the information PEMA has shared with the county under the DOT emergency order, including which railroads operate such shipments, and their volume, frequency and route(s).

I request that the materials be submitted as completely as possible and in electronic format.

Should a fee apply, I request a fee waiver because the request is made in the public's interest and not in McClatchy's commercial interest. In the event such a waiver is unavailable or is denied, I would still like to proceed with the request, provided the fee is not unreasonable.

Thank you,

Curtis Tate  
National Correspondent  
McClatchy Newspapers