



STATE OF WEST VIRGINIA  
DEPARTMENT OF MILITARY AFFAIRS  
AND PUBLIC SAFETY  
DIVISION OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT  
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EARL RAY TOMBLIN  
GOVERNOR

JOSEPH C. THORNTON  
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JIMMY J. GIANATO  
DIRECTOR

June 10, 2014

Curtis Tate  
McClatchy Newspapers  
[ctate@mcclatchydc.com](mailto:ctate@mcclatchydc.com)  
Delivered via Email

Re: Freedom of Information Request received June 7, 2014

Dear Mr. Tate:

The West Virginia Division of Homeland Security and Emergency Management is in receipt of your Freedom of Information request seeking all information "regarding shipments of 1 million gallons or more of crude oil within state boundaries," including frequency, quantity, and routes from both CSX Transportation and Norfolk Southern.

As of the date of this letter, the West Virginia Division of Homeland Security and Emergency Management and the West Virginia State Emergency Response Commission has not received any information regarding large shipments of crude oil from Norfolk Southern. The West Virginia Division of Homeland Security and Emergency Management has received information from CSX Transportation regarding large volume crude oil shipments through the state including routes, quantities of shipments, and frequencies of shipments. This information is marked as "Proprietary and Trade Secrets," and is thus exempted from disclosure under the West Virginia Freedom of Information Act under §29B-1-4.

With this response, the West Virginia Division of Homeland Security and Emergency Management's duty to provide you will materials requested under the West Virginia Freedom of Information Act is at an end. If you disagree with this response, you have the opportunity to institute proceeding for injunctive or declaratory relief in the circuit court in the county where the record is kept, in accordance with West Virginia Code §29B-1-5.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jimmy J. Gianato".

Jimmy J. Gianato  
Director, WVDHSEM