



## **PUBLIC INFORMATION POLICY**

Pursuant to the *Pennsylvania Right-to-Know Law* (65 P.S. §§67.101 et seq., the “RTK Law” attached as Schedule A), and the *Pennsylvania Sunshine Act* (65 Pa. C.S. §§ 701 et seq., the “Sunshine Act”) the Lancaster County Solid Waste Management Authority (“LCSWMA”) has adopted the following policies governing citizen access to public records and other citizen inquiries.

### **GENERAL:**

Document Requests: The Executive Administration Manager is the Open Records Officer under the RTK Law and is designated as LCSWMA’s contact person for information. The Open Records Officer will arrange for appropriate responses from the appropriate person to media and community inquiries.

Kaci Roberts, Open Records Officer  
Lancaster County Solid Waste Management Authority  
1299 Harrisburg Pike, Lancaster, PA 17603  
Tel: (717) 397-9968 | Fax: (717) 397-9973  
Email: [legal@lcswma.org](mailto:legal@lcswma.org)

As more fully set forth below, LCSWMA will respond in accordance with the RTK Law to requests for documents relating to the activities of LCSWMA. Document requests should be submitted in writing to [legal@lcswma.org](mailto:legal@lcswma.org).

Other Inquiries: The Executive Director is the official LCSWMA spokesperson. With the exception of the Executive Director and the Public Relations Manager, LCSWMA’s staff will refrain from acting as spokespersons for LCSWMA unless deemed appropriate by the Executive Director. Any citizen questions, comments or requests of the Board of Directors regarding LCSWMA shall be made at a public Board meeting and not by contacting a Director individually.

All inquiries from the media for information or comment (other than requests for public records which are governed by the RTK Law), regardless of the topic, should first be directed to the Public Relations Manager. The Public Relations Manager can be reached at [jjames@lcswma.org](mailto:jjames@lcswma.org) and 717-553-5863.

As more fully set forth below, the public is invited to the monthly public meetings of the Board of Directors. The public is invited to make any requests or comments directed to the Directors at the public comment section at the beginning of each Board meeting. The Board meetings are not question and answer sessions, but questions concerning LCSWMA asked by the public at a Board meeting will be answered in due course by staff after the meeting.

## **REQUESTS FOR PUBLIC RECORDS:**

LCSWMA will make all public records of LCSWMA available for inspection and duplication by legal residents of the United States in compliance with the RTK law.

### **1. DEFINITIONS:**

- (a) A “record” is defined in the RTK Law.
- (b) A “financial record” is defined in the RTK Law.
- (c) A “public record” is a record of LCSWMA that:
  - (1) is not exempt under section 708 of the RTK Law;
  - (2) is not exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or
  - (3) is not protected by a privilege.

### **2. WRITTEN REQUEST:**

All requests for inspection or reproduction of public records in the possession of LCSWMA shall be made in writing and submitted in person, by mail, by facsimile, or any other electronic means to the attention of LCSWMA’s Open Records Officer:

Kaci Roberts, Open Records Officer  
Lancaster County Solid Waste Management Authority  
1299 Harrisburg Pike, Lancaster, PA 17603  
Tel: (717) 397-9968 | Fax: (717) 397-9973  
Email: [legal@lcswma.org](mailto:legal@lcswma.org)

The written request shall describe the public record with sufficient specificity to enable LCSWMA’s staff to locate the record with a reasonable amount of effort and shall indicate whether an inspection or reproduction is desired. The request shall also identify the form in which the records are being requested and the name and address of the person to whom a response should be addressed.

A LCSWMA Request for Information form or the form provided by the Office of Open Records is available for written requests, and one or both shall be included. LCSWMA will not accept verbal or anonymous requests, but all written requests will be forwarded to the Open Records Officer.

LCSWMA will not release records that are excepted from release under Section 708 of the RTK Law unless the Executive Director, in consultation with the Open Records Officer, decides to release them in accordance with Section 506 of the RTK Law. LCSWMA will deny access to a requester if the requester has made repeated requests for that same record and the repeated requests have place an unreasonable burden on LCSWMA, or if

the requests are otherwise disruptive (as defined by Section 506 of the RTK Law), or if timely access is not possible due to fire, flood or other disaster, or if the documents are historical, ancient or rare documents, records, archives and manuscripts when access may, in the professional judgment of the custodian of records, cause physical damage or irreparable harm to the record, or for any other reason allowed under Section 506 of the RTK Law.

### **RESPONSE TO WRITTEN REQUEST:**

The Open Records Officer or a designee will respond to the request within five (5) days, according to the RTK Law. If the Open Records Officer or a designee determines that more than five (5) days is required to evaluate and respond to the request (in accordance with Section 902 of the RTK Law), then a response shall be sent to the requestor, indicating that the request is being reviewed, the reason for the review and a date when a response will be provided.

### **APPEALING THE DENIAL OF A WRITTEN REQUEST:**

If a request for inspection and/or duplication of LCSWMA public records is denied or deemed denied, the requestor may file a written exception within fifteen (15) business days. The requestor may appeal to the Office of Open Records in accordance with Section 1101 of the RTK Law by filing an appeal with the designated appeals officer within fifteen (15) business days of the mailing date or within fifteen (15) business days of the deemed denial.

### **INSPECTION AND DUPLICATION OF PUBLIC RECORDS:**

If a request for inspection and duplication of LCSWMA public records is granted pursuant to this policy, the Open Records Officer or a designee will inform the requestor of a time during LCSWMA's normal business hours for the inspection of the public records (LCSWMA's normal business hours are 8:00 A.M. to 4:30 P.M., Monday through Friday, excluding holidays). If duplicates of the public records are requested, the duplicates will be provided upon payment of the following fees, if applicable:

#### **BLACK & WHITE COPIES: \$0.25 per page**

A photocopy is either a single-sided copy, or one side of a double-sided, on 8.5" x 11" or 8.5" x 14" paper.

#### **COLOR COPIES: \$0.50 per page**

A photocopy of either a single-sided copy, or one side of a double-sided copy, on 8.5"x11" or 8.5"x14" paper.

#### **SPECIALIZED DOCUMENTS: Actual Cost**

For example, but not limited to blueprints, color copies, non-standard sized documents.

#### **CD/DVD: Actual Cost (not to exceed \$3.00 per disc)**

#### **FACSIMILE/MICROFICHE/OTHER MEDIA: Actual Cost**

**CONVERSION TO PAPER:**

If a record is only maintained electronically or in other non-paper media, duplication fees will be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive medium.

**POSTAGE FEES: Actual Cost**

No LCSWMA public record shall be removed from the supervision or control of LCSWMA's custodian of public records.

LCSWMA will post this policy, along with the name and address of the person to whom requests for access to public records should be addressed (the Open Records Officer) and a list of applicable fees, the forms to be used and contact information for the Office of Open Records and LCSWMA's designated Appeals Officer, in a conspicuous location at LCSWMA's administrative office and online. Costs must be paid at the time of receipt of reproduced public records.

The Open Records Officer or a designee will develop any other procedures necessary to implement this policy.

Written documents and/or complex and extensive data sets, which are public records (such as the Lancaster County Municipal Waste Management Plan), or other lengthy documents such as studies or operational reports will be made available to the public by means of the following:

- The public will be told where to obtain the information if it is available at a municipal office, regulatory office, or the library system.
- The public will be invited to review LCSWMA's copy of the document at the LCSWMA office during LCSWMA's normal business hours.
- The public will be invited to purchase the document if there is an established cost for a bound copy (i.e. \$25.00 is the cost of a Lancaster County Municipal Waste Management Plan).
- The public will be invited to pay the cost of reproducing a document in accordance with the above fees if they do not wish to obtain the document via channels which are cost-free.

LCSWMA will make its newsletters, pamphlets, brochures, resource guides, annual reports, fact sheets, and other general educational materials available to the public at no charge. LCSWMA will provide these same documents in alternate format when requested, so as to make these documents accessible to people with special needs.

Any records provided pursuant to the RTK Law which are not picked up within sixty (60) days of



LCSWMA's making them available and notifying the requester will be discarded and any fees paid to that point retained.

### **REQUESTS AT PUBLIC MEETINGS:**

The forum for addressing LCSWMA's Board of Directors will be during the public comment period at the beginning of each LCSWMA regular monthly meeting. The regular monthly meeting is normally held at 7:30 a.m. on the third Friday of each month (or at such other times as may be established by LCSWMA) at LCSWMA's Office located at 1299 Harrisburg Pike, Lancaster, PA 17603.

LCSWMA will, in a timely manner, publicize the time, date and location of all public hearings or meetings required for any reason under the laws of the Commonwealth of Pennsylvania.

Requests for documents, which occur during a LCSWMA public meeting (or in any other public format), will be handled in the following manner:

A LCSWMA Request for Information form or form from the Office of Open Records will be given to the individual requesting the information. The individual will be asked to complete the form including his or her name, address, and phone number, and a list of the documents requested. The Open Records Officer will then respond in writing in accordance with this policy or will inform the individual as to the appropriate resource for obtaining the documents.

Other than requests for documents, inquiries, requests or comments directed to LCSWMA staff or Directors must be made at the public comment section at the beginning of each Board meeting. The Board meetings are not question and answer sessions, but questions concerning LCSWMA asked by the public at a Board meeting will be answered in due course by staff after the meeting.

### **REQUESTS FROM THE MEDIA:**

All inquiries from the media for information or comment, regardless of the topic, shall first be directed to the Public Relations Manager. In the event the Public Relations Manager is unavailable or unable to respond to the media within a reasonable time frame, LCSWMA's Executive Director or his designate will respond to inquiries.

All written materials provided to the media will be reviewed by the Public Relations Manager, the Executive Director and any other appropriate staff; any response under the RTK Law will comply with the mandates of the RTK Law.

### **REQUESTS FROM LITIGANTS:**

Requests for information, tours, materials, or other resources from individuals in litigation or potential litigation with LCSWMA will be referred to LCSWMA General Counsel unless legal counsel to LCSWMA deems otherwise, or LCSWMA finds it in its best interests to provide the



information directly.

**TOURS:**

Tours of LCSWMA facilities are available to the public and businesses at designated times throughout the year. Anyone seeking to join a tour should contact the Public Relations Manager. All safety regulations must be followed by participants and will be enforced by the tour leader. Tours and special events offered to the public will be made accessible to people with special needs. People with special needs are asked to contact LCSWMA prior to the tour to request specific accommodations.

**USE OF CAMERAS AND RECORDING DEVICES:**

Photographing, tape recording or videotaping of LCSWMA's facilities, properties, employees or other circumstances will be considered only upon request. Operational procedures, safety regulations, personnel policies or equipment designated as proprietary in design may preclude LCSWMA's ability to grant photographic or videotape access at a particular facility or to a particular area.