

Philadelphia Regional Port Authority

Right-to-Know Law Policy

Effective Date: October 2025

I. Authority

Philadelphia Regional Port Authority (“PhilaPort”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, and as may hereinafter be amended (“RTKL”). PhilaPort has made this policy available to the public at its administrative offices and on its public website along with a PhilaPort RTKL Request form.

II. Definitions

All definitions in the RTKL are incorporated into this policy by reference. *See* 65 P.S. § 67.102.

AORO. Agency Open Records Officer designated by PhilaPort pursuant to Section IV of this policy.

Business day. The regular business hours of PhilaPort are Monday through Friday from 8:00 am to 4:30 pm. Business days exclude Saturday and Sunday and a weekday on which PhilaPort is closed for business (for all or part of a day)

III. PhilaPort Website

PhilaPort maintains a public website at www.philaport.com. The following information is posted on PhilaPort’s website: AORO contact information; contact information for the OOR; a form which may be used to file a RTKL request; and a copy of this policy.

IV. Submitting a RTKL Request to PhilaPort

- A. *Open Records Officer.* PhilaPort has designated an AORO and an Alternate AORO to respond to RTKL requests. The AORO is Tom Logan. RTKL requests may be directed to the AORO and submitted in person, postal mail to Philadelphia Regional Port Authority, Open Records Officer, 3460 N. Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, or by email at RTKL@philaport.com.

- B. Requests must be submitted in writing using the PhilaPort Request Form available on PhilaPort's website and must be addressed to the AORO. If a requester chooses not to use the PhilaPort Request Form or the RTKL Uniform Request Form, the request will be considered an informal request, not subject to the RTKL. This means that the requester cannot pursue the relief, and remedies provided for in the RTKL. To allow PhilaPort to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. Requesters should clearly indicate the preferred method of access – paper copies, electronic copies or by inspection. A requester should retain a copy of the request, as a copy of the request is necessary should a requester file an appeal to PhilaPort's response.
- C. *Receipt of the request.* For the purpose of calculating the response deadline, PhilaPort is deemed to have received the request on the business day that the AORO receives the formal request. Any request that is received by PhilaPort after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by a PhilaPort employee other than the AORO, the request will be forwarded to AORO as soon as practical.
- D. *Verbal requests.* PhilaPort may respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.
- E. *Anonymous requests.* PhilaPort will not respond to anonymous requests for records.
- F. *Response period generally.* PhilaPort has 5 business days to respond to a request for records under the RTKL. If PhilaPort does not respond, the request is considered "deemed denied", and a requester's appeal rights commence.

V. PhilaPort Response

- A. *Extension of time for response.* PhilaPort is permitted to take an additional 30 calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. If PhilaPort invokes an extension, PhilaPort will inform the requester in writing, in accordance with the requirements set forth in Section 902(b)(2) of the RTKL.
- B. *Requester's agreement to extend the response period.* If PhilaPort has invoked an extension, the requester may agree, in writing, to extend PhilaPort's response period beyond the additional 30 calendar days upon PhilaPort's request.

- C. *Trade secrets*. If a request involves records provided to PhilaPort by a third party and the third party previously provided PhilaPort with a written statement that the record contains a trade secret or confidential proprietary information, PhilaPort shall provide notice to the third party.
- D. *Final response*. PhilaPort may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of PhilaPort will be in writing. Should PhilaPort fail to issue a response within the applicable response period, the request is deemed denied.
1. *Granting access to records*. PhilaPort may grant a request for records by issuing a response: (1) granting access to inspect PhilaPort records during PhilaPort's regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on PhilaPort's website or other publicly accessible electronic means.
 2. *Denying or partially denying access to records*. Should PhilaPort deny or partially deny a request for records through redaction or otherwise, PhilaPort will inform the requester of the denial or partial denial in writing. The response will describe the requested records, inform the requester that PhilaPort does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. Additionally, the response will provide the name, signature, title, business address and telephone number of the Open Records Officer who denied the request, as well as the date of the response and the procedure to appeal the denial.
- E. *Fees*. PhilaPort will charge fees consistent with the RTKL Fee Structure, available at <http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm>.

VI. RTKL Appeals

- A. *Generally*. To challenge the denial, partial denial, or deemed denial of a request for PhilaPort records, an appeal may be filed using the OOR appeal form, available at <http://www.openrecords.pa.gov/Appeals/AppealForm.cfm>, or by contacting the OOR at the following address:

Office of Open Records
Commonwealth of Pennsylvania
333 Market St., 16th Floor
Harrisburg, PA 17101-2234
openrecords@pa.gov

- B. *Requirements of an appeal.* All appeals must be filed within 15 business days of the mailing date of PhilaPort's denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by PhilaPort for denying the request; and must include a copy of the request and PhilaPort's response, if any.

VII. PhilaPort Notification of Third Parties on Appeal

PhilaPort must notify third parties. If records affect a legal or security interest of an employee of PhilaPort; contain confidential, proprietary or trademarked records of a person or business entity; or are held by a contractor or vendor, PhilaPort must notify such parties of the appeal immediately and provide proof of that notice to the OOR within 7 business days from the date of the OOR's Official Notice of Appeal. Such notice must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal. *See* 65 P.S. § 67.1101(c).

VIII. Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. 65 P.S. § 67.1310(a)(6). This is a voluntary process to help

parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation, a facilitated conversation between the parties that can serve as a fair and efficient tool to resolve conflict, can save time and expense. When appropriate, PhilaPort is open to resolving RTKL disputes through the OOR's mediation process.

IX. Record Retention

Once a RTKL request is received, PhilaPort will maintain, preserve, retain, protect, and not destroy any and all records, both electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

X. Additional Information about the RTKL

Additional information about the RTKL, the request process, and the appeal process is available on the OOR website at <https://www.openrecords.pa.gov>.