

PROCESSING OF RIGHT-TO-KNOW REQUESTS DURING EMERGENCY EVENTS

The Right-to-Know Law (RTKL) includes some very specific deadlines for agencies receiving a RTKL request. In the event that Port Authority implements its Department Contingency/Continuity of Operations Plans or takes similar steps in response to an official emergency declaration concerning COVID-19, a natural disaster or similar extraordinary matter or event effecting Port Authority's day-to-day business operations, the issue of how Right-to-Know Law requests will continue to be handled is addressed below. Port Authority will make reasonable efforts to notify the public of its plan with regard to RTKL requests via its website or other available means deemed feasible and appropriate by Port Authority.

- 1) A Preliminary Response to all RTKL Requests shall be issued within five (5) business days of receipt.
- 2) The Preliminary Response shall provide Notice to the Requester that Port Authority has implemented its Department Contingency/Continuity Operations Plan and why it has been implemented and/or is under a Declaration of a State of Emergency, and as such, Port Authority's resources and access to its administrative offices are severely limited, and responses may be or are likely to be delayed.
- 3) The Preliminary Response shall encourage the Requester to be considerate and patient while Port Authority works to respond to the Request during the period of the Emergency.
- 4) If it becomes apparent to Port Authority that due to its resource limitations or other limitations created by the subject emergency event that it will not be able to fulfill the Requester's RTKL Request before the deadline for submitting a final response, Port Authority shall make a good-faith effort to provide updates to the Requester as necessary with projected anticipated response dates as circumstances dictate.
- 5) Port Authority will make every reasonable effort to meaningfully participate in appeals filed with the Office of Open Records ("OOR"). If an appeal is filed during the implementation of its Department Contingency/Continuity of Operations Plan and/or bona fide emergency whereby it has or may experience a delay in its ability to respond to an RTKL request, Port Authority will immediately alert the OOR of its status and request that OOR give serious consideration to that fact during OOR's review of the appeal.
- 6) Should Port Authority be unable to meaningfully participate in an appeal due to issues related to the coronavirus (COVID-19) or similar potential pandemic or other natural disaster or event outside of Port Authority's control, Port Authority shall advise OOR and request that OOR give serious consideration to that fact during its review of the appeal.