



## MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore, Maryland 21230

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Martin O'Malley  
Governor

Robert M. Summers, Ph.D  
Secretary

Anthony G. Brown  
Lieutenant Governor

July 22, 2014

### **SENT BY E-MAIL AND BY FIRST-CLASS MAIL**

Helen M. Hart, Esquire  
Norfolk Southern Corporation  
Law Department  
Three Commercial Place  
Norfolk, VA 23510-9241

RE: Notification of Public Records Requests

Dear Ms. Hart:

The Maryland Department of the Environment ("Department") has received public information requests for notifications that Norfolk Southern Railroad Company ("NSRC") sent to the Department. According to the United States Department of Transportation's Emergency Order DOT-OST-2014-0067, railroads transporting one million or more gallons of Bakken crude oil through a state are required, within 30 days, to send notifications to that state's state emergency response commission ("SERC").

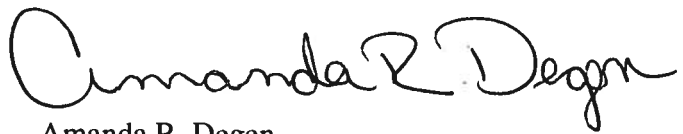
Although the Department is not Maryland's SERC, your information ("public records") has been received by the Department. The Department is required to respond to all public information requests for public records in its possession pursuant to the Maryland Public Information Act ("PIA"). To date, the Department has received two requests for public records. The first request is from Curtis Tate with McClatchy Newspapers, 700 12 Street, N.W., #1000, Washington, D.C. 20005. The second request is from Matthew Brown with the Associated Press, P.O. Box 36300, Billings, MT 59107.

The Department believes there are no applicable exemptions that would prevent the disclosure of public records to the public. Consequently, the Department is required to release the public records by July 24, 2014. In accordance with our letter dated June 13, 2014, we are providing you advance notice to allow you an opportunity to pursue a motion for court protection of the information.

If by July 24, 2014 the Department has not received a copy of your court determination showing that a motion for court protection from disclosure has been filed, the public records will be released. If a motion has been filed, and we receive a copy of that documentation prior to July 24, 2014, we will hold the public records until the court rules on the motion for protection from disclosure.

Helen M. Hart, Esquire  
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Sincerely,

A handwritten signature in black ink that reads "Amanda R. Degen". The signature is fluid and cursive, with the first name "Amanda" being the most prominent part.

Amanda R. Degen  
Public Information Act Coordinator  
Office of the Secretary

cc: J.W. Constable, Wright, Constable & Skeen, LLP