



Massachusetts Port Authority
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October 12, 2017

VIA EMAIL AND FIRST CLASS MAIL

Lucas Smolcic Larson
MuckRock News
DEPT MR 61821
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Somerville, MA 02144
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Re: Public Records Request

Dear Mr. Larson:

This letter is in response to your public records request to the Massachusetts Port Authority (the "Authority"), in which you requested a copy of the "Disaster and Infrastructure Resiliency Plan (DRIP) for Boston Logan Airport...submitted to Massport in October of 2015... [and] a copy of the Sustainability Management Plan...submitted to Massport in 2015, described in the Airport Improvement article...".

In response to your request, enclosed is the April 22, 2015 Sustainability Management Plan, as described in the Airport Improvement article.

The Authority is denying your request for a copy of the Disaster and Infrastructure Resiliency Plan (DRIP) pursuant to Mass. Gen. Laws. Ch. 4 §7(26)(a) and (n).

Exemption (a) states that, records may be withheld that are "specifically or by necessary implication" exempt "from disclosure by statute." Pursuant to 49 CFR §§ 15 and 1520, critical aviation asset information is Sensitive Security Information ("SSI"), and no part of a record containing SSI may be disclosed to a person without an operational "need to know." The DRIP lists and details how vital aviation assets of the Authority could be incapacitated and how their destruction or incapacity would have debilitating impacts on security at the airport.

Furthermore, pursuant to exemption (n), the Authority is entitled to withhold records relating to the security or safety of persons or buildings, transportation or other infrastructure located within the Commonwealth, the disclosure of which is likely to jeopardize public safety. The Authority has determined that the public release of an assessment on critical assets of the Authority, including information on building uses and construction, is likely to jeopardize public safety.

You have the right to appeal the decision to deny your request to the Supervisor of Public Records in the Office of Secretary of State for the Commonwealth of Massachusetts under 950 CMR 32.08(1) and the right to seek judicial review of an unfavorable decision by commencing a civil action in the superior court under G.L. c. 66, §10A(c).

Sincerely,

Ashley K. Carvalho
Legal Counsel

Operating

Boston Logan International Airport • Port of Boston general cargo and passenger terminals • Hanscom Field • Boston Fish Pier • Commonwealth Pier (site of the World Trade Center Boston) • Worcester Regional Airport

RECYCLED PAPER