



DEPARTMENT OF ADMINISTRATIVE SERVICES

STATE OF CONNECTICUT

165 Capitol Avenue
Hartford, CT 06106-1658

March 5, 2014

RECEIVED MAR 11 2014

Thomas Reed
Department of Public Health
410 Capitol Avenue MS#51 WAT
Hartford, Connecticut 06134-0308

Re: FOI security exemption determination – State-wide GIS data - water treatment facilities

Dear Mr. Reed:

The State of Connecticut, Department of Administrative Services (DAS), at your request, has reviewed a spreadsheet that summarizes information contained in a “data layer” that is part of a Geospatial Information System (GIS) database maintained by your agency. Our review was for the purpose of determining if that data layer would be potentially exempt from disclosure under the Freedom of Information Act as provided in Connecticut General Statute Section 1-210(b) (19).

Subdivision (19) of subsection (b) of section 1-210 of the general statutes specifically enumerates examples of records the release of which may result in a safety risk to water company facilities. These include: “[w]ith respect to a water company, as defined in section 25-32a, that provides water service: [v]ulnerability assessments and risk management plans, operational plans, portions of water supply plans submitted pursuant to section 25-32d that contain or reveal information the disclosure of which may result in a security risk to a water company, inspection reports, technical specifications and other materials that depict or specifically describe critical water company operating facilities, collection and distribution systems or sources of supply;...”. Sec. 1-210 (b) (19) (ix).

Recent proceedings at the Freedom of Information Commission (FOIC) provide relevant background for the determination required in this matter. In the matter of Margaret Miner, et al, vs. Commissioner of DPW, FIC Docket no. 2010-311, findings were made “concerning threats to water systems in the United States generally, [and] in Connecticut in particular....”.

We have determined that the data layer in question, which sets forth the precise longitude and latitude position of critical water treatment facilities, should be withheld because such information could substantially inform any plan, or execution of a plan, to disrupt or contaminate the public water system by persons with criminal intent. While it possible for such persons to happen upon a treatment facility by simply driving around or even locate such a facility from

aerial photography or satellite imagery, release of the precise position of every such facility for a particular water system would be a substantial insight not otherwise available to a member of the public with criminal intent.

If you have any questions or concerns concerning this determination, please feel free to contact Attorney Jeffrey Beckham of my staff at (860) 713-5195.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald J. DeFronzo".

Donald DeFronzo
Commissioner
Department of Administrative Services