

Proposal Subject:	Eliminate Requirements for the Authority to Retain Records of a Trade Secret or Proprietary Nature. Such records to be available at the dealer’s place of business during normal business hours.
Specific NSSP Guide Reference:	NSSP Guide Section II. Model Ordinance Chapter V. Shellstock Relaying @.01 General D.; Chapter V. Shellstock Relaying @.02 Contaminant Reduction B.; and Chapter XV. Depuration Requirements for the Authority E. (1) and (2)
Text of Proposal/ Requested Action	<p>Chapter V. @.01 D. The Authority <u>dealer</u> shall retain records covering all aspects of the establishment of the heat shock process.</p> <p>Chapter V. @.02 B. <u>The person responsible for conducting the study</u> Authority shall retain the written study report indefinitely.</p> <p>Chapter XV. Requirements for the Authority E. The Authority shall maintain adequate records for each depuration facility. The following records for each facility shall be kept for the period of five years: (1) Inspection reports and reviews of the plant performance in accordance to Section D. (above); (2) Current Depuration Plant Operations Manual for each dealer (Section .03).</p> <p>Delete all other elements that require the Authority to keep on file or retain records of a trade secret or proprietary nature. Such records will be required to be maintained at the dealer facility and available to the authority for review during normal business hours.</p>
Public Health Significance:	There is no cost to the Authority to eliminate these requirements.
Cost Information (if available):	Freedom of Information Act (and similar state act) requests can be time consuming, costly, and detract from public health activities of the Authority. Industry should be required to make records available to the Authority at the dealer’s facility during normal business hours. Requiring the Authority to collect and maintain such records that may be subject to Freedom of Information Act release undermines the relationship of industry and regulators and further serves as a disincentive for businesses to conduct research, innovate and develop new products, processes and procedures
Action by 2013 Task Force II	<p>Recommends adoption of Proposal 13-227 as amended.</p> <p>Chapter V. @.01 D. The Authority shall retain records covering all aspects of the establishment of the heat shock process.</p> <p>Chapter V. @.02 B. Authority shall retain the written study report indefinitely.</p> <p>Chapter XV. Requirements for the Authority E. The Authority shall maintain adequate records for each depuration facility. The following records for each facility shall be kept for the period of five years: (1) Inspection reports and reviews of the plant performance in accordance to Section D. (above); (2) Current Depuration Plant Operations Manual for each dealer (Section .03).</p>

~~Delete all other elements that require the Authority to keep on file or retain records of a trade secret or proprietary nature. Such records will be required to be maintained at the dealer facility and available to the authority for review during normal business hours.~~