



SOUTH CAROLINA
DEPARTMENT OF
PUBLIC HEALTH

Regulation 60-117 Access to Restricted Information

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Statutory Authority:	S.C. Code Section 30-4-45
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A. Purpose and Scope.

This regulation applies to information that has been designated pursuant to S.C. Code Section 30-4-45 for restricted release.

B. Definitions.

1. Department. The Department of Public Health.
2. Governmental Functions. The official activities of a state, federal, or local governmental entity.
3. Requestor. The individual or entity requesting access to restricted information.
4. Restricted Information. Any information in the possession of the Department that is designated and identified by the Department in the written notification to the Attorney General pursuant to S.C. Code Section 30-4-45.
5. Vulnerable Zone. A circle, the center of which is within the boundaries of a facility possessing hazardous, toxic, flammable, radioactive, or infectious materials subject to S.C. Code Section 30-4-45 and the radius of which is that distance a hazardous, toxic, flammable, radioactive, or infectious cloud, overpressure, radiation, or radiant heat would travel before dissipating to the point it no longer threatens serious short-term harm to people or the environment.

C. Release of Restricted Information.

1. Restricted Information, if not otherwise exempt from disclosure pursuant to applicable law, may be released to state, federal, and local authorities as required to carry out official governmental functions, as follows:
 - a. The requestor must appear in person at the Department's headquarters and must sign a register and show photographic identification issued by a state, federal or local government agency; and
 - b. The requestor must provide a written statement that: describes the intended use of the restricted information being requested; describes the format and medium for access to the requested information; attests that the requested information will be for official use only; and certifies that the requested information will not be released further except as required to carry out official governmental functions and in accordance with S.C. Code Section 30-4-40(c).
2. The requestor may review the restricted information at the Department's headquarters or other location designated by the Department and will not be provided with copies or be allowed to make written notes, copies, scans, photographs, or otherwise reproduce the information.

D. Disclosure in Vulnerable Zone.

1. Persons living or working within a vulnerable zone will be provided restricted information as follows:
 - a. The requestor must provide written verification of the location and address of his/her home or place of business along with a photographic identification.
 - b. The Department will determine whether the location lies within the vulnerable zone of any facility for which Department records are requested.

c. If the location for which the restricted information is sought does not lie within the vulnerable zone of any facility, the Department will so notify the requestor and will deny the request.

d. If the location lies within the vulnerable zone of any facility or facilities, the requestor will be provided an opportunity to review the restricted information that identifies the facility, shows the vulnerable zone on a local area map, and identifies the nature of the event for which the vulnerable zone was determined.

2. The requestor may review the restricted information at the Department's headquarters or other location designated by the Department and will not be provided with copies or be allowed to make written notes, make copies, scans, photographs, or otherwise reproduce the information.

E. Customary Charges for Copies.

The Department's customary charges authorized in S.C. Code Section 30-4-30 are applicable to requests for release of restricted information covered by this regulation.