

LUZERNE COUNTY
OFFICE OF LAW
ROMILDA P. CROCAMO, ESQUIRE
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1786

March 16, 2018

Steven Cutignola
500 Summit Lake Drive, Suite 150
Valhalla, NY 10595
Email: steve.cutignola@anteagroup.us

RE: RTK Request # 18-51

Dear Mr. Cutignola:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On March 15, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Luzerne County does not maintain the records regarding underground storage tanks, etc. Your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,

JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Cutignola Steven
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 500 Summit Lake Drive - Suite 150
STREET / P.O. BOX

Valhalla NY 10595
CITY STATE ZIP CODE

PHONE # 914-495-9926 FAX# _____

EMAIL ADDRESS: steve.cutignola@anteagroup.us

SIGNATURE: *Steven Cutignola* DATE: 3-15-2018

RECORDS REQUESTED - Requesters **MUST** specify the document(s) sought. Please use additional pages if necessary.
 Records related to prior / existing site use of the property located at 24 Elmwood Avenue, Mountain Top, PA
 Additionally, I would like to request records for the property located at 24 Elmwood Avenue, Mountain Top, PA
 related to: storage tanks, land use records, emergency release reports, and public well information.

PLEASE CHECK ONE OF THE FOLLOWING:

- I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
 I AM REQUESTING A HARD COPY OF THE DOCUMENT(S) (PAPER, CD, etc...)
 I AM REQUESTING AN E-FILE OF THE DOCUMENT(S) (IF AVAILABLE) (PDF, EXCEL SPRDSHT, etc...)

PLEASE NOTE: LUZERNE COUNTY IS NOT REQUIRED TO CREATE A RECORD WHICH DOES NOT CURRENTLY EXIST OR TO COMPILE, MAINTAIN, FORMAT OR ORGANIZE A RECORD IN A MANNER IN WHICH THE AGENCY DOES NOT CURRENTLY COMPILE, MAINTAIN, FORMAT OR ORGANIZE THE RECORD