

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 22, 2018

Georgia Ernst  
PENN E&R  
2755 Bergy Road  
Hatfield, PA 19440  
Email: gernst@penn-er.com

RE: RTK Request # 18-58

Dear Ms. Ernst:

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.

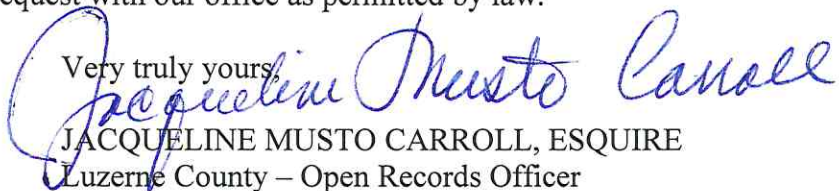
On March 22, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Luzerne County does not maintain environmental records. 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, 4<sup>th</sup> 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



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 3/21/2018

REQUEST SUBMITTED BY:       E-MAIL       U.S. MAIL       FAX       IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Penn E&R  
2755 Bergey Road, Hatfield, PA 19440

NAME OF REQUESTER : Georgia Ernst

STREET ADDRESS: 2755 Bergey Road

CITY/STATE/COUNTY/ZIP(Required): Hatfield, PA 19440

TELEPHONE (Optional): 215-997-9000      EMAIL (optional): gernst@penn-er.com

**RECORDS REQUESTED:** *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Penn E&R is requesting to review in person all environmental records related to the property located adjacent to 145 Mundy Street (the Site is directly northwest of Kranson Uniform) and southwest of Mundy Street. An attached figure provides the Site boundary. The Site is located in Wilkes-Barre Township, Luzerne County, PA. These records will include any Notice of Violation, ACT 2 documentation and reports, UST/AST records, records of spills or releases, Remedial or Site Investigations, Phase I/II ESA documentation, and any correspondence between the property owner or affiliated representative and the agency regarding environmental concerns at the Site. If you have any questions please do not hesitate to call or email at the provided number. Penn E&R would like to review any applicable reports at the earliest time available.

DO YOU WANT COPIES?    YES    NO

DO YOU WANT TO INSPECT THE RECORDS?    YES    NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?    YES    NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?    YES    NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

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### FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*