

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



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
PENNSYLVANIA
ESTABLISHED 1786

September 29, 2017

Georgia Kirkpatrick
CBRE
55 West Red Oak Lane
White Plains, NY 10604
Email: Georgia.Kirkpatrick@cbre.com

RE: RTK Request # 17-170

Dear Ms. Kirkpatrick:


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 September 28, 2017, 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

From: Kirkpatrick, Georgia @ Philadelphia <Georgia.Kirkpatrick@cbre.com>
Sent: Thursday, September 28, 2017 1:32 PM
To: Crake, Shannon
Subject: OPRA Request

Health Department
Freedom of Information Act Request

CBRE

55 West Red Oak Lane
White Plains, New York 10604
914.694.9600 (tel) 914.694.8549

Date:	September 28, 2017	To:	Shannon Crake Lapsansky, Esquire
Subject:	309 HIGHWAY 315 Arby's 309 HIGHWAY 315 Pittston, Pennsylvania 18640	Health Dept.:	Luzerne County Open Records Office
		Tel :	(570) 825-1598 (tel)
		Fax No.:	(570) 825-6355 (fax)
Project Manager:	Georgia Kirkpatrick	Project No.:	PC70937782-125

CBRE has been retained to conduct a Phase I Environmental Site Assessment on the above referenced property.

In accordance with the Freedom of Information Act, CBRE is requesting information with respect to the above referenced site. Specifically, CBRE is requesting the following information:

- Are there any health problems in connection with the Subject or the surrounding area? Yes No
- Do any general environmental conditions, such as soil or groundwater contamination, exist on or adjacent to the above referenced property? If yes, please explain. Yes No
- Are there solid or hazardous waste landfills in the vicinity of the above named property? Yes No
- Is there any chemical storage on the property? If yes, what kind? Yes No
- Are there any drinking water wells on or adjacent to the above referenced property? If so, are they known to be contaminated? Yes No

Please let me know if there are any costs associated with processing this request prior to processing. Your response can either be faxed to **914.694.8549** or mailed to us at the location identified above. In addition, please indicate CBRE's project number (PC70937782-125) on all correspondence. Thank you in advance for your assistance and cooperation.

Submitted by: _____ Date: _____

Georgia Kirkpatrick | Project Manager
CBRE, Inc. | Assessment & Consulting Services
6226 McCallum Street | Philadelphia, PA 19144
T 610.457.1186
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