

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

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

MAILING ADDRESS: _____
STREET / P.O. BOX
CITY STATE ZIP CODE

PHONE # _____ FAX# _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

RECORDS REQUESTED - Requesters **MUST** specify the document(s) sought. Please use additional pages if necessary.

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

To Whom it May Concern,

Pursuant to the Freedom of Information Act ("FOIA"), I am hereby requesting any relevant information pertaining to the following site located in Luzerne County, Pennsylvania:

- KMS Facility (former name: Kingston Metal Specialties)
100 Parry St.
Luzerne, PA 18709

In order to help focus this request, please find below a targeted list of information in which I am interested:

Facility History (Utilities-Related)

- Records on file for the site location indicated in the attached, including available permits.
- Indications of historical on-site septic system use for the site locations (if any).
- Please provide available information regarding the presence of on-site wells, well inspections, or water sampling.
- Are there any chemical inventories on file that any entity located historically at this site has submitted?

Chemical Storage Related Information

- Records of historical fires at these properties, including date of occurrence and extent of damages.
- Records of historical chemical release ever at these properties, including material released and extent of damages (if at all).
- Records of available chemical inventories on file for the site locations (if any).
- Records of current or former underground storage tanks at the site locations (if any).
- Is the department aware of any environmental contamination at the site address or nearby properties?

Please advise prior to completing this request if any fees are expected to be incurred as a result of completing this request.

Please reply to me by email at cbarrera@ramboll.com, by telephone at (703) 516-2378, or via the address information below. Thank you in advance for your help in this matter.

Yours Sincerely,

Camila Barrera
Ramboll – Arlington, VA

cbarrera@ramboll.com
(703) 516-2378

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

June 5, 2018

Camila Barrera
4350 North Fairfax Drive
Arlington, VA 22202
Email: cbarrera@ramboll.com

RTK # 18-116

Dear Ms. Barrera:

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 June 5, 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 type of records you are requesting; therefore, 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".

Please contact the Pennsylvania Department of Environmental Protection or Luzerne Borough for the information. Pennsylvania DEP's website is: www.depweb.state.pa.us while Luzerne Borough's is www.luzerneborough@aol.com.

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.

Page Two
June 5, 2018

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