

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

December 21, 2017

Scott Early
Compliance Management International
1350 Welsh Rd., Suite 200
North Wales, PA 19454
Email: searley@complianceplace.com

RTK # 17- 233

Dear Mr. Earley:

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 December 20, 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 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 and the Borough of Swoyersville for the information. Pennsylvania DEP's website is: www.depweb.state.pa.us .

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.

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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



1350 Welsh Road, Suite 200
North Wales, PA 19454
800.701.9369
215.699.4800
Fax: 215.699.8315
www.complianceplace.com

December 13, 2017

Luzerne County Courthouse
200 N River Street
Wilkes-Barre, PA 18711

Re: Right-to-Know Request
Northampton Generating Company, Harry E Operation
Borough of Swoyersville, Luzerne County, PA 18704
Parcel ID: 59-F900B017000

To Whom It May Concern:

Compliance Management International, Inc. (CMI) is conducting a review of government regulatory databases to identify recognized environmental conditions associated with the above referenced parcel in the Borough of Swoyersville, Luzerne County, PA.

Through the Department's Informal Records Review Process, CMI is respectfully requesting any information regarding known environmental conditions at this property. Specifically, we are requesting information regarding discharges to the property (if any) and/or the presence of any contaminants on the property. If such information exists, we would appreciate the opportunity to review it at your earliest convenience.

Thank you for your attention in this matter. If you should have any questions or comments, please do not hesitate to contact me at (215) 699-4800 x 146.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Earley", is written over a light gray background.

Scott Earley
Staff GeoScientist
searley@complianceplace.com

cc: file - Freedom of Information Letters.doc



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 12/13/2017

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

REQUEST SUBMITTED TO (Agency name & address): Luzerne County Courthouse, 200 N River Street
Wilkes-Barre, PA 18711

NAME OF REQUESTER: Scott Earley, Compliance Management International

STREET ADDRESS: 1350 Welsh Road

CITY/STATE/COUNTY/ZIP (Required): North Wales, PA 19454

TELEPHONE (Optional): 215-699-4800 x 146 EMAIL (optional): searley@complianceplace.com

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

CMI is conducting a review of government regulatory databases as part of Phase I ESA to identify recognized environmental conditions associated with the following properties: Northampton Generating Company, Harry E Operation; **Borough of Swoyersville, Luzerne County, PA 18704; Parcel ID: 59-F9 00B017000**. Through Pennsylvania's Right-to-Know process, CMI is respectfully requesting information regarding known environmental conditions at these properties. Specifically, we are requesting information regarding discharges to these properties, the presence of hazardous or regulated contaminants on these properties and above/under-ground storage tanks. If such information exists, we would appreciate the opportunity to review it at your earliest convenience. Thank you for your attention to this matter.

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 ****

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.)*