

2019.175

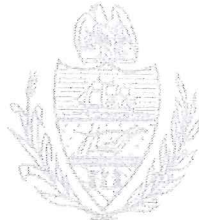
RTK REQUEST NUMBER

10.22.19

DATE RECEIVED

10.29.19

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

**RIGHT TO KNOW LAW REQUEST FORM**

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

MAILING ADDRESS: 1600 Manor Drive, Suite 220  
STREET / P.O. BOX

Chalfont PA 18914  
CITY STATE ZIP CODE

PHONE # 215-712-2700 FAX# 215-712-2701

EMAIL ADDRESS: Eharris@whitestoneassoc.com

SIGNATURE: *Eric Harris* DATE: 10/21/2019

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.  
McDonald's Restaurant, 900 Wilkes Barre Township Boulevard; PIN Nos. 69-110-A-8B and 69-110-A-8E; Wilkes Barre Twp., Luzerne County  
Owner: McDonald's c/o Union Center Realty; Whitestone requests copies of any available files addressing or pertinent to  
environmental investigations, underground storage tanks (USTs), potable water well/septic systems corrective actions, contaminant  
releases, incidents, fires, hazardous materials storage, citations, notices of violation, or other areas of concern at the above referenced property.

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



## **Right-To-Know Response Form**

**October 22, 2019**

Eric Harris  
1600 Manor Drive  
Suite 220  
Chalfont, PA 18914  
Via email only to Eharris@whitestoneassoc.com

RTK REQUEST #2019-175

Dear Mr. Harris:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL"). I have tried to reach you several times via email, but have not received a response.

Recently, 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 because Luzerne County does not maintain these documents. §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".

To further assist you, You should direct your request to Wilkes-Barre Township. They would be the entity that may have these documents if any exist.

You have a right to appeal this denial of information in writing to Executive Director, 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, 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 Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.  
Luzerne County  
Open Records Officer  
200 North River Street  
Wilkes-Barre, PA 18711