

Rec. 3/12/19

Replied: 3/15/19

2019. 45



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 3/12/19

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

REQUEST SUBMITTED TO (Agency name & address): Luzerne County Office of Law, 200 North River Street, Wilkes-Barre, PA 18711 (Attention: Laura Dennis, Esquire)

NAME OF REQUESTER: Scott Treherne, BL Companies

STREET ADDRESS: 4242 Carlisle Pike, Suite 260

CITY/STATE/COUNTY/ZIP(Required): Camp Hill, Cumberland County, PA 17011

TELEPHONE (Optional): 717-651-9850 EMAIL (optional): streherne@blcompanies.com

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

Any records pertaining to environmental issues, conditions or concerns, including records of storage tanks, at the Oak Ridge or Woodbryn apartment properties at 33 Oak Ridge Lane and 41 Woodbryn Drive, respectively, in Wright Township, Luzerne County, PA (APNs: 64L9S6002017000 & 64L9S600117A000 respectively)

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or 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

RIGHT TO KNOW OFFICER:

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.)*



Right-To-Know Response Form

March 15, 2019

Scott Treheme, BL Companies
4242 Carlisle Pike
Suite 260
Camp Hill, PA 17011
RTK REQUEST #19-45

Dear Mr. Treheme:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL").

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". Please contact the local municipality's code enforcement offices directly to see if they maintain such records, or in the alternative, Pennsylvania Department of Environmental Protection.

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, 4th 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