

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: DeGregory Mark R
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: Envision Environmental, Inc., 11 Sleepy Hollow Court
STREET / P.O. BOX

Allentown New Jersey 08501
CITY STATE ZIP CODE

PHONE # (609) 209-1885 FAX# (609) 208-1889

EMAIL ADDRESS: markdegregory@envisionenvironmental.com

SIGNATURE:  DATE: May 26, 2020

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.
 For 140 Industrial Drive, Jenkins Township, PIN 33F12 00A026000 (and vicinity),
 ENVISION is seeking environmental records listed on Attachment A to this form.

The Site may be identified as IDC Property, LP; Owens-Illinois; Interstate Distribution Center;
 OI-NEG TV Products, Inc.; Techneglas, Inc.; TGPIT, Inc., and Pittston Industrial, LLC.

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



ATTACHMENT A

The following lists some of the information of interest regarding 140 Industrial Drive, Jenkins Township, Luzerne County, Pennsylvania (PIN 33F12 00A026000):

- Records of water wells (e.g., drinking water, monitoring, etc.);
- Records of septic systems;
- Records of underground/aboveground storage tanks (e.g., installation, removal, abandonment, spills, etc.);
- Hazardous waste generators listings and disposal records (RCRA);
- RCRA Permits (Part A+B, if applicable);
- Community Right-to-Know information (SARA);
- Water quality (drinking water and groundwater) reports and existence of any wells for the subject Site and the surrounding area;
- Radon testing (local area or onsite);
- Superfund notifications;
- Records of PCB-containing materials onsite;
- Existence of any wetlands either onsite or locally;
- Information pertaining to material dumping and/or landfilling onsite or on adjacent properties;
- Any records of spills or other incidents that may have an environmental impact on a site;
- Agency inspection/compliance records;
- Records of environmental citations or violations;
- Reports of any environmental investigations including air, water and soil sampling or monitoring;
- Submissions/filings under Act 2 (Pennsylvania's Land Recycling Program); and
- Conditions of general interest either onsite or locally (i.e. flood hazards, other contaminated sites, etc.).



Right-To-Know Response Form

June 11, 2020

Mark DeGregory

Via email only to markdegregory@envisionenvironmental.com

RTK REQUEST #2020-091 and 2020-092

Dear Mr. DeGregory:

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".

To further assist you, I would suggest your request directly to the Jenkins Township. You may also possible access prior deeds through the Recorder of Deeds Office in Luzerne County, this information would not be covered under the Right to Know law, as it is available to the public.

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