

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Bracken Eli N
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 155 S Poplar St, Unit 211
STREET / P.O. BOX

Elizabethtown PA 17022
CITY STATE ZIP CODE

PHONE # 717-319-3342 FAX#

EMAIL ADDRESS: ebracken@aeiconsultants.com

SIGNATURE: [Signature] DATE: May 19, 2020

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.
Fresenius Kidney Care, 450 W Main St (PIN: 42J7SW3 001001000). requests copies of any
available files addressing or pertinent to environmental investigations, underground storage
tanks (USTs), potable water wells/septic systems, corrective actions, contaminant releases,
incidents, fires, hazardous materials storage, citations, notices of violation, or other areas of
concern at the above referenced. [PLEASE SEE ATTACHED]

PLEASE CHECK ONE OF THE FOLLOWING:
I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
[X] 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



# AEI Consultants

Environmental & Engineering Services

May 19, 2020

Luzerne County  
Phone: 570-825-1695  
Fax: 570-820-6355

**Subject: Freedom of Information Act (FOIA) Request/File Review Request**

Fresenius Kidney Care  
405 West Main Street  
Parcel ID#: 42J7SW3 001001000  
AEI Project No. 422539

To whom it may concern:

Please accept this as request for any information/documentation/files with your department regarding the above-referenced property.

AEI Consultants is currently conducting the Phase I Environmental Site Assessment for the property. The ASTM Practice E1527-13 Standard Practice of Environmental Site Assessments requires that a records search be conducted with local regulatory departments for information regarding the subject property. Of particular interest are the following items:

- Records regarding hazardous materials usage/storage/incidents or known environmental concerns/contamination which may have affected the property,
- Records regarding aboveground or underground storage tank (UST) systems, which are currently or historically located at the property,
- Record of septic systems installation and repairs at the subject property, and/or
- Records of wells in connection with the subject property.

Please call (717-319-3342) or email (ebracken@aeiconsultants.com) me to discuss the file information or if you require further information. Thank you for your time and attention regarding this matter.

Respectfully,

Eli Bracken  
717-319-3342

No files were discovered for the addresses listed herein.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_



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

**June 19, 2020**

Eli Bracken

Via email only to [ebracken@aeiconsultants.com](mailto:ebracken@aeiconsultants.com)

RTK REQUEST #2020-095

Dear Ms. Stearns:

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 Nanticoke.

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