

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

**RIGHT TO KNOW LAW REQUEST FORM**

NAME OF REQUESTER: Wicks Andrew  
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 435 Independence Ave., Suite C  
STREET / P.O. BOX

Mechanicsburg PA 17055  
CITY STATE ZIP CODE

PHONE # 717-458-0800 FAX# 717-458-0801

EMAIL ADDRESS: awicks@kleinfelder.com

SIGNATURE: Andrew Wicks DATE: 09/30/2020

**RECORDS REQUESTED** - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.

Kleinfelder is currently performing a Phase One Environmental Site Assessment (ESA) on three parcels totaling approximately 110 acres located east of North Hunter Highway (PA-309) in Butler Township, Luzerne County, PA. Additional information about the site location is provided in the email. Kleinfelder is interested in any and all applicable information related to the disclosure of known or suspected, past or present, environmental concerns for the above-referenced site. Records requested should include, but not be limited to, information regarding site history, ownership, site improvements planning/zoning, underground and aboveground storage tank systems, permits, hazardous substances or spills, areas of fill, records of historical enforcement actions, investigations involving soil and/or groundwater quality/contamination, and the overall environmental quality of the site.

**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 7, 2020**

Andrew Wicks  
Via email only to awicks@kleinfelder.com

RTK REQUEST #2020-154

Dear Mr. Wicks:

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, please note that you should direct your request directly to Butler Township.

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