

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Ernst Georgia M
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 2755 Bergey Road
STREET / P.O. BOX

Hatfield PA 19440
CITY STATE ZIP CODE

PHONE # 215-997-9000 FAX#

EMAIL ADDRESS: gernst@penn-er.com

SIGNATURE: [Handwritten Signature] DATE: 7-14-20

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary. Penn E&R is requesting to review in person all environmental records pertaining to 1220 Oak Hill Road, Mountain Top, Pennsylvania. The site consists of two parcels identified as Tax ID 64M1000A10C000 and 64M1000A10D000. The site was most recently operated by Certainteed (aka: Certainteed Prod Co/Mountain Top, CertainteedCrop, Certainteed Corporation, Certainteed Corp/Mountaintop Plant).

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

July 17, 2020

Georgia Ernst

Via email only to gernst@penn-er.com

RTK REQUEST #2020-115

Dear Ms. Ernst:

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, we suggest you direct your request directly to Mountaintop Borough, as they would be the entity that may have the information you have requested.

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