

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: McLain Shelby M
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 1302 N. Meridian Street, Suite 300
STREET / P.O. BOX

Indianapolis IN 46217
CITY STATE ZIP CODE

PHONE # 317-916-3173 FAX# 317-916-8001

EMAIL ADDRESS: smclain@augustmack.com

SIGNATURE: Shelly McLain DATE: 1/6/2020

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

Any records pertaining to any environmental response, fire, or any release of hazardous substances that may cause environmental concerns for the property located at 250 Highland Park Blvd in Wilke-Barre Township, Pennsylvania.

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...)
X 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

January 14, 2020

Shelby McLain
1302 N. Meridian St.
Suite 300
Indianapolis, IN 46217
Via email only to smclain@augustmack.com

RTK REQUEST #2020-005

Dear Ms. McLain:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law ("RTKL"). I have tried to reach you several times via email, but have not received a response.

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, You should direct your request to Wilkes-Barre Township. They would be the entity that may have these documents if any exist.

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