



Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: Luzerne County (Attn: AORO)

Date of Request: 11/11/2020 Submitted via: X Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: Bryan McAtee Company (if applicable): Moonstone Environmental

Mailing Address: 1150 Glenlivet Dr, Suite A23

City: Allentown State: PA Zip: 18106 Email: bryan@moonstoneenviro.com

Telephone: 484-664-7171 Fax: 484-664-7272

How do you prefer to be contacted if the agency has questions? X Telephone X Email U.S. Mail

RECORDS REQUESTED: Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.

Environmental-related records for the Warp Processing property located at 95 Stevens Lane, Exeter Borough, PA, Luzerne County, including files such as tank permits, well permits, fire calls, HAZMAT calls, etc. Request is made as part of Phase I environmental site assessment process.

DO YOU WANT COPIES? X Yes, electronic copies preferred if available
Yes, printed copies preferred
No, in-person inspection of records preferred (may request copies later)

Do you want certified copies? Yes (may be subject to additional costs) X No
RTKL requests may require payment or prepayment of fees. See the Official RTKL Fee Schedule for more details.

Please notify me if fees associated with this request will be more than X \$100 (or) \$

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: Date Received: Response Due (5 bus. days):

30-Day Ext.? Yes No (If Yes, Final Due Date:) Actual Response Date:

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$

Appropriate third parties notified and given an opportunity to object to the release of requested records.



Right-To-Know Response Form

November 20, 2020

Bryan McAtee

Via email only to Bryan@moonstoneenviro.com

RTK REQUEST #2020-200

Dear Mr. McAtee

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 inquiry directly to the Borough or Township where the property is located, as they would likely be the entity that would have this information.

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