



RTK659

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: Springettsbury Township (Attn: AORO)

Date of Request: 1/21/2020 Submitted via: [X] Email [] U.S. Mail [] Fax [] In Person

PERSON MAKING REQUEST:

Name: Riley Carroll Company (if applicable): Process Masters Corporation

Mailing Address: 940 Krumsville Road

City: Kutztown State: PA Zip: 19530 Email: [REDACTED]

Telephone: [REDACTED] Fax: 610-683-9095

How do you prefer to be contacted if the agency has questions? [] 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.

We are requesting a list of the contact information for the Significant Industrial Users (SIUs) in the Industrial Pretreatment Program that are permitted to discharge their wastewater flow to the Springettsbury Township Wastewater Treatment Facility. If it is possible, it is requested that the information, including the contact phone number for the industries, be sent digitally to the email address rcarroll@processmasterscorp.com with the ability to be opened in Microsoft Excel.

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: RTK659 Date Received: 1/21/2020 Response Due (5 bus. days): 1/28/2020

30-Day Ext.? [] Yes [] No (If Yes, Final Due Date: 2/27/2020) 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.



RTK659

940 Krumsville Road
Kutztown, PA 19530
[Redacted]
Processmasterscorp.com

January 21, 2020

Attn: Open Records Officer
Springettsbury Township

Greetings,

EPA's General Pretreatment Regulations require POTWs to use a control mechanism that ensures that SIUs (Significant Industrial Users) meet all applicable Pretreatment Standards and Requirements. Process Masters is a chemical company that works with Industrial Pretreaters by supplying products and services to help them meet their discharge specifications.

We've been successful in helping pretreaters consistently meet their discharge specifications. I am writing to request information regarding your pretreatment program so we can extend this service to others. Attached along with this letter is a completed Right-To-Know Law Request Form. Could you please send a list of the SIUs who contribute flow to your municipal wastewater treatment plant? Please choose whichever method works best for you:

Email (Excel format):

[Redacted]

Mail (hardcopy):

Riley Carroll
c/o Process Masters Corporation
940 Krumsville Rd.
Kutztown, PA 19530

Thank you for your time. I appreciate your attention to this request.

Best Regards,

Riley Carroll
Purchasing Agent
Process Masters Corporation
[Redacted]



CREST OF SPRINGETTSBURY
INCORPORATED 1891

SPRINGETTSBURY TOWNSHIP

1501 Mt. Zion Road
York, Pennsylvania 17402
717-757-3521 Fax: 717-757-7856
www.springettsbury.com
email: info@springettsbury.com

Police: 717-757-3525 Fax: 717-840-1908
Police and Fire Emergencies - Dial 911
Recreation Office: 717-505-0406

Wastewater Treatment Facility
3501 North Sherman Street
717-757-3521 Fax: 717-840-0680

BOARD OF SUPERVISORS

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TOWNSHIP MANAGER

Benjamin B. Marchant

January 28, 2020

Riley Carroll
Process Masters Corporation
940 Krumsville Road
Kutztown, PA 19530

Re: **RIGHT-TO-KNOW REQUEST – Significant Industrial Users**

Dear Riley,

Thank you for writing to Springettsbury Township with your request for information: “We are requesting a list of the contact information for the Significant Industrial Users (SIUs) in the Industrial Pretreatment Program that are permitted to discharge their wastewater flow to the Springettsbury Township Wastewater Treatment Facility. If it is possible, it is requested that the information, including the contact phone number for the industries, be sent digitally to the email address... with the ability to be opened in Microsoft Excel.”

The requested records are included with this response electronically, sent via email. Please note, although you have requested an Excel spreadsheet, the Township has provided records in PDF format. The Right-to-Know Law states “A record being provided to a requestor shall be provided in the medium requested if it exists in that medium,” and the Township is providing you the documents in electronic medium, but not in a specified file format in accordance with several Office of Open Record Final Determinations.

- Specifically, *Bangs v Allegheny County*, Office of Open Records Final Determination, Docket No. AP 2015-2643 with additional determinations and text referenced:
 - “The RTKL does not define “medium;” however, the OOR has defined it “as the substance through which something is transmitted or carried, a ‘means,’ such as on paper or on a hard-drive or on a database or over the Internet.”
 - “The RTKL provides requestors with the right to inspect and duplicate. Duplication is a snapshot, a static record that cannot be altered or modified, in other words, a copy....It was provided in an electronic medium and there is no requirement to provide records in a manner that would subject them to alteration or manipulation.”
 - “Under the RTKL, ‘medium’ is a broad term, and ‘electronic medium’ encompasses all electronic formats.”
- *Cap v. Lehigh and Northampton Transp. Auth.*, OOR Dkt. AP 2013-0168, 2013 PA O.O.R.D. Lexis 112.

- *Acton v. Fort Cherry Sch. Dist.*, OOR Dkt. AP 2009-0926, 2009 PA O.O.R.D. Lexis 786, *aff'd*, No. 2010-719 (Wash. Com. Pl. July 26, 2011), *aff'd*, 38 A.3d 1092 (Pa. Commw. Ct. 2012), petition for allowance of appeal denied, 57 A.3d 72 (Pa. 2012).
- *Bowling v. Pennsylvania Emergency Management Agency*, See OOR Dkt. AP 2009-0128, 2009 PA O.O.R.D. Lexis 607, *rev'd on other grounds*, *Bowling v. Office of Open Records*, 990 A.2D 813 (PA Commw. Ct. 2010), *aff'd*, 75 A.3d 453 (Pa. 2013)

You have a right to appeal denial of information in writing to Erik Arneson, Executive Director, Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.

If you choose to file an appeal, you must do so within fifteen (15) business days of the mailing date of the agency's response, as outlined in Section 1101 of the Right-To-Know Law.

Please be advised that this correspondence will serve to close this record with our office as permitted by law. If you have any questions, please do not hesitate to contact me.

Thank you,



Abegale Gibb
Right to Know Officer
File: Right-to-Know 659