

6/7/2009

**Terry Mutchler, Executive Director
Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120**

Re: Right-to-Know Law Request No. 5310-09-007

Dear Mr. Mutchler,

As indicated in the May 21, 2009 denial, I have made this request before. I am now writing a brief explanation as to the reason for my determination in acquiring this record.

Charles Sube's testimony was critical to the investigation conducted by my family that DEP lied during their so-called "thorough investigation".

Charles Sube was retired and home during the blast done to my property on January 31, 2003. He lived across the street and viewed the entire morning from his 2nd floor front porch; Charlie has a bird's eye view of everything.

I explained this several times to Richard Lankie and Richard Parsons of DEP during their investigation. They promised several times to interview Charlie and gather his critical eye witness testimony.

I am objecting to my current denial by Thomas Callaghan, P.G. and the PA DEP because it contains conflicting fraudulent statements:

1. The department claims that they have this testimony but refuse to "Reveal" the source to protect some sort of imagined integrity to the investigation. I believe that they have no testimony and/or document and are perverting the RTKL in order to protect the lies told to this family during this investigation.
2. The next paragraph states that the record is unavailable because my request is "overboard". The request is to the point; do you have this record or don't you have this record? Either you interviewed Charles Sube or you lied for six years and do not have this testimony and/or record.
3. The third paragraph denies my request because I have requested this information since 2003. I find this comment particularly insulting; it was the department that created an unreasonable burden on my family. The only unreasonable burden placed upon the PA DEP has been the inability to cover up their persistent lies and corrupt investigations; they have themselves to blame for this and not my family.

I am requesting a clarification of my denial of RTKL request No. 5310-09-007. If my petition is granted then I am requesting the amended denial sent in the form of an affidavit signed by Thomas Callaghan, P.G.

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I allege that Richard J. Lamkie, Chief Explosives and Safety; Richard Parsons; Dennis Whitaker, Esq. and Thomas Callaghan, PG District Mining Manager with government corruption, fraud and conspiracy to obstruct justice in connection with this investigation.

Please investigate this record and the true motive for this denial. Do not let the Pottsville District Mining Office pervert the new RTKL as they have done for years in the past.

Sincerely,

Steven Dreyer

Enclosures

cc: John Hanger, Secretary, PA DEP
David G. Argall, 29th State Senatorial District
Robin M. Hittie, Chief Counsel State Ethics Commission
James P. Goodman, Schuylkill County District Attorney
Thomas Callaghan, District Mining Manager PA DEP