

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. 5310-09-009

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.

William Mingo Sr. testimony was critical to the investigation conducted by my family that DEP falsified documents and information during their so-called "thorough investigation".

Mr. Mingo lives on the opposite corner from my home and he witnessed the illegal blast done to my property on January 31, 2003.

Mr. Mingo; Patricia Dreyer and I testified on behalf of the PA DEP for what we had witnessed during this illegal blasting activity. I had approached Mr. Mingo just before the trial and he apologized for not being able to testify on what he had witnessed done to my home. According to Mr. Mingo he was instructed not to mention my home and only discuss the home of Charles Sube, my family had received the same instructions from Richard J. Lamkie, Chief Explosives and Safety and Dennis Whitaker, Esq.

I explained That Mr. Mingo witnessed what was done to my home several times to Richard Lamkie and Richard Parsons of DEP during their investigation. They promised several times to interview Mr. Mingo 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 and 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 documents 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 Mr. Mingo 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

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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. 5310-09-009. If my petition is granted then I am requesting the amended denial be sent in the form of an affidavit signed by Thomas Callaghan, P.G.

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: Adam D. Aichele, Special Agent F.B.I.
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