

6/7/2009

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

**Re: Right-to-Know Law Request No. 5310-09-010**

**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.

Rod Sergent was the engineer in charge of the sewer installation for the McAdoo Borough Sewer Authority. He was employed by the engineering firm of Spott, Stevens & McCoy. Mr. Sergent was standing next to my property and overseeing the blasting on the morning of January 31, 2003.

If the PA DEP conducted a thorough investigation then the first person that they should have talked to would have been Mr. Sergent since they were in constant contact throughout the entire sewer installation.

After months of having the PA DEP fail to properly investigate out alleged blasting claims we notified both Richard Lamkie and Richard Parsons that Mr. Sergent witnessed everything on that morning. They apologized for not knowing this and promised to talk to Mr. Sergent and get his 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. Sergent 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.

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I am requesting a clarification of my denial of RTKL request No. 5310-09-010. 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