

The Right To Know Steps



TO PROCESSING AN INQUIRY

The purpose of the Worker and Community Right to Know Act is to provide employees, community members and emergency response agencies (police, fire, ambulance, etc.) with information on the chemical substances they are exposed to in their workplaces and in the environment.

This information is available to any citizen living or working in the commonwealth who is not a competitor of the employer from whom they are requesting information.

Inquirers who meet the above criteria may request the following documents:

- The Hazardous Substance Survey Form (HSSF), which provides a listing of the hazardous substances, special hazardous substances, and environmental hazards found in a workplace.
- The Environmental Hazard Survey Form (EHSF), which provides information on environmental hazards that are emitted, discharged or disposed of from a workplace.
- Material Safety Data Sheet (MSDS)/Safety Data Sheets (SDS), which provides detailed information about a chemical such as the identity of a chemical, hazard ingredient information, physical and chemical characteristics, fire and explosion hazards, health hazards, procedures for safe handling and use, and other scientific data related to a substance.

To obtain information about a specific workplace, the requestor must complete a LIBC-253, Request for Information/Complaint Form. This form provides the department with basic information to process the request. This form can be obtained by calling the Health & Safety Division at 717-772-1635 or can be downloaded by going online to www.dli.state.pa.us.

When a completed Request for Information/Complaint Form is received, the bureau will review it to determine:

- The nature of the request: Is the information requested covered by the Right to Know law?
- Jurisdiction: Does the bureau have jurisdiction over the inquiry? In some instances the request must be responded to by another agency. If so, it is forwarded to the proper agency and the requestor is notified of this action.

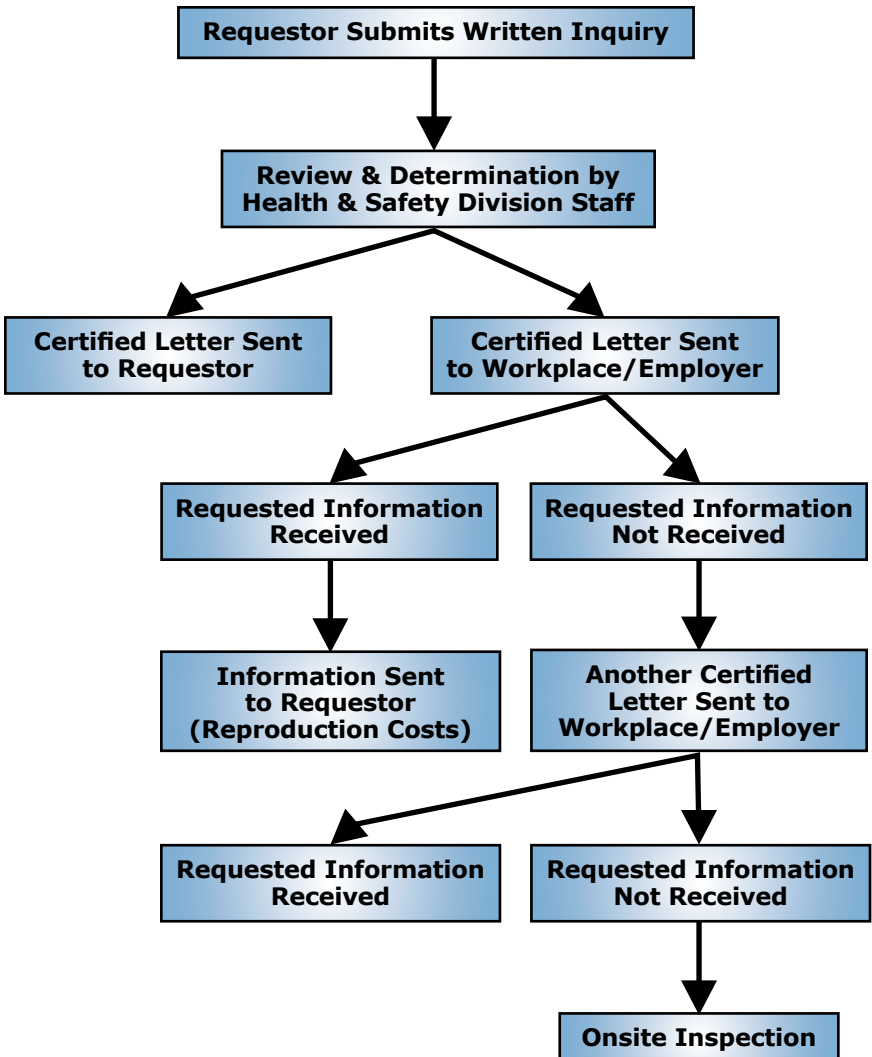
If the request is properly filed, the bureau will provide either the information sought within 45 days of receiving the request or the reason the information is not available and what steps will be taken to obtain it.

NOTE: By law the name and address of the requestor must be kept confidential in inquiry matters.

An employer must return the requested information within specified time frames, usually 20 or 30 days.

If the request is for a MSDS/SDS or HSSF, the employer has 20 days from receipt of the bureau's letter to respond with a copy of this material.

If the request is for a completed EHSF, the employer has 30 days from the date of the request to complete the form.



If the bureau receives the employer's material and determines that it is not complete, the material is returned to the employer who then has an additional 10 days to correct and return the material to the bureau.

If the bureau has a current copy of the requested HSSF, EHSF or MSDS/ SDS on file, the employer would not be contacted. The bureau would send this material to the requestor immediately.

If the material is not received within the specified time frame, enforcement action may be taken against the employer. The requestor would be kept advised of the bureau's actions.

After the requested material is received, the requestor is notified upon the receipt of the material and the cost involved for reproduction, if applicable. No fee is charged if the total cost is under \$1, in which case the materials are sent directly to the requestor. If a cost is involved, the bureau notifies the requestor by mail. When the fee is received, the bureau forwards the materials to the requestor.

If you have any questions or need assistance in completing this process, please contact our office at 717-772-1635, or by writing to:

Department of Labor & Industry
Bureau of Workers' Compensation
Health & Safety Division
1171 S. Cameron Street, Room 324
Harrisburg, PA 17104

Phone: 717-772-1635

Fax: 717-783-6365

Email: RA-LI-BWC-SAFETY@pa.gov

www.dli.state.pa.us



pennsylvania

DEPARTMENT OF LABOR & INDUSTRY

*Auxiliary aids and services are available upon request to individuals with disabilities.
Equal Opportunity Employer/Program*