

CHAPTER 315. HEALTH AND EXPOSURE RECORDS

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The provisions of this Chapter 315 adopted August 1, 1986, effective December 1, 1986, 16 Pa.B. 2909, unless otherwise noted.

§ 315.1. Purpose and scope.

This chapter implements the health and exposure requirements under section 9 of the act (35 P. S. § 7309) and applies to employe health and exposure records maintained by the employer.

§ 315.2. Recordkeeping requirements.

An employer shall keep records of employes' exposure to specific chemical substances to the extent that it is required by OSHA under 29 CFR 1910.20(g) (relating to access to employe exposure and medical records). The employer will also be considered as complying with this section if similar requirements of the Mine Safety Health Administration under 30 CFR 70.210 and 71.210 (relating to respirable dust samples; report to operator; posting) are met.

§ 315.3. Employee access to records.

An employe has the right of access to exposure and medical records in the manner set forth by OSHA under 29 CFR 1910.20 (relating to access to employe exposure and medical records). Access to employe exposure under the Mine Safety Health Administration, 30 CFR 70.210 and 71.210 (relating to respirable dust samples; report to operator; posting) will be considered as complying with this section.

§ 315.4. Department access to records.

Upon request by the Department, nonmanufacturing employers shall provide copies of employe health and exposure records maintained by the employer, including, but not limited to, the records maintained and supplied to the Federal government by employers as mandated under applicable State and Federal statutes and regulations except as access by third parties is limited by the statutes and regulations. The employer has 60 days from the receipt of the Department's written request to provide this information.

§ 315.5. Release of information.

The Department will not release information in a way that directly or indirectly identifies individuals. The Department may publish an analysis of reports and information for scientific and public health purposes if the identities of the individuals concerned cannot be ascertained directly or indirectly and if information protected by applicable trade secret law is not divulged.

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