THE HAZARDOUS CHEMICALS RIGHT TO KNOW ACT

North Carolina General Statutes
Chapter 95, Article 18

Occupational Safety and Health Division
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Cherie K. Berry
Commissioner of Labor
Introduction

This publication contains the North Carolina Hazardous Chemical Right To Know Act ("Right to Know Act") (Chapter 95, Article 18 of the North Carolina General Statutes). It is intended for use by employers, employees, citizens and emergency responders to inform them of their rights and responsibilities regarding hazardous chemical storage. The Right to Know Act requires all employers who “manufacture, process, use, store, or produce” hazardous chemicals to maintain a list of each hazardous chemical stored in the facility in quantities of 55 gallons or 500 pounds; including Material Safety Data Sheets ("MSDS"). Further, the Act requires the employer to provide this information to any person or fire marshal that requests it in writing. Specific exemptions to the provisions of the Right to Know Act are provided for employers transporting chemicals into or through the state, chemicals stored for personal use, retail food sales establishments, food additives that are covered by the Federal Food, Drug, and Cosmetic Act, laboratories under supervision of technically qualified persons, any farming operation that employs less than 10 employees, any distilled spirits, tobacco, untreated wood products, and medicines used in healthcare facilities and laboratories for patient care. Enforcement of the provisions of the Right to Know Act is assigned to the Occupational Safety and Health Division of the North Carolina Department of Labor. Any person that believes that an employer is not in compliance with the requirements of the Right to Know Act are encouraged to avail themselves of the services provided by the Occupational Safety and Health Division.

We encourage and solicit public comments concerning these laws. Please direct your comments and questions to the Occupational Safety and Health Division, N.C. Department of Labor, 1101 Mail Service Center, Raleigh, North Carolina 27699-1101.

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CHAPTER 95 – DEPARTMENT OF LABOR

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**ARTICLE 18 –**

IDENTIFICATION OF TOXIC OR HAZARDOUS SUBSTANCES