

**PITTSBURGH WATER AND SEWER AUTHORITY**  
**PUBLIC RECORDS INSPECTION AND DUPLICATION POLICY**

In accordance with the Pennsylvania Right-to-Know Law, Act of February 14, 2008, P.L. No. 3, hereinafter referred to as the "Law," the following is the policy for requests for inspection and duplication of public records of the Pittsburgh Water and Sewer Authority ("PWSA").

**I. SUBMISSION OF REQUEST**

All requests to inspect or duplicate public records of the PWSA shall be presented to:

Open Records Officer  
1200 Penn Avenue  
Penn Liberty Plaza I  
Pittsburgh, PA 15222

Requests may be made in person at the PWSA office at 1200 Penn Avenue, Pittsburgh, Pennsylvania, during normal business hours (Mondays through Fridays from 8:00 a.m. until 4:00 p.m.); by mail to 1200 Penn Avenue, Pittsburgh, PA 15222; by fax to (412) 393-0522; or by e-mail to [tsmith@pgh2o.com](mailto:tsmith@pgh2o.com).

Requests may be made in writing. The PWSA has prepared a form to assist in processing requests.

All requests for inspection and/or duplication of public records must provide sufficient and specific information to allow PWSA staff to identify the requested records. The following information is the minimum necessary to enable PWSA staff to identify the public records sought:

1. Type of record, e.g. resolution, meeting minute, permit, etc.
2. Approximate date of record, e.g. minutes of the Authority Board meeting of January, 2001. The approximate date of the record must be within three to six months of the actual date of the record. The PWSA cannot respond to requests which state that the record was created within a multi-year period.
3. If applicable, subject matter of record, e.g. dye testing ordinance, permit for specific property, etc.
4. If the requestor desires a written response or mailing of information, name and address to which the PWSA should address a response to the request.
5. Whether the requester desires to inspect or whether the requester desires a copy of the document. If the requester desires a copy of the document, specify the preferred media or format.

**The PWSA is not required to and will not compile lists, prepare summaries, or create documents that do not exist. The PWSA will provide access to and duplication of existing PWSA records which are public records under the Right-to-Know Law.**

**The PWSA recognizes its obligation to make public records available to any legal resident of the United States. The PWSA acknowledges that it may not deny a request for access to a public record on the basis of the intended use of the public record, and the PWSA will not require any person to disclose his or her purpose or motive in requesting access to a public record.**

## **II. CONSIDERATION OF REQUEST FOR INSPECTION OF PUBLIC RECORDS.**

The PWSA shall make a good faith effort to respond to any request for inspection and/or duplication of public records as promptly as possible. Unless circumstances prevent, the PWSA will respond to a written request for a public record within five (5) business days from the date it is received. Any request for a public record submitted within one hour of the close of business shall be considered received on the following business day.

If the requester has provided his/her name and address, the PWSA shall send written notice to the requester within five (5) business days from the receipt of the request if the PWSA determines that any of the following are applicable to the request:

1. The request requires a redaction of the record. Records will be redacted if they contain information which is not subject to public access as well as information which constitutes a public record.
2. The request requires retrieval of records stored outside of the PWSA office building.
3. The PWSA cannot respond due to a specific staffing issue. For example, the PWSA staff is limited, and if the PWSA Open Records Officer is on vacation it may not be possible to respond within five (5) business days.
4. The PWSA believes that it is necessary to consult with the PWSA Solicitor to determine whether the requested record is a public record under the Right-to-Know Law.
5. The requester has not complied with PWSA policies concerning access to public records.
6. The requester has refused to pay any applicable fee.
7. The extent or nature of the request precludes a response within the required time period.

If the PWSA cannot respond within five (5) business days to a request, the PWSA will provide the reason why response is delayed, estimated date by which it anticipates it may make its response, and an estimate of any fees.

If the requester desires to remain anonymous, the PWSA shall provide such information when the requester returns to the PWSA office.

### **III. FEES.**

Paper copies shall be 25 cents per page per side. The certification of a record is \$1 per record. Specialized documents including, but not limited to blue prints, color copies, and non-standard sized documents shall be charged the actual cost of production. If mailing is requested, the cost of postage will be charged. The PWSA shall require prepayment if the total fees are estimated to exceed \$100.

### **IV. RESPONSE TO REQUEST FOR A PUBLIC RECORD.**

The Right-to-Know Law does not require the PWSA to compile lists, prepare summaries, or create documents that do not exist. The PWSA will provide access to and duplication of only existing PWSA records which are public records under the Right-to-Know Law.

If the PWSA determines that the record requested is a public record, the PWSA will allow its inspection or will notify the requester that the record is available electronically through publicly accessible means, providing the internet address at which such record is available, or will provide a copy of the record in the format requested if the PWSA has the capability to produce such a format. If the PWSA does not have the capability to duplicate the public record in the format requested, the PWSA will provide a paper copy of the record. If the requester is unwilling or unable to access the record electronically, the requester may, within 30 days, submit a written request for a paper copy of such record.

If the PWSA informs the requester that copies of the requested records are available at the PWSA office and the requester fails to retrieve the records within sixty (60) days of the PWSA's response, the PWSA may dispose of the copies and retain all fees.

If the PWSA denies a written request to inspect and/or duplicate records in whole or in part, the PWSA shall provide a written denial. This written denial will identify the record and the specific reason for the denial of the request, including a citation to supporting authority. The written response shall also include the name, title, business address, business telephone number and signature of the Open-Records Officer who has denied the request, the date of the denial, and the procedure to appeal the denial.

### **V. APPEAL FROM DENIAL OF REQUEST FOR INSPECTION OR COPYING OF RECORDS.**

The Law provides that a requester who disagrees with a denial of his or her written request for inspection and/or duplication of records may file an appeal to

Commonwealth of Pennsylvania  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street, Plaza Level  
Harrisburg, PA 17120-0225

Pursuant to Section 1101(a) of the Law, the appeal must be in writing; must be filed within fifteen (15) business days of the date of the PWSA's response or date of a deemed denial; must state the grounds on which the requester asserts that the record is a public record; and must address any grounds stated by the PWSA in denying the request.