



Your Essential Connection

# Sacramento Valley Section

Established in 1980

October 3, 2002

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## Message from "Acting President"

The last board meeting was on September 20, 2002. The nominating committee has still not been successful in recruiting a candidate to become the new president of the local section. We need some help real soon. However, it is my understanding that Ed Klinenberg is moving back to the Sacramento Area soon. Perhaps Ed would like to finish out his original term.

At the board meeting we met with a number of the officers and program directors for the ASSE. The local section of AIHA and the local section of ASSE will have a joint meeting on October 28, 2002. Details are as follows:

## **BIG ANNOUNCEMENT!!!!!!!!!!!!!!**

### **Joint Meeting with ASSE, Monday October 28, 2002**

**Luau Garden Buffet**  
**1931 Zinfandel Drive (Highway 50 & Sunrise)**  
**Rancho Cordova, CA 95670**  
**(916) 852-6900**

- 10:00 – 10:15 Welcome and introductions, Morie Oberg, AIHA/SVS and Martin Jeppeson, ASSE**
- 10:15 – 11:00 Update on California Legislation and Case Law Affecting the Safety and Health Professional, Bill Collier, AIHA/SVS**
- 11:00 – 11:30 Cal/OSHA's Strategic Commitment including Newly Developed Recognition Programs, Herman Jett, CAL/OSHA Consultation**
- 11:30 – 12:00 Lunch**
- 12:30 – 1:00 Announcements and Other Items of Interest**
- 1:00 – 3:00 Managing the Workplace Safety Culture, Bill Jackson, Granite Construction Inc.**

**Cost is \$35. E-mail Reservations to Martin Jeppeson at [mjeppeson@earthlink.net](mailto:mjeppeson@earthlink.net) or [mcamero1@lanset.com](mailto:mcamero1@lanset.com)**

## Certification Maintenance Points

AIHA Certification Points are included here in response to recent questions 2001-2002.

3/14/01HP Field Tour  
0.5 #02-705

7/13/01 Practical and Legal  
Aspects of IAQ 0.5  
#16034

1/29/02 Recent Advances in  
Air Monitoring 1.0  
#02-674

2/21/02 IH Field laboratory  
0.5 #021199

3/21/02 Bloodborne  
Pathogens  
0.5 #02-1200

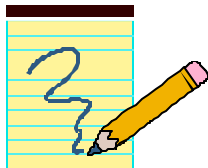
4/18/02 Sampling and  
Analytical Error  
0.5 #02-1201



Please send any address and  
e-mail updates to:  
[rockyone@pacbell.net](mailto:rockyone@pacbell.net)

**NOTE: We are going to an all  
electronic-newsletter  
distribution. Please provide us**

with your current e-mail address so we can keep you informed. There are a large number of Ex-members and would be members who are missing out because their information is not current.



## From Our Last Board Meeting....

The Board met on September 20, 2002. The following items were discussed:

**Activities: ASSE/IAHA Joint Meeting**

**Budget: We currently have over \$3500.00 in our bank account. We have paid CIHC for the year 2002.**

**We have been sending letters and e-mails out to around 120 listed members, ex-members and others. We have stopped sending either to former members as of June 1, 2002.- So take note and pay your dues.**

## OCCUPATIONAL HEALTH AND SAFETY DEGREE PROGRAM

California State University, Sacramento's Occupational Health and Safety program has been revised and expanded, effective Fall of 2002. In addition to offering a Bachelor of Science degree, the program will offer interested student the opportunity to obtain a minor in Occupational Health and Safety. The minor was developed for students interested in expanding their knowledge in the field of OH&S while completing an undergraduate degree in a related science or management related program.

Please contact Michael E. Nave at [menave@csus.edu](mailto:menave@csus.edu) or (916) 278-6306 if your organization is interested in obtaining additional information on:

- The Bachelor of Science or minor degree programs,
- Providing student internship opportunities within your organization, (there are about 7 or 8 possible individuals as of March 1, 2002) or
- Providing a student the opportunity to observe industrial hygiene personnel at work.

## **SUMMER RECESS WILL RESULT IN LOTS OF WORK**

Congress is currently in the middle of their annual “summer recess”, scheduled to return to Washington the first week of September, for what promises to be a very busy month. With not one of the thirteen annual appropriations bills enacted into law, the workload in September will be very heavy.

What is interesting in Washington is the talk about whether or not Congress will have to return for a “lame-duck” session following the November elections. The current schedule shows Congress hoping to adjourn for the year around October 4. Most believe this will be extended by at least a week or two. Then the November elections.

Insiders we talk to say that most likely scenario is that Congress will place all remaining appropriations bills, as well as a little “pork”, into one huge omnibus spending bill and pass it before they leave town. Insiders say the chances of having a session after November is remote due to the fact that with Congress currently split between Republican and Democrat, no one will want to come back for a lame-duck session if their party will be taking charge in January. Makes sense, but we will just have to wait and see.

## **SENATE APPROPRIATORS SET THE STAGE FOR LIKELY BUDGET BATTLE OVER FY03 LABOR-HHS FUNDING MEASURE**

The Labor-HHS appropriations bill, often the subject of intense partisan and congressional debate, was marked up in the Senate mid-July for funding in fiscal year 2003. Historically, this piece of legislation has been highly controversial, is usually the last appropriations bill to be enacted and plays out as a showdown between the Administration and Congress. This year will likely be no different.

In proposing its FY03 domestic spending plan, the Bush Administration presented Congress with a domestic budget which reflected the country’s wartime priorities—one dedicated primarily to homeland security. In so doing, federal agencies such as OSHA and NIOSH saw their proposed FY03 budgets significantly reduced. OSHA, which was funded in FY02 at \$442.9 million, received an approximate 6% reduction in funds for FY03 from the Administration--\$437 million. NIOSH fared slightly worse under the Administration’s proposed cuts—the Administration proposed to cut funding by almost 10%, to \$258 million for FY03. In FY02 the agency was funded at \$286 million.

At its July mark up of the FY03 Labor-HHS Appropriations bill, the full Senate Health, Education, Labor and Pensions Committee favorably reported out the spending measure, providing, and even restoring, funding to many federal agencies and programs falling within its purview. Occupational health and safety professionals will be pleased to learn the Senate restored funding to NIOSH and increased OSHA’s budget. The committee-passed measure provides level funding to NIOSH, which means that the agency will remain funded at its FY02 budget of \$286 million. OSHA received a \$26.1 million increase, raising its FY03 budget numbers to \$469 million.

These figures are by no means set in stone---the spending measure faces several legislative hurdles before it becomes law. The full Senate has not yet adopted the amended bill that will likely be a topic of heated floor debate—particularly if attempts are made to attach ergonomics legislation to it. Further, the House Labor-HHS Appropriations Subcommittee has yet to act

on its version of the bill. Reportedly, the chairman of that subcommittee, Rep. Ralph Regula, has signaled that the subcommittee will be “sticking to the Bush numbers” in terms of marking up its legislation. As they typically do, competing appropriations bills make for a contentious House-Senate conference. Stay tuned.

## **MOLD.....A GROWING PROBLEM IN CONGRESS?**

“Mold” was the subject of a congressional oversight hearing held July 18 before the House Financial Services joint Subcommittees on Oversight and Investigations and Subcommittee on Housing and Community Opportunity. According to Rep. Sue Kelly, chairwoman of the O & I Subcommittee, the purpose of the hearing was to “to begin the process of separating the “facts from the myth” surrounding the impact of mold infestation. Congress, she said, must “assess the true nature of the mold issue before rushing into legislative action.”

Although Rep. Kelly did acknowledge and express sympathy for those whose properties and health were jeopardized by mold infestation, she said that numerous medical experts have emphasized that mold cannot be directly linked to so many of the serious medical conditions for which it has been blamed. She, in turn, called for the development of “better scientific standards and safety education.”

With respect to the Democrats’ viewpoint, mold infestation is a real problem to property and to

Americans’ health. Speaking on behalf of the minority, Ranking member Guitierrez did not go so far as to insist that there be government guidelines or standards set for mold toxicity but he did make a vehement point of raising the issue. He did, however, go on the record as saying that homes should be insured for mold.

According to one witness, Dr. Stephen Redd, Chief of the CDC’s Air Pollution and Respiratory Health Branch/National Center for Environmental Health, the CDC is currently conducting several studies on mold and its effects on health, primarily in school and occupational settings. Notably, he mentioned that the CDC is funding the IOM to evaluate the relationship between damp, moldy indoor environments and adverse health effects. Under the effort, the IOM is to conduct a comprehensive review of the scientific literature focusing on respiratory/allergic symptoms. Ultimately, the IOM report will include recommendations and/or suggest guidelines for public health interventions and future research. Completion is expected in the fall of 2003.

Noting that there were “gaps” in the scientific knowledge of mold, Dr. Redd outlined for the subcommittee the CDC’s ongoing efforts to develop an agenda relative to research, service and education on molds. The results of these efforts he told the subcommittee, will hopefully allow the CDC to: make recommendations for reducing mold contamination; identify environmental conditions contributing to mold exposure; and, assist state and local health departments to investigate mold exposures.

In his written and verbal testimony, Dr. Redd raised a key point in the toxic mold debate: that it is virtually impossible to specify either a safe or dangerous level at which mold becomes “toxic” at the present time.

Another witness on the panel, who was as equally impressive in terms of his background and knowledge of the subject matter, was Dr. Howard Sandler who has previously worked for/with NIOSH and OSHA and has served as a consultant with NYC to help them establish mold guidelines.

He essentially had three recommendations for the subcommittee: 1) use the “right” definition when relating to the mold issue. Not all mold is indeed, “toxic.” Toxic mold is more of a media term and can induce hysteria. 2) If PELs are to be set, they should be established by specific mold species, chemical by-product and related health effect and, 3) Congress should provide for the adequate for studies to develop sound science on the mold issue before enacting any potentially short-sighted legislation.

Interestingly, Rep. John Conyers, sponsor of the federal toxic mold legislation, is not a member of either subcommittee but chose to sit in on the joint subcommittee hearing, presumably to garner additional input for his bill. That legislation, H.R. 5040 has been referred to four separate congressional committees for consideration. Although it is not likely that the bill will receive much congressional attention this year, AIHA is currently reviewing the legislation and working with Rep. Conyers’ staff regarding our interests relative to the issue.

**SENATE SMALL BUSINESS  
COMMITTEE PASSES SMALL  
BUSINESS REGULATORY  
ASSISTANCE LEGISLATION**

As previously reported, the Senate introduced its version of the National Small Business Regulatory Assistance Act back in early May. Like the House-passed bill, S. 2483, which was introduced by Sen. Max Cleland, establishes a four-year pilot program to provide a low-cost process to assist small business with

voluntary compliance with federal regulations. The Senate bill also adds privacy protections for small businesses that use SBDC counseling services.

Just prior to the August recess, the full Senate Small Business Committee marked up and favorably reported out S. 2483. Two major changes to the legislation included revamping the funding formula for the pilot programs and allowing for the participation of more states in the programs.

S. 2483 retains provisions offered by AIHA during House consideration of its bill. One provision stipulates that only individuals with the proper technical expertise and/or formal training and certification be authorized to provide training and assistance to small business. The other directs the SBA administrator to develop technical, education and professional competency standards for contracting with a Small Business Development Center. AIHA was also successful in having language included in the House committee report on the legislation that establishes congressional intent.

Efforts are currently underway between AIHA and Senate Small Business Committee staff to include committee report language, similar to that which was submitted to the House for consideration.

**FEDERAL LEGISLATIVE ACTION CENTER**

For more information on federal legislation, visit the AIHA Federal Legislative Action Center within the members-only section of the AIHA web page.

Members are able to follow all federal legislation of interest to AIHA. This includes access to legislation by subject matter, legislative text, current status of the legislation, and AIHA position. Members also have access to a directory of all elected officials and senior agency personnel and can send e-mail messages to their elected officials indicating support or opposition on any piece of legislation or simply find the address and telephone number of specific offices.