



Your Essential Connection

Sacramento Valley Section

Established in 1980

December 29, 2003

2004 Officers and Directors

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Message from the Incoming President

Thank you for your measures of support for my becoming your section President. I will be attending the AIHA National Leadership Conference in Falls Church, VA from January 23-25, 2004. Please let me know of any of your concerns with AIHA/SVS and National AIHA. Our January 15, 2004 meeting will feature Steve Davis who will talk on "Building Construction and Mold Investigation". Steve Davis along with his wife Chris Lasziz-Davis were instrumental in helping us to form our local section over 20 years ago.

Forensic Analytical will be doing a mini-presentation on "Mold Sampling and Analysis" before lunch and beginning at 11:15 AM. This will give you 15 minutes beforehand to register and pay your 2004 local section dues.

New officers and board members will be meeting before the January 15, 2004 meeting beginning at 10:00 AM. Please pass the word around regarding our meeting on January 15, 2004 meeting and encourage prospective members to attend. Your new board is still looking for a local section Secretary. The individual must be a member of national AIHA. One of our major goals for 2004 will be membership development. We are looking for a volunteer for this position who will report to the new Secretary. I am hoping that we can double our membership this year. Because of limitations on everyone's time we are hoping to divide the work of the local section as much as possible.

Again thank you for your continued support.

Morie Oberg

January 15th Meeting

BUILDING SYSTEMS AND MOLD INVESTIGATIONS

There has been a veritable tidal wave of mold litigation in the last 4 - 5 years. Most of the litigation involves "construction defects" and health claims. Investigation methods and remediation plans vary significantly from consultant to consultant. Mr. Davis will present some of the more well established investigation methods and relate them to EPA and New York City Guidelines. Construction processes and building systems will be examined as a guide to a better understanding of mold issues. Real world mold problems, investigations and solutions in a wide variety of facilities will also be presented. There will be ample time for questions and answers. See the registration form on the [Section web site](#) for location details.

PAY DUES FOR 2004. SEE [WEB SITE](#) OR CONTACT STEVE SMITH FOR DETAILS.



Please send any address and e-mail updates to:
[Steve Smith.](#)

NOTE: We are now doing 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.

Treasurer's Report **Mark Cameron, CIH**

There will be a full accounting after the end of the year, but we started this year with \$ 3,675.33 and, as of December 1st had \$ 3,177.11 in the account.

Cal OSHA Programs Update **Steve Smith, CIH**

Response to the Southern California Fires. Several Cal/OSHA staff were involved in providing health & safety assistance in response to the wildfires that spread through several Southern California communities. The recovery efforts from those fires will be going on for some time and require our continuing involvement to ensure that recovery workers are properly protected. If you need more information on those ongoing activities you can contact Jack Oudiz at 916-574-2516 In addition to the field activities, several of our headquarters staff including Deborah Gold and Bob Barish have developed fact sheets and web pages to give health and safety updates on the fire. For the latest postings here is the main fire information web page that is linked to both the Division and Department websites: www.dir.ca.gov/DOSH/Fire_Announcement.html

Cotton dust sampling. Consultation staff recently got a request to sample for cotton dust at an institution that makes mattresses from new and recycled cotton bedding material. To sample for cotton dust they had to use the vertical elutriators that were last used extensively in the 1980s when the cotton dust standard was first adopted and Cal/OSHA did some statewide sampling studies. If you want further information on the sampling method and results contact Rick Ullerich in the Oakland Consultation office at 510-622-2891.

Log 300 Hearing Loss Column. A new column to record hearing loss will be added to the Log 300 form in 2004. The current Log 300 requirements are available on the CAL/OSHA recordkeeping website. The website includes Employer Records of Occupational Injury and Illness forms, FAQs, features, and recent regulatory changes. To access this site, go to www.californiaosha.info. The R&S Health Unit contact for questions about the Hearing Loss additions to the Log 300 requirements for 2004 is Bob Nakamura (415-703-5160)

AC Pipe Training Approval regulation. New section 341.17 was added to Title 8 in October and allows training providers and asbestos cement (ac) pipe contractors to apply to the Division for approval of their ac

pipe training courses. Once approved, any employer who provides that training does not need to register as an asbestos contractor in order to remove and install ac pipe as specified in section 1529. For more information on the new training approval requirements contact Rick Axe at 916-574-2993 or see following website: <http://www.dir.ca.gov/dosh/AsbestosTraining.html>.

Proposed Title 8 Health Standards Under Development. The Research & Standards Health Unit in San Francisco is working on several potential changes to Title 8. Here is a list of some of the more significant rulemaking projects and the R&S staff person you can contact if you would like more information:

The Section 5155, Airborne Contaminants Advisory Committee will meet next on January 9th to consider new and revised PELs including Quartz and 1-Bromopropane. If you have sampling data on these substances that maybe of interest to the PEL revision process contact Bruce Wallace at 415-703-5165.

The following website lists other Division Advisory Committees and the person to contact for more information: http://www.dir.ca.gov/dosh/DoshReg/advisory_committee.html

AIHA Government Affairs Update

Aaron Trippler, Director, Government Affairs
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The Government Affairs Department of the American Industrial Hygiene Association (AIHA) has launched a State Activity Action Center as part of the members only section of the AIHA website, www.aiha.org.

The new Action Center allows members to access up-to-date reports on occupational and environmental health and safety related legislative and regulatory activity in each state, simply by clicking on a map. Each state's activity report will be updated weekly with any news that is available. Links are also offered to each state's home page, state legislature website, governor's website, and OSHA state plan website (if any), as well as to any title protection or professional recognition laws currently in effect in that state, to make it easy for members to find the information they need on what's going on in their state.

The Action Center also features comprehensive summaries of mold-related legislative activity in 2003 and planned for 2004, a summary of professional recognition and title protection status by state, and model title protection legislation for both the industrial hygiene and safety professions.

The State Activity Action Center complements the Federal Legislative Action Center, also in the members only section of www.aiha.org. Through the Federal Legislative Action Center, AIHA members are able to monitor all federal legislation of interest to AIHA. Members can access legislation by subject matter, legislative text, current status of the legislation, and AIHA position on the legislation. The Federal Legislative Action Center also includes a directory of all elected officials and senior agency personnel. With only a few clicks, members can send e-mail messages to their elected officials indicating support or opposition to any piece of legislation or simply find the address and telephone number of specific offices.

To explore the State Activity Action Center and the Federal Legislative Action Center, visit www.aiha.org and click on "Members Only." Log in with your member number and last name, and then click on "Government Affairs." If you have any difficulty logging in, please contact AIHA Customer Service at (703) 849-8888.

A QUICK LOOK AT 2003 LEGISLATIVE ACTIVITY-

As 2003 nears an end, it's time to take a quick look at some of the issues affecting occupational health and safety that are being followed by AIHA:

Federal

The first session of the 108th Congress is still not complete, but the end is in sight. While the session was to have ended in October, Congress remained in session to debate issues such as Medicare reform, prescription

drugs for seniors, the war in Iraq, and several other important issues. All of this resulted in Congress not finding time to adopt the fiscal year 2004 appropriations bill (which was supposed to take effect on October 1).

Now, as we approach the holidays, Congress is expected to come back one more time and see if they can get this measure through. Continuing resolutions have been adopted on several occasions to keep the government operating, and one wonders if they can agree on a spending measure or if the government will operate the entire year on a continuing resolution.

Appropriations –

Six of the 13 spending bills have been enacted, with the remaining six wrapped into an “omnibus spending bill”, including appropriations for the Department of Labor (OSHA and MSHA). The House-Senate conference agreement on OSHA spending has been concluded, but this is such a small amount within the entire Labor bill that anything can happen.

As things now stand, OSHA is to receive \$461 million for fiscal year 2004. This is an increase of almost \$10.5 million over fiscal year 2003 spending levels. The breakdown on major areas (with approximate dollars):

	2003 Dollars	2004 Dollars
Federal Enforcement	\$163 million	\$167 million
Safety and Health Standards	\$16 million	\$16 million
Training Grants	\$11 million	\$11 million
State Programs	\$95 million	\$93 million
Safety and Health Statistics	\$26 million	\$22 million
Technical Support	\$20 million	\$22 million

MSHA would receive a small cut under the conference agreement, reduced from \$273 million to \$271 million.

Legislation –

On the legislative front, there was considerable activity with little result. AIHA is monitoring approximately 30 legislative measures and has either provided comments or taken positions on most of these. Those of most interest:

OSHA Reform. Rep. Charles Norwood has introduced nearly half a dozen measures that would amend the OSH Act in various ways. None of these measures has been enacted and hearings have only been held on one of the measures.

Other OSHA. There are several other measures that would amend the OSH Act, ranging from expanding OSHA to state and local government employees and a measure that would increase penalties for willful violations.

Mold. Rep. Conyers measure that would address the issue of mold has 29 co-sponsors, but has not been introduced in the Senate and no hearings are scheduled.

EPA. There are several bills that would impact EPA. Measures to elevate EPA to cabinet-level status remain stalled. There are also measures that would reestablish the Office of Noise Abatement and create a new Deputy Administrator of Science and Technology. No activity on these measures.

Homeland Security. Nearly a dozen measures have been introduced addressing homeland security. Many of these are being monitored by AIHA because of possible impact on the IH profession in response and training areas.

Small Business. AIHA continues to hope a small business measure will pass that would assist small business in complying with federal regulations. AIHA has been heavily involved in this measure and the bill has passed the House and awaits action in the Senate.

State

Only one word could summarize AIHA state legislative activity in 2003 – MOLD!

From the beginning of the year right to the end AIHA followed this issue in more than half the states.

When all was said and done, 3 states enacted legislation that would require licensing of individuals involved with mold. Texas legislation would require licensing of individuals involved in mold assessment and mold remediation. The rules for this licensing are being drafted and are expected to be open for public comment by the end of the year. Louisiana requires licensing for individuals involved in mold remediation and Arizona requires individuals to be licensed if they conduct mold inspections.

Several other states enacted legislation creating task forces to take a closer look at the issue. Illinois, Tennessee, Georgia and Oklahoma are cautiously looking at the issue. AIHA national provided testimony in Georgia and Oklahoma this month and AIHA was also represented at meetings in Tennessee.

2004 is expected to be a very busy year for mold legislation. Five states have 2003 legislation that carries over to 2004 and we have already seen one new licensing bill pre-filed for the 2004 legislative sessions.

International News

A couple of items to pass along on the international front. Canada has now enacted a law that holds corporations and/or executives criminally accountable for worker health and safety. While AIHA has not reviewed this new law in detail, we believe it is similar to the Oxley-Sarbanes Act that was enacted in the U.S.

Also in Canada, Alberta's new Occupational Health and Safety Code will ensure that workplace safety rules are in step with new developments. The Code consolidates all existing technical requirements into a single document and provides additional protection as part of the government's commitment to reduce workplace injuries by 40 percent.

In Memoriam - Alan "Rocky" Rockswold **Ed Bartosh/Bill Collier**

Our friend and long-time member (and past section president and director) Rocky Rockswold passed away on Friday November 14th at 2 AM. There was a memorial service at the Ascension Lutheran Church on Monday, November 17th. The family felt donations to the American Cancer Society in his name would be greatly appreciated. The members at the December meeting voted to make a donation in his name. He will be missed.