



Sacramento Valley Section



Established in 1980

April 2006

2005 Officers and Directors

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MESSAGE FROM THE PRESIDENT

Greetings everyone,

Hope everything is going well with everyone. We have an upcoming meeting on April 13 at the Prison Industry Authority Showroom. This will be a joint meeting between the Sacramento Section and the Sacramento Ergonomic Roundtable group. The meeting should be pretty interesting. For those of you not familiar with the State system, state agencies are required to purchase furniture from PIA. PIA uses inmates to build and assemble chairs and furniture. Representatives from PIA will be there to explain the process and they will also have a professional ergonomist to go over evaluations. Even if you don't work for the State it will be interesting to see the role of inmates and products that are produced. You will also be able to demo the final products. We may also get to learn of the industrial hygiene exposures that the inmates encounter during production. Hope to see you there. The space is limited so be sure and sign up quickly. The Ergo Roundtable group will also be signing up at our website. The cost is only \$10 for SVS members.

As a reminder, the remainder of this year's meetings are listed in the calendar of events. Mark your calendars. We will be lining up the speakers and sending out messages to you.

Thursday, April 13, 2006

Office Ergonomics

See you soon,
John

Presented by Carol Ann Beck of the Prison Industry Authority. Did you know that state agencies are required to purchase furniture that is made by or assembled by prison inmates? Come and learn how the process is taken from design phase to the final product. We will be meeting in the actual showroom and will have the opportunity to demo much of the equipment. There will also be instruction on how to conduct ergo evaluations and chair adjustments. See you there...

See <http://www.aiha.org/localsections/html/SVS/calendar.htm> for meeting details.

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Future Sacramento Valley Section Meetings- (for you to reserve the dates...)

June 8th, Subject and location to be announced

September 14th, Subject and location to be announced

April 2006 Treasurer's Report

By **Steve Smith, CIH**



SVS Income and Expenses. The January 19th local section meeting featured Capt. Alvin Chun talking about Risk & Crisis Communication and was attended by 9 members. The \$180 income from those 9 attendees covered the speaker's cost and lunch expenses of \$106. The February 9th local section meeting featured Chuck Felland with TSI talking about Indoor Air Quality and was attended by 11 members and 2 non-members. The \$250 income from those 13 attendees covered the speaker's cost and lunch expenses of \$160.

2006 Membership. From January to March, 35 members renewed their membership for 2006 for a total of \$1050. A majority of that membership dues income will go to paying our local section's support of CIHC, which we anticipate will remain at \$25 per member. We still have 21 past members have not yet renewed their membership for 2006. For those of you who have not yet renewed, the dues remains at the same level \$30 since 2003. If you are not sure you have renewed your membership for 2006 check the roster on our website (<http://www.aiha.org/LocalSections/html/SVS/members/svs-members.asp> password: XXXXXXXX) to see if you have a '2006' listed after your name. You can also check to see if the roster has the correct or verify you contact information.

Thanks,
Steve

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.

CIHC Report

by **Ed Klinenberg**

On March 22, 2006 your CIHC Board met in Sacramento. A variety of issues were discussed including a review of carryover and new bills in the California Legislature. A total of 31 bills were selected for monitoring and further action (if applicable). These bills covered the spectrum of occupational and environmental health topics ranging from proposed ozone emission standards for indoor air cleaning devices to depleted uranium (DU) screening for California Veterans potentially exposed to DU during combat tours. Additionally, the CIHC Board has been asked to review and comment on the widening pay gap with Cal-OSHA Safety Engineers and Industrial Hygienists and provide "good science" advice to the California Occupational Safety and Health Standards Board

(especially regarding sensitizer and California PELs). Finally, preparations are well underway for the CIHC Conference to be held in San Diego on December 4-6, 2006. It should again be an informative and fun time for all. Please mark these dates on your calendar!

Jobs

California Industrial Hygienist Positions

California often has job openings for Industrial Hygienists. Check their web site at:

http://www.spb.ca.gov/employment/search_p.cfm?classcode=3855	Assistant IH
http://www.spb.ca.gov/employment/search_p.cfm?classcode=3856	Associate IH
http://www.spb.ca.gov/employment/search_p.cfm?classcode=3852	Senior IHs
http://www.spb.ca.gov/employment/search_p.cfm?classcode=3841	Supervisory IHs

Other Training Opportunities

APRIL

Thursday, April 13th, 2006, AIHA SVS Meeting. "Office Ergonomics", by Carol Ann Beck of the California Prison Industry Authority. Please see our calendar for additional details when available at

<http://www.aiha.org/localsections/html/SVS/calendar.htm>

Wednesday, April 26, 2006, UCLA-LOSH "8-Hour Refresher HAZWOPER". Additional details at

<http://www.scaiha.org/courses.htm>

MAY

May 13-16, 2006, AIHce 2006 in Chicago: AIHce provides a forum to learn, to stretch your mind, to rejuvenate your skills. Sessions are designed for OEHS professionals, like you, looking for knowledge and practical ideas to solve everyday problems. Additional details at

<http://www.aiha.org/Content/CE/aihce/aihce.htm>

May 13-16, 2006, VENT 2006 in Chicago: Practical Applications of Ventilation for Emission and Exposure Control. . Additional details at

<http://www.aiha.org/aihce06/vent2006.htm>

JUNE

Thursday, June 8th, 2006, AIHA SVS Meeting. Topic and location to be announced Please see our calendar for additional details when available at

<http://www.aiha.org/localsections/html/SVS/calendar.htm>

AIHA "Happenings from the Hill"

(From the February and March editions)

President Announces 2007 Federal Budget

President Bush has released his 2007 budget request and numerous programs will be on the chopping block, others reduced in size, and a lucky few will receive increases.

First, let's take a look at what has been requested for OSHA. The President's 2007 proposal calls for a little more than a 2 percent increase in total dollars. Most of the increase is slated to go to federal enforcement, as well as safety and health statistics. One area taking a hit would be the elimination of the Susan Harwood training grants (\$10.1 million). However, the President has attempted to eliminate these grants each year and Congress has overruled this request and funded the grants every year. If Congress again funds these training grants (which I expect it to do), then OSHA would receive an increase of more than 4 percent. I have no doubt that many agencies would take a 4 percent increase with no questions asked.

A look at the 2007 proposed budget for OSHA as compared to 2006 (Dollars in Millions):

	FY 2006	FY 2007	Change
Safety and Health Standards	\$16.5	\$16.9	\$0.4
Federal Enforcement	172.6	179.9	7.4
State Programs	91.1	91.1	-
Technical Support	21.4	22.4	1.0
Federal Compliance Assistance	72.5	76.6	4.0
State Consultation Grants	53.4	53.4	-
Training Grants	10.1	-	(10.1)
Safety and Health Statistics	24.3	32.3	8.0
Executive Direction and Administration	10.6	11.2	0.6
Total, OSHA Budget Authority	\$472.4	\$483.7	\$11.2

Other Agencies Not So Lucky In 2007 Budget

Things aren't quite as rosy at some of the other agencies of particular interest to AIHA.

For the Environmental Protection Agency, the President has proposed a 2007 budget of \$7.3 billion, a decrease of \$300 million from the \$7.5 billion appropriated in 2006. Some good news in the budget showed an increase in operating program spending.

At the Centers for Disease Control and Prevention, the total also doesn't look so good. CDC is projected to receive \$5,809 billion in 2007 – a decrease of \$367 million over the 2006 budget.

And finally, over at NIOSH, the budget is also slated for a slight decrease from \$255 million to \$250 million. However, AIHA is confident that in the end NIOSH will receive a small increase as AIHA and other stakeholders work to ensure adequate funding for the nation's only research arm for occupational safety and health.

OSHA and MSHA Nominations Move Forward

We're not there yet, but we are getting closer! That's the word on the nominations of Edwin Foulke to head up OSHA and Richard Stickler to head up MSHA. The Senate Health, Education, Labor and Pensions Committee approved the nominations on March 8 and will now send the nominations to the full Senate for what is expected to be confirmation. However, things aren't always easy. While Mr. Foulke's nomination was approved unanimously by the Committee, the vote on Mr. Stickler was split along party lines with the Democrats voting to oppose the nomination and Republicans voting to approve it.

So when will we have a full-time Assistant Secretary of Labor for OSHA? This all depends on when the nomination gets sent to the Senate and when a full Senate vote is taken. Whether or not this can get done in the next week remains to be seen. Following next week, Congress is scheduled to take a week off for District work, not returning until March 27. In a meeting at OSHA earlier this week, AIHA was told that they expected Foulke to be on board around the end of the month.

Safety and Health Review Commission Nomination on Hold

Unfortunately, the Occupational Safety and Health Review Commission will have to go a little while longer without a third Commissioner. Senator Kennedy requested additional time to consider the nomination of Horace "Topper" Thompson and Senator Enzi withdrew the nomination for the time being. The Review Commission has been without a third commissioner for several months resulting in what is becoming a backlog of cases.

Foulke Provides Hint of Role of OSHA

Following the confirmation hearing for Edwin Foulke to be the next Assistant Secretary of Labor for OSHA, Mr. Foulke was asked to provide answers to specific questions posed by Senator Kennedy. Some of the answers to these questions provide a little more insight into what kind of OSHA administrator Mr. Foulke might be.

Regulatory Agenda

While not being specific on what health and safety standards OSHA would tackle, Mr. Foulke did state that he would examine the regulatory agenda to identify opportunities to improve worker protections. The goal would be to look at the hazards that cause the most injuries and determine if the standards are unclear or outdated.

Permissible Exposure Limits (PELs)

Several years ago, Mr. Foulke testified before a Congressional Committee on behalf of the US Chamber. In his testimony he offered support for OSHA to update the PELs. While many felt this testimony was more in line with what the Chamber wanted, Mr. Foulke has now stated that he will carefully examine this issue to improve protections for workers. He stated that he has in the past supported efforts to update the PELs, particularly where there is consensus among stakeholders.

Ergonomics

As expected, Mr. Foulke did not come out in support of an ergonomics standard, but rather supported the continuation of development of ergonomics guidelines. He also stated that OSHA has a clear responsibility to enforce the General Duty Clause and he would continue to cite employers for ergonomic hazards where action is warranted.

Immigration “Sting”

Mr. Foulke also was very clear that he would do everything in his power to prevent the use of safety-related “sting” operations.

Immigration Issue Still Being Debated

The issue of the whether or not the Immigration and Customs Enforcement Bureau (ICE) will continue to conduct “sting” operations by posing as OSHA personnel is still receiving considerable discussion around Capitol Hill.

Following news that ICE announced they would continue to conduct these operations, AIHA, ASSE and several other stakeholders immediately jumped on the issue and submitted strong letters to the Department of Homeland Security and OSHA opposing such actions. The Department of Labor and OSHA also confirmed their opposition to such tactics.

Then last week, ICE officials announced that these operations would only be conducted with the full coordination of OSHA and approval of “higher ups” in the government. That would tend to make one feel that these operations will not continue since OSHA has already announced their opposition.

But the interest doesn’t stop there! Earlier this week AIHA received a call from Congressional staff wanting to know the complete background on this issue. Seems that at least one Congressional Committee may take a look at the whole issue of immigration and this “sting” operation is of considerable interest. AIHA provided staff with a chronological summary of the entire issue.

Hex Chrom Rule Finalized – But a Long Way from Taking Effect

With OSHA having finalized the Hexavalent Chromium Rule the end of February, the third part of this equation must now be played out. First we had the court order requiring OSHA to finalize an updated rule. Second, we had OSHA complete the rule and announce the new exposure limits. Now, we will undoubtedly have the next round of lawsuits.

Word is that nearly everyone is unhappy with the exposure limit proposed in the final rule. Public Citizen, the group that filed the original lawsuit, has announced the new limit is way too high. Several industry stakeholders have announced the new limit is way too low. Both sides have indicated there will likely be lawsuits filed.

To top it off, the effective dates on the new rule are all over the place. The final standard will be effective on May 30, but the “start-up date” for the rules provisions – except engineering controls – will be November 27. For employers with fewer than 20 employees, the start-up date will be May 30, 2007. The engineering control provisions will not be effective until May 31, 2010. You got all that!

New House Committee Chair Overseeing OSHA

With the election of Rep. John Boehner to become the House Majority Leader, the House Education and the Workforce Committee had to seek out a new Chairman. Chosen to lead the Committee is Rep. Howard “Buck” McKeon of California. Remember, this is the full House Committee. The House Subcommittee is still chaired by Rep. Charlie Norwood.

Little is known of Rep. McKeon’s’ specific views on occupational health and safety; however a spokesperson for Rep. McKeon says that while he has little OSHA-related experience, he has stated that he will “reduce regulation”. We’ll have to wait and see how this plays out!

A Good Idea to Improve Health and Safety

Every once in a while, a good idea is turned into action. Workers in the state of Washington are required by a state law to report work-related accidents immediately to their employer. Unfortunately, most of the don't know it, so Washington's Department of Labor and Industries has created wallet cards employers can fill out and give to their workers.

State Activity on the Upswing

To give you an idea of the involvement of AIHA government affairs in state legislative activity, take a look at this summary of activity from January 1 through February 28:

- 32 states in legislative session
- 52,790 legislative measures introduced in these states
- Of this amount, 1,213 bills with AIHA "keywords", signifying possible interest
- From these 1,213 bills, 73 were of specific interest to AIHA
- 96 reports were sent out to 27 different states monitoring these 73 bills
- AIHA national submitted comments on 16 different state measures
- National received a request for assistance on legislative/regulatory issues from 10 states

A quick look at the major activity:

Mold – 13 States, more than 30 bills, addressing the issue of mold analysis and remediation. Several of these measures would put licensing requirements in place for individuals involved in either inspection or remediation activities.

Methamphetamine Laboratory Cleanup – 12 States, more than 20 bills, addressing the issue of methamphetamine laboratories and/or the cleanup requirements for these labs. In addition to the legislation, AIHA has submitted comments on pending regulations in one State and is reviewing the guidelines recommended in several others.

Ergonomics – The only activity with ergonomics remains in the State of Michigan. In late January the legislature enacted legislation that would prohibit the State from enacting any ergonomics standard or spending any dollars on developing a standard. But the issue doesn't stop there. Governor Jennifer Granholm must still decide whether or not to sign the legislation or veto the bill. As of early this week, the odds were leaning in the direction of a veto. If that occurs, the bill would go back to the Legislature where they would have to decide whether or not to override the veto. If this occurs, it is unlikely that a veto could be overridden. All of this means "back to square one". A Michigan steering committee continues to work on a draft ergonomics standard for the State.

On the international level, the Ontario Ministry of Labour recently announced a campaign of increased inspections and education to promote awareness of ergonomics injuries. The government has announced a commitment to reduce workplace injuries by 20 percent by 2008, with a focus on ergonomics injuries.

STATE STATUTES AND THE RECOGNITION OF THE PROFESSION OF INDUSTRIAL HYGIENE

AIHA Government Affairs is pleased to announce the results of a major research project involving the IH profession.

Over the course of the last several years, countless individuals have asked the question “Why isn’t the professional of industrial hygiene recognized in more laws and regulations?” A fair question! Nonetheless, before we seek to have the profession recognized in more places, we first have to determine where we are already recognized. Does anyone know who we are?

That was the purpose behind this first-ever look into State statutes and regulations and recognition of the profession of industrial hygiene.

In conducting this research, AIHA Government Affairs staff attempted to review every state law and regulation, compiling a listing of those laws and regulations where the profession was defined, recognized and/or protected.

In conducting the research, the following terms were chosen for reference:

ih	-	industrial hygiene
IH	-	Industrial Hygienist
IHIT	-	Industrial Hygienist in Training
CAIH	-	Certified Associate Industrial Hygienist
CIH	-	Certified Industrial Hygienist
AIHA	-	American Industrial Hygiene Association
ABIH	-	American Board of Industrial Hygiene
ACGIH	-	American Conf. of Govt. Industrial Hygienists
Labs	-	AIHA Laboratory Program Terms
Other	-	i.e., OHST, CHST

Searching State laws turned out to be much more difficult than originally expected. Notwithstanding today’s access to the internet, we found that not every State provided internet access to the statutes. In addition, many times it was not possible to “search” the statutes for specific terms; the only possible way to search for IH references was to search each statute individually – such a time-consuming task that it was not always possible.

Searching State regulations was even more difficult than searching the statutes. Several States do not offer internet access to State standards, rules and regulations. Others only allow for a “search” to be conducted within the individual regulation. With tens of thousands of regulations this too became almost impossible.

Upon finding a reference to the profession, sections of the statute or regulation have been provided to assist in learning more about the specific statute or regulation.

It is estimated that perhaps upwards of 10 percent of the statutes and regulations may have been overlooked when conducting this research. However, I am confident that the research presented here is the most complete look at the profession of industrial hygiene ever conducted.

The Results - Following, you will find a summary of the references found in state statutes and regulations. For a look at each of the statutes or regulations, by state, you must go to the [AIHA web site](#), members’ only section, government affairs, and then look under the state activity center.

After reviewing, should you be aware of additional statutes or regulations referencing the profession of industrial hygiene, please contact AIHA government affairs so the reference may be added.

STATE STATUTES

SUMMARY

- 38 – States with statutes containing at least one reference to one of the terms
- 25 – States with statutes that fall within the terminology of what could be called “professional recognition” for the profession. The individual statute must contain a legal definition of one of the terms.
- 19 – States having enacted some form of the AIHA “model legislation” for professional recognition
- 16 – States having enacted what could be referred to as “title protection” for specific titles within the profession

Statutes

- 82 – Number of statutes containing references to the profession
- 677 – Number of references to the profession within the statutes
 - 171 – industrial hygiene
 - 71 – Industrial Hygienist
 - 74 – Industrial Hygienist in Training
 - 23 – Certified Associate Industrial Hygienist
 - 160 – Certified Industrial Hygienist
 - 6 – American Industrial Hygiene Association
 - 87 – American Board of Industrial Hygiene
 - 4 – American Conference of Governmental IHs
 - 4 – AIHA Laboratory Program
 - 77 – Other

Comment: It should be noted that of the 677 references to the profession of industrial hygiene, 616 of these references are found in statutes that have been enacted creating professional recognition/title protection.

STATE REGULATIONS (Rules and Standards)

SUMMARY

- 43 – States with regulations containing at least one reference to one of the terms
- 31 – States with regulations that fall within the terminology of what could be called “professional recognition” for the profession. The individual regulation must contain a legal definition of one of the terms.

Regulations

- 150 – Number of individual regulations containing some reference to the terms of the profession
 - ✓ 28 – Lead
 - ✓ 22 – Asbestos
- 712 – Number of references to the profession with the regulations
 - 259 – industrial hygiene
 - 150 – Industrial Hygienist
 - 10 – Industrial Hygienist in Training
 - 0 – Certified Associate Industrial Hygienist
 - 140 – Certified Industrial Hygienist
 - 21 – American Industrial Hygiene Association
 - 46 – American Board of Industrial Hygiene
 - 27 – American Conference of Governmental His
 - 5 – Other

Comment: In addition to the above references, many States have guidelines, informational documents, etc., that include reference to the profession of industrial hygiene. It would not be overstating to say that there were literally thousands of references to the profession found in these documents.

Comment: Every attempt was made to do a thorough research of State regulations; however, because of the difficulty in search criteria found within each State, it is estimated that at least 10 percent of regulations could not be searched.

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