



January 31, 2018

Recommendations on “An Act To Implement a Regulatory Structure for Adult Use Marijuana” (Emergency) (LD 1719 [HP 1199])

Dear Representative Teresa Pierce and Senator Roger Katz:

On behalf of the American Industrial Hygiene Association®¹, please see the following recommendations concerning LD 1719 “An Act To Implement a Regulatory Structure for Adult Use of Marijuana”. As you review our comments and consider how we might be of service, please keep in mind that AIHA and our members have a reach that extends to millions of people, and we have solid credibility that is built from 78 years of service to the occupational and environmental health and safety community. Specifically, AIHA has 8,500 members who represent a cross-section of industry, private business, labor, government, and academia. We have 68 Local Sections that meet regularly throughout the United States, and more than 50 volunteer groups. We also have formal and informal partnership agreements with governmental and nongovernmental organizations that represent the full spectrum of worker health and safety vocations. In addition, we have several award-winning publications, a strong social media presence, and host conferences where thought leaders from a variety of industries gather to share new information and answer practical questions on specialized health and safety topics.

1. Require an industrial hygienist to review plans related to occupational and environmental health and safety, and, as applicable, marijuana manufacturing and/or extraction methods of all facilities.

As currently written, LD 1719 only requires an industrial hygienist (IH) or professional engineer (PE) to review a facility’s storage, preparation, electrical, gas monitoring, fire suppression and exhaust systems if a facility intends to engage in marijuana extraction. AIHA strongly believes that all aspects of a facility’s plans should be designed with worker health and safety in mind. Accordingly, we believe this bill can be improved by adding in a requirement for an IH to review plans related to occupational and environmental health and safety (OEHS), and, as applicable, marijuana manufacturing and/or extraction methods of all facilities.

2. Require the licensee to incorporate all recommendations from the review of the industrial hygienist or professional engineer into the facility’s plans.

Building on our recommendations under **1**, we suggest adding a new provision to this bill that requires a licensee to incorporate all recommendations from the review conducted by an IH or

¹ For additional information on AIHA, please visit <https://www.aiha.org>.

PE of all plans related to OEHS as a condition of the department approving the licensee’s request.

3. **Either define or direct the Marijuana Advisory Commission, or other government entity as applicable, to define the type of certification from an IH or PE concerning a review of the OEHS aspects of a facility.**

Section 502(7)(B)(1) of LD 1719 would require a licensee to obtain a certification from an IH or PE, following a review of the facility’s storage, preparation, electrical, gas monitoring, fire suppression and exhaust systems. As [previously noted](#), AIHA believes that these provisions should be expanded to encompass all plans related to OEHS. We further observe that the term “certification” is not defined in this bill; accordingly, we recommend that the term “certification” be defined, either by legislative direction to the Marijuana Advisory Commission, or another government entity, as applicable.

4. **Define the term “industrial hygienist”.**

AIHA recommends adding a definition of the term “industrial hygienist” to LD 1719, and defining “industrial hygienist” as:

“A professional industrial hygienist is a person possessing either a baccalaureate degree in engineering, chemistry, physics, or a closely related biological or physical science from an accredited college or university, who also has a minimum of three years of industrial hygiene experience. A completed doctorate in a related physical, biological, or medical science or in related engineering can be substituted for two years of the three-year requirement. A completed master's degree in a related physical or biological science or in related engineering can be substituted for one year of the three-year requirement. Under no circumstances can more than two years of graduate training be applied toward the three-year period.”²

Next Steps

AIHA thanks you for the opportunity to comment upon LD 1719, and looks forward to working with you to help protect the health and safety of workers in Maine. Please feel free to contact me at mames@aiha.org or 703-846-0730.

Sincerely,



Mark Ames
Director of Government Relations
AIHA

² American Industrial Hygiene Association. “Discover Industrial Hygiene”. <https://www.aiha.org/about-ih/Pages/default.aspx>. (January 31, 2018)