



Newsletter

Volume 15, Issue 2

February 2015

Message from the President – Stephen Siegel

As we enter the new year I expect it to be a time of change in our industry as well as on personal level for me (more on that later).

We had an excellent January NJ-AIHA Meeting. First, we had Cassidy Canzani an Economist from the U.S. Bureau of Labor Statistics who presented some very interesting data on worker safety, illness and injury rates, as well as what a great resource the BLS is to all safety professionals. Second, we had Mike Corbett who is the Compliance Assistance Specialist, OSHA Region 2 and as always Mike had solid OSHA updates on Silica, recordkeeping, and OSHA focuses for the next year. It is great that we have such a knowledgeable and approachable resource as Mike in our area for our meetings.

Speaking of meetings we are pleased to announce that in the spirit of fostering strong organizational partnerships, Patrick Delaney, President of the NJ ASSE Chapter had agreed to share our meeting announcements with his membership and we will be sharing their meeting announcements as well. As both of our organizations provide a wide range of speakers/topics of interest to both industrial hygiene and safety professionals we hope to see increased crossover and attendance at these meetings which provide great content and value for those who attend.

Finally, on a more personal note after 15+ years of managing the asbestos lab at my firm I have been promoted to a management position within the industrial hygiene lab. This is a very exciting opportunity for myself as I have always enjoyed working with our clients on report data review and sampling and analysis aspects and now I can expand this to a fuller range of IH analyses. One of the most gratifying aspects of working in lab management is that you can help many people make a difference in the world of health and safety in relation to chemical exposures and I hope to spend another 15+ years in this area.

We look forward to seeing all of at our February meeting and don't forget March is our joint meeting with NJ ASSE and MABSA.

Sincerely

Stephen Siegel, CIH MBA
President NJ AIHA

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Calendar of Events

Date	Subject	Location
2/19/15	Topic: Electronic Cigarettes in the Indoor Environment Speaker: Jack Springston, CIH, CSP, Senior Project Manager, TRC Environmental Corp. Topic: The Expert Witness: The Attorney's Perspective Speaker: David A. Haworth and Paul Jenkins, Ballard Spahr LLP	Snuffy's Scotch Plains
3/19/15	Joint Meeting with NJ ASSE/MABSA Topic: Ebola Update Speaker: Edward Lifshitz, MD - Medical Director for the NJDOH Communicable Disease Service	Snuffy's Scotch Plains
4/15	Past Presidents Night Topic: TBD Speaker: TBD	Snuffy's Scotch Plains

WELCOME NEW NJAIHA MEMBERS!

Bruzzese	Frank	Zenith Insurance Company
Robertson	Jacqueline	United Water
Cupriks	Joshua	
Eherts	David	Actavis Pharmaceuticals, Inc.
Jones	Erica	ExxonMobil
Pizzani	Spencer	
Chung	Allen	Atlantic Environmental Inc.
Ebadat	Vahid	Chilworth Global
Jachak	Ashish	ExxonMobil Biomedical Sciences
McCormick	Linard	EQ Industrial Allstate Power Vac
Skwira	Jeffrey	L'Oreal USA

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Newsletter Advertising Opportunities

Would your company like to advertise in this newsletter? Each year, we publish 8 newsletters - Sept., Oct., Nov., Jan., Feb., March, April & June. You can choose to advertise in 4 or 8 issues.

The advertising rates are as follows:

- \$100 1/4 page ad - runs for 4 months
- \$200 1/2 page ad - runs for 4 months
- \$400 full page ad - runs for 4 months

Please email Stephen Siegel at president@njaiha.org for more information.

Job Postings

There are many job postings on our web site. If you are looking or just curious check them out.

<http://www.njaiha.org/resources/job-postings/>

There are several job postings on these other organization web sites as well:

<http://www.njasse.org/>

<http://www.aiha.org/LocalSections/html/Metro%20NY/jobs.htm>

<http://www.philaaiha.com/Employment.htm>



Contact: Gary Schwartz, gary@phaseassociate.com; 973-597-0750



Apply for an American Industrial Hygiene Foundation (AIHF) Scholarship!

The AIHF is currently accepting scholarship applications for the 2015-2016 academic year.

One application could qualify you for one of over 30 different scholarships!

Open to undergraduate and graduate students

Applications due February 27, 2015

Visit the AIHF website for eligibility and application details:

<https://www.aiha.org/about-aiha/AIHFoundation/Pages/Scholarship-Application-and-Eligibility-Requirements.aspx>

Or follow the QR Code!



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2015 Industrial Hygiene & Safety Review Course

The New Jersey Section of the American Industrial Hygiene Association (NJ-AIHA) is offering a comprehensive Industrial Hygiene Course. The course is designed to provide basic training in some critical areas of industrial hygiene and safety and will likely be beneficial for those entering the field as well as those who are just looking to sharpen their skills in certain technical areas. In addition, many of the people who have attended the program have found it to be very helpful in preparing for the CIH and CSP examinations. Certified Industrial Hygienists have the opportunity to obtain CM points per lecture (0.167 points per contact hour). Participants are welcome to attend any or all of the lecture sessions, depending on their individual training needs. People who need certification points must sign an attendance sheet for each session.

Industrial Hygiene & Safety Lecture Topics

History of Industrial Hygiene, OSHA Act Review and IH Management, Epidemiology, Fire Protection, Emergency Response, Ergonomics, Risk Management – Record Keeping, Indoor Air Quality, BioSafety, Equipment & Facility Safety, Ionizing Radiation, Non-Ionizing Radiation, Math, Statistics & Calculator Review, Air Pollution, Toxicology, Regulatory & Legal Affairs, Physics & Basic Engineering, Air Sampling - IH Chemistry, Direct Reading Instrumentation, Noise, Ventilation, Ethics & Professional Conduct, Respiratory Protection & PPE

The IH classes will be held Tuesday nights (6:00-9:00) beginning the first week of June 2015 at the Rutgers Environmental Health & Safety Dept., 27 Road 1, Livingston Campus, Piscataway, New Jersey 08854. Tel. (732) 445-2550. (See the following link to Google Maps Directions)

<https://www.google.com/maps/place/Rutgers+Environmental+Health+and+Safety/@40.516915,-74.430336,17z/data=!3m1!4m2!3m1!1s0x89c3c7bf656ffff:0x2b79eadac518c3c8>

Cost: \$150.00 (includes registration, admission to all IH and Safety classes and on-line access to all course materials) **SAFETY CLASSES** Sponsored by: ASSE

*The NJ Chapter of the American Society of Safety
Engineers* 

Safety Topics have been added to our schedule (included in the price). We will have guest speakers on certain safety topics to help prepare people for the CSP exam. **Safety classes will be held on Thursday nights (6:00 PM). The website will be updated when the specific dates and topics for the Safety classes have been established. Enrollment forms, directions, and schedule will be posted on the NJAIHA web page.**



February 2015 – DINNER MEETING

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Ronnie Tutty
973-300-0144

DATE: Thursday, February 19th, 2015

PLACE: Snuffy's Pantagis Renaissance, 250 Park Avenue, Scotch Plains, NJ
908-322-7726

AGENDA:

3:30 p.m. AIHA, NJ Section, Inc. - Executive Committee Meeting

5:00 p.m. Registration/Networking/Appetizers/Cash Bar

6:00 p.m. Before Dinner Session:

Topic: Electronic Cigarettes in the Indoor Environment

**Speaker: Jack Springston, CIH, CSP, Senior Project Manager, TRC
Environmental Corp.**

7:00 p.m. Dinner – Members \$25, guests \$30.

Students and those unemployed are free (Subsidized 100% for Dinner Meetings).

7:30 p.m. After Dinner Session:

Topic: The Expert Witness: The Attorney's Perspective

Speaker: David A. Haworth and Paul Jenkins, Ballard Spahr LLP

Please register by **Tuesday, February 17th**, by calling Ronnie Tutty at 973-300-0144 or you may email your reservation to njaiha@ptd.net or fax your reservation to 973-579-6202, giving the names of those who will attend.

COMMON DIRECTIONS:

Pick up Route 22 West to sign reading "Mountain Ave. – Scotch Plains". Take Mountain Ave. thru 2nd traffic light to parking lot entrance on the right (just after intersection).

Coming from New York City - Lincoln or Holland Tunnels or George Washington Bridge - take NJ Turnpike SOUTH to Newark Airport Exit #14 and follow common directions above.

Coming from Staten Island - Go over the Goethels Bridge and exit to the NJ Turnpike NORTH. Take the Turnpike to Exit #14 to Route 22 WEST and follow common directions above.

Going NORTH on Garden State Parkway - Exit # 140 to Route 22 EAST. Bear to LEFT to take jug handle to Route 22 WEST and follow common directions above.

Going SOUTH on Garden State Parkway – Exit #140A to Route 22 WEST and follow common directions above.

Coming from New Brunswick and Points South – Pick-up Route 287 NORTH (Exit #10 at Edison from the NJ Turnpike or Exit #127 from the Garden State Pkwy.) Take 287 NORTH to Somerville, Exit to Route 22 EAST to Scotch Plains. Entrance on right, after Blue Star Shopping Center and before Park Ave. overpass.

Coming from PA or Points West – Route 78 EAST to Exit #41. Follow signs to Route 22, Scotch Plains. At 3rd traffic light turn right to go over Overpass to Park Ave. Stay in right lane of overpass and at next light turn right onto Mountain Ave. Make first right turn to enter parking lot.



Recent NJAIHA Activities in Pictures

Tim Rice, NJAIHA Historian

January 2015 NJAIHA Dinner Meeting - 1/15/15 at Snuffy's



Cassidy Canzani, Economist, U.S. Bureau of Labor Statistics, New York-New Jersey Information Office, is shown here during her before-dinner presentation, "*BLS Resources for Safety Professionals - Data for Safer Workplaces*". Included in Cassidy's excellent presentation was an introduction to the BLS organization, a statistical review of 2013 fatal occupational injuries and 2013 non-fatal occupational injuries and illnesses, and a review of resources BLS has available for use by safety professionals.



After-dinner speaker Michael Corbett, Compliance Assistance Specialist, OSHA Region 2 Avenel, NJ Area Office, is shown during his presentation, "*OSHA Update*" during which he reviewed activities on new staff appointments, temporary workers, silica, recordkeeping activities and emerging issues. Thanks again, Mike, for being a regular presenter at NJAIHA monthly meetings and keeping our members abreast of the latest goings-on at OSHA.



Happenings On The Hill

American Industrial Hygiene Association Government Affairs Department

Aaron K. Trippler, Director
703-846-0730 atrippler@AIHA.org

January 19, 2015

Congress Up and Running

Only a few weeks into the 114th Session of Congress and we already see the Republicans in Congress and the White House in a "war of words". That doesn't bode well for "compromise" that was discussed only a few weeks ago.

While few legislative issues have been introduced regarding occupational health and safety (and I don't expect very many), one can see that regulatory reform issues will be at the top of the agenda for the Republicans. Two bills have already been introduced, with one of these bills having passed the House.

HR 185

HR185, to reform the process by which federal agencies analyze and formulate new regulations and guidance documents, was introduced by Rep. Bob Goodlatte. This bill would alter the federal agency rulemaking procedures to require agencies to adopt the least costly regulatory alternatives, publish advance notice of proposed rulemaking for major rules, as well as require hearings on high-impact rules. The bill would also require agencies to adopt rules only on the basis of the best reasonably obtainable scientific, technical, economic basis as well as a consideration of alternatives. The bill passed the House and has been sent to the Senate. Will it pass the Senate? Perhaps, but the President has already signaled his intent to veto the bill if it makes its way to the White House.

Interesting note on this bill. During Committee hearings there was an attempt to amend the bill to exempt from this requirement any regulations or guidelines proposed by OSHA

to prevent health care workers from contracting infectious diseases (referring to the OSHA effort to address current rulemaking on infectious diseases). The attempt failed.

S 168

Introduced by Senator Pat Roberts, this bill would require all federal agencies to review significant regulations and propose a timeline to repeal those deemed burdensome, unnecessary or those that harm the economy or job creation. This is very similar to the bill introduced in the House (HR 185). This is not the first attempt by Senator Roberts to push this legislation; however it has yet to ever make it out of the Senate. And again, President Obama has already threatened a veto.

Other Congressional Issues

HR 128. Another attempt by Rep. Gene Green to revise regulations concerning the recording and reporting of occupational injuries and illnesses. This is the same bill he has introduced in the past and would require employers to keep track of injuries and illnesses for all employees on a worksite, whether such employees are employed by the site-controlling employer or are employed by contractors. Didn't make it very far in the past and won't make it very far this time around either.

House Resolution 5. An interesting "rules" requirement. This Resolution was passed by the House and would require any committee reports or resolutions to include a statement estimating the number of federal rulemakings required by the legislation.

OSHA Budget Details

Now that the debate over the FY15 budget has concluded and spending is set, at least through September 30, it might be a good idea to take a little closer look at the OSHA budget. It was reported in the last issue that the agency was provided a funding level of \$552.8 million, down only a couple of million from what the President requested and actually about \$500,000 more than what was appropriated in FY14. Of course, if one takes into consideration upcoming federal salary increases and inflation, OSHA actually has less to spend than last year.

So where were the changes? Well, the real changes from FY14:

- Federal enforcement received a \$215,000 increase in FY15
- Whistleblower protection received a \$500,000 increase in FY15
- State Programs received a \$950,000 increase in FY15
- Federal compliance assistance took a hit - \$1 million less for FY15

However, there is a little more to this budget than what you see. When Congress approved OSHA funding for FY15, the bill had several riders on it that may impose some potential problems for the agency.

The riders:

- Require OSHA to notify the House and Senate committees of any new national, regional or local emphasis programs as well as the data used to determine the new program.
- Require the agency to consider all new currently available technology as the agency moves forward with the silica rule.

OSHA Activity

Just across the street from the Capitol, OSHA leaders vow to move on several agenda items in the last two years of the Obama administration. Some are long-time issues and some more recent. Notwithstanding the vow from OSHA leaders, reality will probably set in and we end up seeing few of the issues completed; however it's still worth taking a quick look. And give Dr. Michaels credit for trying to move these issues forward.

Reporting Requirements. This is complicated, not for the details of the issue, but for the fact that there are actually three different reporting proposals.

- 1) New requirements for what employers are required to report to OSHA went into effect January 1. These are the requirements to report all work-related fatalities within 8 hours and all in-patient hospitalizations, amputations, and losses of an eye within 24 hours of finding out about the incident..
- 2) Clarification of recordkeeping. OSHA has proposed changes to a rule clarifying that an employer's obligation to record injuries and illnesses continues until after five years after an incident. A 2012 federal court decision said that employers couldn't be cited for alleged recordkeeping violations more than six months prior to OSHA discovering the program. OSHA says that is incorrect and is now trying to clarify that it is five years.
- 3) Electronic reporting. And finally, OSHA is in the process of drafting a final rule that would require employers to electronically file injury and illness records with OSHA publishing this information on the OSHA web site.

Silica. As I have stated earlier, OSHA still expects to finalize this rule prior to the end of the Obama administration in 2017.

Confined Spaces in Construction. Another issue the agency hopes to finalize by 2016. A draft final rule has been sent to the White House budget office for review.

Beryllium. A third issue the agency hopes to complete prior to the end of the Obama administration.

News from NIOSH

Update from NIOSH:

Funding Details. While NIOSH received a total of \$334.9 million in the final omnibus bill, what most don't know is that this was actually a tiny increase from 2014, albeit a small \$2.5 million. More importantly, the final budget included continued funding for the Education Research Centers. The allocation included \$114.5 million for the National Occupational Research Agenda (NORA). Congress did express a concern in the final NIOSH budget of a lack of progress with NIOSH developing a certification standard for combination unit respirators. One other negative in NIOSH funding is that the Institute has now stopped collecting agricultural injury data because of the increased costs and future budget uncertainty. This is likely only one of many issues the Institute will face in the coming years with a tighter grip on federal spending.

NORA. Great to see that NORA funding is continuing and makes up a large part of the total NIOSH funding package. This program began back in 1996 as a partnership to

stimulate innovative research and improve workplace practices. With nearly 20 years of accomplishments, NIOSH will be undertaking an evaluation for the second decade of NORA work. Look for a NIOSH docket to open in 2015 for comments on the program.

Ebola. Yes, this is still an issue, notwithstanding the fact that the media and others seem to have moved on to the next story. But NIOSH and OSHA haven't yet relegated the issue to the back room. Matter of fact the two just made available a fact sheet to help healthcare workers, responders, and employers prevent work-related fatigue in tending to Ebola cases. Most forget that when an employee is fatigued, the risk of an injury or some other mistake rises considerably. A great fact sheet, available through CDC/NIOSH.

Ergonomics. The issue still creates controversy every time it is mentioned, but needs our attention. NIOSH hasn't forgotten and just released a guidance document for grocery employers to head off worker ergonomic injuries. It may be focused on the grocery industry but can likely be adapted to other workplaces. Again, go to the NIOSH web site for further information.

2015 Agenda. While Ebola will continue to keep NIOSH busy in 2015, there are other issues that will be just as important to the Institute. Dr. Howard hopes to take a closer look at how science is interpreted and used in developing standards.

NIOSH Leadership. What many consider the most important NIOSH agenda item in 2015 will be whether or not Dr. John Howard remains at the helm of NIOSH. Dr. Howard, who headed NIOSH from 2002 to 2008 and then was appointed to a second six-year term, will see his term expire in September. No word yet on whether or not Dr. Howard wishes to be re-appointed or whether he will be re-appointed, but hard to find anyone who disagrees that Dr. Howard has been the best ever leader of the Institute.

EPA and Lead-Based Paint Rules

Everyone remembers the controversy surrounding the EPA Lead-Based Paint (LBP) rule from the mid-90s. The EPA final rule essentially forced everyone (regardless of existing knowledge and education) involved in LBP activities to become trained and certified. This included professionals and firms involved with risk assessment, supervising, inspections and dust sampling. Well, EPA is once again proposing some changes to this rule; however this time the proposed changes make a lot of sense.

A portion of the change will exempt individuals from having to pay an additional fee for each jurisdiction where certification is requested. In other words, until now an individual was forced to pay additional fees if they wanted to work in more than one state. Only requiring one certification for each EPA-administered State jurisdiction helps to streamline the process. The change will actually reduce the cost to individuals and firms. Can't remember the last time I saw a proposal that "streamlined" a process. EPA is accepting comments on the rule until February 13.

State Legislatures Begin With Busy Agendas

As January nears an end we are seeing most state legislatures in action and policymakers introducing thousands of bills. What makes state legislatures so

interesting is the fact that measures introduced, in most cases, reach a quick conclusion fairly quickly. Many of the legislative sessions last only a few weeks, some as short as 30 days. That means issues are quickly reviewed, enacted or disposed of. A second factor in dealing with state legislatures is that there never seems to be a lack of issues addressing occupational health and safety.

A quick look at the issues in the first three weeks of January:

Mold Abatement. The issue of licensing individuals involved with mold analyses and abatement is expected to again be a hot issue. AIHA follows all of these bills to determine the impact the legislation might have on those in the IH profession. Several bills have already been introduced that would require regulations to be developed.

Safe Patient Handling. One bill has been introduced to require hospitals to put safe patient handling programs in place. Numerous states have already enacted some form of safe patient handling laws and/or regulations the last few years.

Methamphetamine Laboratory Cleanup. This continues to be an issue in the states. AIHA is also involved in these issues as we seek to make sure that only accredited occupational health and safety professionals are involved in providing the "all clean" for these labs after remediation.

Lead. Surprise! Even after all these years, we still see a few bills introduced that address the issue of lead abatement.

Criminal Penalties. A bill has been introduced that would increase fines and civil penalties for violating occupational health and safety regulations.

Voluntary Protection Program (VPP). In a first in the nation attempt, the state of Virginia has legislation introduced that would make the VPP a permanent program in Virginia. Whether or not this is a direct result of some of the political pressures placed on the federal VPP is hard to determine, but make no mistake about it, Virginia wants to make sure the program continues in Virginia. Don't be surprised in this legislation is enacted. AIHA national sent letters of support to Members of the General Assembly.

Hazard Abatement. No bills yet but will be interesting to see if any are introduced. The issue is whether or not employers would be required to abate a hazard while challenging a citation. California, Oregon and Washington have some form of this already in place. Don't be surprised if others take a look at it.

State Plan Funding. Becoming a bigger problem every year. Federal OSHA is supposed to provide 50% of the funding for state plans but federal funding has essentially been flat the last few years, placing a larger burden on the states to provide additional funding. We will closely watch this to see if resources begin to have an impact on occupational health and safety. And don't forget that federal OSHA is challenging some of the state plans about regulations "being at least as protective as federal regulations".

For information on any of these issues please contact me.

Federal and State Legislative Action Centers

Visit the AIHA Federal Legislative Action Center to stay abreast of national issues important to occupational health and safety. Simply go to the AIHA home page. Click on "government affairs", located on the "stay connected" tab at the top of the page. Once in government affairs, click on "Federal Legislation Action Center". Also available within this Action Center is the opportunity for any member to directly contact their elected officials in Washington simply by inserting their zip code. You can send an email or learn how to contact them by phone or mail. Take a look!

The State Center offers AIHA members the opportunity to monitor all state legislative sites, scan IH professional recognition/title protection laws in states where adopted, and even review and follow all state legislation being monitored in the state legislatures throughout the year. Included under each State site is access to the various state agencies, including the Governor's office and OSHA state plan sites. If professional recognition/title protection legislation has been enacted in a particular state, this law can also be found.

Another important feature is member access to each of the weekly legislative/regulatory reports sent to each state. With this access, members can follow any piece of legislation that may be of interest.

For information on any of the items in this report, please contact Aaron Tripler.
