

NORTH CAROLINA

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CHAPTER 41: EPIDEMIOLOGY HEALTH
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**NORTH CAROLINA EXECUTIVE ORDER NUMBER 6
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Terms

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Industrial Hygiene	7
Industrial Hygienist	1
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Certified Associate Industrial Hygienist	0
Construction Health and Safety Technologist – CHST	0
Industrial Hygienist in Training - IHIT	0
AIHA Lab Accreditation Program and related	2
American Industrial Hygiene Association - AIHA	0
American Board of Industrial Hygiene - ABIH	1
American Conference of Governmental Industrial Hygienists – ACGIH	0
Occupational Health and Safety Technologist – OHST	0
Associate Safety Professional – ASP	0
Certified Safety Professional – CSP	0
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ftp://ftp.legislature.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter90/Article_33.PDF

NORTH CAROLINA GENERAL STATUTES

CHAPTER 90: MEDICINE AND ALLIED OCCUPATIONS

ARTICLE 33: INDUSTRIAL HYGIENE

§ 90-515. Definitions.

The following definitions apply in this Article:

(1) "**American Board of Industrial Hygiene**". – A nonprofit corporation incorporated in 1960 in Pennsylvania to improve the practice of the profession of **Industrial Hygiene** by certifying individuals who meet its education and experience standards and who pass its examination.

(2) "**Certified Industrial Hygienist (CIH)**". – A person who has met the education, experience, and examination requirements established by the **American Board of Industrial Hygiene** for a **Certified Industrial Hygienist (CIH)**.

(3) "**Industrial Hygiene**". – The applied science devoted to the anticipation, evaluation, and control of contaminants and stressors that may cause sickness, impaired health and well-being, or significant discomfort and inefficiency among workers and the general public.

(4) "**Industrial Hygienist**". – A person who, through special studies and training in chemistry, physics, biology, and related sciences, has acquired competence in **industrial hygiene**. The special studies and training must have been sufficient to confer competence in the: (i) anticipation and recognition of environmental contaminants and stressors to which workers and other members of the public could be exposed in industrial operations, office buildings, homes, and the general community; (ii) assessment of the likely effects on the health and well-being of individuals exposed to these contaminants and stressors; (iii) quantification of levels of human exposure to these contaminants and stressors through scientific measurement techniques; and (iv) designation of methods to eliminate or to control these contaminants and stressors, or to reduce the level of human exposure to them.

(5) "**Industrial Hygienist in Training (IHIT)**". – A person who has met the education, experience, and examination requirements established by the **American Board of Industrial Hygiene** for an **Industrial Hygienist in Training (IHIT)**. (1997-195, s. 1.)

§ 90-516. Unlawful acts.

(a) No person shall practice or offer to practice as a **Certified Industrial Hygienist**, use any advertisement, business card, or letterhead or make any other verbal or written communication that the person is a **Certified Industrial Hygienist** or acquiesce in such a representation unless that person is certified by the **American Board of Industrial Hygiene**.

(b) No person shall practice or offer to practice as an **Industrial Hygienist in Training**, use any advertisement, business card, or letterhead or make any other verbal or written communication that the person is an **Industrial Hygienist in Training** or acquiesce in such a representation unless that person is certified by the **American Board of Industrial Hygiene**.

(c) A violation of this Article shall be punished as a Class 2 misdemeanor.

(d) Any person, including the Attorney General, may apply to the superior court for injunctive relief to restrain a person who has violated this Article from continuing these illegal practices. The court may grant injunctive relief regardless of whether criminal prosecution or other action has been or may be instituted as a result of the violation. In the court's consideration of the issue of whether to grant or continue an injunction sought under this subsection, a showing of conduct in violation of the terms of this Article shall be sufficient to meet any requirement of general North Carolina injunction law for irreparable harm.

(e) The venue for actions brought under this Article is the superior court of any county in which the illegal or unlawful acts are alleged to have been committed or in the county where the defendant resides.

(f) Nothing in this Article shall be construed as authorizing a person certified in accordance with this Article to engage in the practice of engineering, nor to restrict or otherwise affect the rights of any person licensed to practice engineering under Chapter 89C of the General Statutes; provided, however, that no person shall use the title "**Certified Industrial Hygienist**" unless the person has complied with the provisions of this Article. (1997-195, s. 1.)

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http://www.ncga.state.nc.us/enactedlegislation/statutes/pdf/bysection/chapter_90a/gs_90a-51.pdf

NORTH CAROLINA GENERAL STATUTES

CHAPTER 90A: SANITARIANS AND WATER AND WASTEWATER TREATMENT FACILITY OPERATORS

ARTICLE 4: REGISTRATIONS OF ENVIRONMENTAL HEALTH SPECIALISTS

§ 90A-51. Definitions.

The words and phrases defined below shall when used in this Article have the following meaning unless the context clearly indicates otherwise:

(4) "Registered environmental health specialist" means an environmental health specialist registered in accordance with the provisions of this Article.

For purposes of this Article the following are not included within the definition of "registered environmental health specialist" unless the person is working as an environmental health specialist:

- a. A person teaching, lecturing, or engaging in research.
- b. A person who is a sanitary engineer, public health engineer, public health engineering assistant, registered professional engineer, **industrial hygienist**, health physicist, chemist, epidemiologist, toxicologist, geologist, hydrogeologist, waste management specialist, or soil scientist.
- c. A public health officer or public health department director.
- d. A person who holds a North Carolina license to practice medicine, veterinary medicine, or nursing.
 - e. Laboratory personnel when performing or supervising the performance of sanitation related laboratory functions.

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http://www.ncga.state.nc.us/enactedlegislation/statutes/pdf/bysection/chapter_130a/g_s_130a-5.pdf

NORTH CAROLINA GENERAL STATUTES **CHAPTER 130: PUBLIC HEALTH** **ARTICLE 1: DEFINITIONS, GENERAL PROVISIONS AND** **REMEDIES**

§ 130A-5. Duties of the Secretary.

The Secretary shall have the authority:

- (1) To enforce the State health laws and the rules of the Commission;
- (13) To establish a fee to cover costs of responding to requests by employers for **industrial hygiene** consultation services and occupational consultation services. The fee shall not exceed two hundred dollars (\$200.00) per on site inspection; and

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<ftp://ftp.legislature.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter90/Article39.PDF>

NORTH CAROLINA GENERAL STATUTES

CHAPTER 90: MEDICINE AND ALLIED OCCUPATIONS

ARTICLE 39: SAFETY PROFESSION

§ 90-671. Definitions.

The following definitions apply in this Article:

- (1) **Associate Safety Professional (ASP)**. A person who has met the education, experience, and examination requirements established by the **Board of Certified Safety Professionals** for an **Associate Safety Professional**.
- (2) **Board of Certified Safety Professionals (BCSP)**. A nonprofit corporation, incorporated in Illinois in 1969, established to improve the practice and educational standards of the profession of safety by certifying individuals who meet its education, experience, examination, and maintenance requirements.
- (3) **Certified Safety Professional (CSP)**. A person who has met the education, experience, and examination requirements established by the **Board of Certified Safety Professionals** for a **Certified Safety Professional**. (2000-110, s. 1; 2000-140, s. 98.)

§ 90-672. Unlawful acts; injunctive relief; exclusion.

- (a) No person shall represent himself or herself as a **Certified Safety Professional** or **Associate Safety Professional** unless that person is certified by the **Board of Certified Safety Professionals** and has duly authorized the Board to file with the office of the Secretary of State all information required by G.S. 90-674.
- (b) A violation of this section constitutes an unfair trade practice under G.S. 75-1.1, and a court may impose a civil penalty against the defendant and shall be empowered to issue a restraining order to prevent further use of the title. (2000-110, s. 1; 2000-140, s. 98.)

§ 90-673. Exemptions and limitations.

- (a) This Article does not apply to:
 - (1) A person who holds a license issued by a State board, commission, or other agency, is engaged in activities authorized by his or her license, and does not represent himself or herself as an **Associate Safety Professional** or **Certified Safety Professional**.
 - (2) A person who practices within the scope of safety, injury, or illness prevention and does not use the title "**Associate Safety Professional**" or "**Certified Safety Professional**", the initials "**ASP**" or "**CSP**", or otherwise represents himself or herself to the public as an **Associate Safety Professional** or **Certified Safety Professional**.

(3) A person who is licensed as an architect under Chapter 83A of the General Statutes or any person working under the supervision of a licensed architect.

(4) A person who is licensed as a professional engineer under Chapter 89C of the General Statutes or any person working under the supervision of a licensed professional engineer.

(b) Nothing in this Article shall permit the practice of engineering by persons who are not licensed under Chapter 89C of the General Statutes.

(c) Nothing in this Article shall permit the practice of architecture by persons not licensed under Chapter 83A of the General Statutes. (2000-110, s. 1; 2000-140, s. 98.)

§ 90-674. Certification registry.

The Board shall file with the Secretary of State the name, address, telephone number, and date of certification for all **Associate Safety Professionals** and **Certified Safety Professionals**.

The Board shall remit a filing fee of thirty-five dollars (\$35.00) to the Secretary of State with each certification filed. All fees paid to the Department shall be used to pay the costs incurred in administering and enforcing this Article. The Board may require this filing fee to be paid by the person whose certification is being filed. The Board shall promptly notify the Secretary of State when a person's certification is revoked or no longer in effect.

The Secretary of State shall maintain a registry of all current **Associate Safety Professionals** and **Certified Safety Professionals** as furnished by the Board. (2000-110, s. 1; 2000-140, s. 98.)

NORTH CAROLINA RULES/REGULATIONS

<http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2041%20-%20epidemiology%20health/subchapter%20c/subchapter%20c%20rules.pdf>

NORTH CAROLINA ADMINISTRATIVE CODE

TITLE 10A: HEALTH AND HUMAN SERVICES

CHAPTER 41: EPIDEMIOLOGY HEALTH

SUBCHAPTER C: OCCUPATIONAL HEALTH

SECTION .0300 – INDUSTRIAL HYGIENE CONSULTATION PROGRAM

10A NCAC 41C .0302 SURVEYS

(a) The Occupational Health Section shall conduct consultative **industrial hygiene** surveys in the workplace. Such surveys shall include the following elements:

- (1) An on-site survey of the potential health problem;
- (2) Air samples with submission to the state laboratory for analysis or the test may be made with on-site evaluation and interpretation;
- (3) Calculation of laboratory or on-site results, and a written report citing the findings of the survey and recommending feasible controls for the particular industry.

(b) The **industrial hygiene** consultative staff shall perform surveys at the request of the Industrial Commission.

10A NCAC 41C .0303 POTENTIAL HEALTH HAZARDS

The **industrial hygiene** consultative staff may evaluate existing controls of potential industrial health hazards and may recommend improvements upon request by the industry.

10A NCAC 41C .0304 TRAINING AND TECHNICAL ASSISTANCE

The **industrial hygiene** consultative staff may provide training and technical assistance to industry concerning control of health hazards. These services may be provided by conferences, seminars or training courses.

10A NCAC 41C .0305 RESEARCH

The **industrial hygiene** consultative staff may conduct research, such as epidemiological studies concerning diseases that arise in and out of the work environment during the course of employment.

10A NCAC 41C .0306 FEE TO COVER TRANSPORTATION COSTS

Employers who voluntarily request **industrial hygiene** consultation services or occupational consultation services from the Occupational Health Section shall be charged

a fee of two hundred dollars (\$200.00) per on-site inspection to cover the transportation costs of responding to the request.

10A NCAC 41C .0602 ACCREDITATION

SECTION .0600 - ASBESTOS HAZARD MANAGEMENT PROGRAM

(c) In addition to the requirements in Paragraph (b) of this Rule, an applicant, other than for the worker or roofing worker categories, shall meet the following:

- (7) a supervising air monitor shall meet the following requirements:
 - (A) Education and Work Experience:
 - (i) a high school diploma or equivalent;
 - (ii) three months of asbestos air monitoring experience as, or under the direct supervision of, an accredited air monitor or equivalent within 12 months prior to applying for accreditation;
 - (B) Training Requirements:
 - (i) complete a Program approved NIOSH 582 or Program approved NIOSH 582 equivalent and meet the initial and refresher training requirements of this Rule for supervisors; a Program approved project monitor refresher course may be substituted for the supervisor refresher course; or
 - (ii) meet the initial and refresher training requirements of this Rule for a Program approved five-day project monitor course and a Program approved annual refresher course;
 - (iii) supervising air monitors with a valid accreditation on October 1, 1994 shall have until October 1, 1995 to meet the training requirements for supervising air monitors set forth in this Paragraph;
 - (C) Professional Status:
 - (i) a supervising air monitor who was accredited as an air monitor on or after February 1, 1991, or an air monitor accredited prior to that date who has not continuously maintained accreditation, shall be a **Certified Industrial Hygienist**;
 - (ii) a supervising air monitor who was accredited as an air monitor prior to February 1, 1991, who has continuously maintained accreditation shall be a **Certified Industrial Hygienist**, Professional Engineer, or Registered Architect;
 - (D) Air monitors with a valid accreditation on January 1, 1995 supervising other accredited air monitors shall be deemed to be accredited supervising air monitors for the duration of their existing air monitor accreditation.

10A NCAC 41C .0607 ASBESTOS EXPOSURE STANDARD FOR PUBLIC AREAS

(e) Sample analysis for phase contrast microscopy or transmission electron microscopy samples shall be performed by a laboratory meeting the requirements of P.L. 99-519 and 40 CFR 763 and accompanying appendices. Laboratories performing phase contrast microscopy analysis pursuant to this Rule shall have a rating of proficient by the American Industrial Hygiene Association's Proficiency Analytical Testing Program. Individuals performing phase contrast microscopy analysis at the asbestos removal location shall be rated proficient in the American Industrial Hygiene Association's Asbestos Analysts Registry Program. If all microscopists in a particular laboratory performing phase contrast microscopy analysis are rated as proficient by the Asbestos Analysts Registry Program, enrollment and proficiency in the Proficiency Analytical Testing Program is not required.

SECTION .0800 - LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM

10A NCAC 41C .0801 GENERAL

(a) In addition to the definitions found in 40 CFR Part 745 Subpart D and Subpart L, the following definitions shall apply throughout this Section:

(10) "Certified Industrial Hygienist" means a person who has met the education, experience, and examination requirements established by the American Board of Industrial Hygiene for certified industrial hygienists and whose certification has not been revoked by that organization.

10A NCAC 41C .0802 CERTIFICATION OF INDIVIDUALS

(c) In addition to the requirements in Paragraph (b) of this Rule, an applicant, other than those for the worker category, shall meet the following:

(1) a risk assessor shall meet the training requirements for inspector and the examination requirements pursuant to Rule .0804 of this Section for inspector and risk assessor, and shall have:

(C) certification as an industrial hygienist, professional engineer, registered architect; or

(3) a project designer shall meet the training requirements for supervisor and project designer and the examination requirements pursuant to Rule .0804 of this Section for supervisor and shall have:

(C) certification as an industrial hygienist, professional engineer, or registered architect; or

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<http://reports.oah.state.nc.us/ncac/title%2009%20-%20governor%20and%20lt.%20governor/chapter%2002%20-%20executive%20orders/subchapter%20b/09%20ncac%2002b.html>

NORTH CAROLINA EXECUTIVE ORDER NUMBER 6 **STATE EMPLOYEES' WORK PLACE REQUIREMENTS FOR** **SAFETY AND HEALTH**

By the authority vested in me as Governor by the Constitution and laws of North Carolina it is ordered:

Section 1. ESTABLISHMENT

(a) There is established a State Employees' Work Place Requirements Program for Safety and Health for North Carolina to meet its loss prevention responsibilities and provide safe and healthful conditions of employment in all areas of the State. Employees subject to the State Personnel Act will be covered by this program as well as those employees exempt from the State Personnel Act.

(b) The State Personnel Director is responsible for developing a program which shall include, but not be limited to, concerns for:

- (1) protecting employees from job related injuries or health impairment;
- (2) preventing accidents and fires;
- (3) emergency medical procedures and emergency plans;
- (4) monitoring **industrial hygiene**, housekeeping and sanitation; and
- (5) utilizing available resources within State Government and elsewhere to inform and educate personnel in all areas of preventive health, safety, personal security, personal care, and other individual responsibilities.

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<http://reports.oah.state.nc.us/ncac/title%2002%20-%20agriculture%20and%20consumer%20services/chapter%2052%20-%20veterinary/subchapter%20j/02%20ncac%2052j%20.0606.html>

NORTH CAROLINA ADMINISTRATIVE CODE

TITLE 02: AGRICULTURE AND CONSUMER SERVICES

CHAPTER 52: VETERINARY

SUBCHAPTER 52J: ANIMAL WELFARE SECTION

SECTION .0600 - EUTHANASIA BY CARBON MONOXIDE

02 NCAC 52J .0606 INSPECTIONS AND RECORDS

- (a) Chamber seals, exhaust flow, carbon monoxide monitors and other equipment used in the euthanasia process in certified facilities shall be inspected at least monthly and repaired or replaced as necessary.
- (b) The chamber must be inspected at least annually by the manufacturer, its authorized representative or an **industrial hygienist** knowledgeable about the manufacture and operation of the chamber.
- (c) A record shall be made of each inspection recording the results, the date of the inspection, and the name of the person performing the inspection. The record shall be maintained in the policy and procedure manual for at least two years.