

# UTAH

## STATUTES :        (2)

### UTAH CODE:

#### **TITLE 34A: UTAH LABOR CODE CHAPTER 2: WORKERS' COMPENSATION ACT**

#### **TITLE 59: REVENUE AND TAXATION CHAPTER 9: TAXATION OF ADMITTED INSURERS**

<u>Terms</u>	<u>References</u>
Industrial Hygiene	2
Industrial Hygienist	0
Certified Industrial Hygienist - CIH	0
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician– CHST	0
Industrial Hygienist in Training - IHIT	0
AIHA Lab Accreditation Program	0
American Industrial Hygiene Association - AIHA	0
American Board of Industrial Hygiene - ABIH	0
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
Board of Certified Safety Professionals – BCSP	0

# UTAH

## RULES AND REGULATIONS: (4)

### UTAH ADMINISTRATIVE CODE:

**R614: LABOR COMMISSION, OCCUPATIONAL SAFETY AND HEALTH**

**RULE R614-1: GENERAL PROVISIONS**

**R392: HEALTH, DISEASE CONTROL AND PREVENTION, ENVIRONMENTAL SERVICES**

**RULE R392-510: UTAH INDOOR CLEAN AIR ACT**

**R307: ENVIRONMENTAL QUALITY, AIR QUALITY**

**RULE R307-801: UTAH ASBESTOS RULE**

**R307: ENVIRONMENTAL QUALITY, AIR QUALITY**

**RULE R307-842: LEAD BASED PAINT ACTIVITIES**

### Terms

### References

Industrial Hygiene	4
Industrial Hygienist	2
Certified Industrial Hygienist - CIH	2
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician– CHST	0
Industrial Hygienist in Training - IHIT	0
AIHA Lab Accreditation Program and related	1
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	1
Board of Certified Safety Professionals – BCSP	0

# UTAH STATUTES

[http://le.utah.gov/code/TITLE34A/htm/34A02\\_020205.htm](http://le.utah.gov/code/TITLE34A/htm/34A02_020205.htm)

## UTAH CODE

### TITLE 34A: UTAH LABOR CODE CHAPTER 2: WORKERS' COMPENSATION ACT

#### **Section 202.5 Offset for occupational health and safety related donations.**

(1) As used in this section:

(a) "Occupational health and safety center" means the Rocky Mountain Center for Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky Mountain Center for Occupational and Environmental Health.

(b) "Qualified donation" means a donation that is:

(i) cash;

(ii) given directly to an occupational health and safety center; and

(iii) given exclusively for the purpose of:

(A) supporting graduate level education and training in fields of:

(I) safety and ergonomics;

(II) **industrial hygiene**;

(III) occupational health nursing; and

(IV) occupational medicine;

(B) providing continuing education programs for employers designed to promote workplace safety; and

(C) paying reasonable administrative, personnel, equipment, and overhead costs of the occupational health and safety center.

(c) "Self-insured employer" is a self-insured employer as defined in Section 34A-2-201.5 that is required to pay the assessment imposed under Section 34A-2-202.

# UTAH STATUTES

[http://le.utah.gov/code/TITLE59/htm/59\\_09\\_010205.htm](http://le.utah.gov/code/TITLE59/htm/59_09_010205.htm)

## UTAH CODE

### TITLE 59: REVENUE AND TAXATION CHAPTER 9: TAXATION OF ADMITTED INSURERS

#### **59-9-102.5. Offset for occupational health and safety related donations.**

(1) As used in this section:

(a) "Occupational health and safety center" means the Rocky Mountain Center for Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky Mountain Center for Occupational and Environmental Health.

(b) "Qualified donation" means a donation that is:

(i) cash;

(ii) given directly to an occupational health and safety center; and

(iii) given exclusively for the purpose of:

(A) supporting graduate level education and training in fields of:

(I) safety and ergonomics;

(II) **industrial hygiene**;

(III) occupational health nursing; and

(IV) occupational medicine;

(B) providing continuing education programs for employers designed to promote workplace safety; and

(C) paying reasonable administrative, personnel, equipment, and overhead costs of the occupational health and safety center.

(c) "Workers' compensation insurer" means an admitted insurer writing workers' compensation insurance in this state that is required to pay the premium assessment imposed under Subsection 59-9-101(2).

# **UTAH RULES/REGULATIONS**

**<http://www.rules.utah.gov/publicat/code/r614/r614-001.htm>**

## **UTAH ADMINISTRATIVE CODE**

### **R614: LABOR COMMISSION, OCCUPATIONAL SAFETY AND HEALTH**

#### **RULE R614-1: GENERAL PROVISIONS**

##### **R614-1-7. Inspections, Citations, and Proposed Penalties.**

H. Representative of employers and employees.

1. Safety and Health Officer shall be in charge of inspections and questioning of persons. A representative of the employer and a representative authorized by his employees shall be given an opportunity to accompany the Safety and Health Officer during the physical inspection of any workplace for the purpose of aiding such inspection. A Safety and Health Officer may permit additional employer representative and additional representatives authorized by employees to accompany him where he determines that such additional representatives will further aid the inspection. A different employer and employee representative may accompany the Safety and Health Officer during each phase of an inspection if this will not interfere with the conduct of the inspection.

2. Safety and Health Officers shall have authority to resolve all disputes as to who is the representative authorized by the employer and the employees for purpose of this Part. If there is no authorized representative of employees, or if the Safety and Health Officer is unable to determine with reasonable certainty who is such representative, he shall consult with a reasonable number of employees concerning matters of safety and health in the workplace.

3. The representative(s) authorized by employees shall be an employee(s) of the employer. However, if in the judgment of the Safety and Health Officer, good cause has been shown why accompaniment by a third party who is not an employee of the employer (such as an **industrial hygienist** or safety engineer) is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace, such third party may accompany the Safety and Health Officer during the inspection.

4. Safety and Health Officers are authorized to deny the right of accompaniment under this Part to any person whose conduct interferes with a fair and orderly inspection. The right of accompaniment in areas containing trade secrets shall be subject to the provisions of R614-1-7.I.3. With regard to information classified by an agency of the U.S.

Government in the interest of national security, only persons authorized to have access to such information may accompany a Safety and Health Officer in areas containing such information.

**R614-1-11. Rules of Agency Practice and Procedure Concerning UOSH Access to Employee Medical Records.**

C. Responsible persons.

3. Principal UOSH Investigator. The Principal UOSH Investigator shall be the UOSH employee in each instance of access to personally identifiable employee medical information who is made primarily responsible for assuring that the examination and use of this information is performed in the manner prescribed by a written access order and the requirements of this section. When access is pursuant to a written access order, the Principal UOSH Investigator shall be professionally trained in medicine, public health, or allied fields (epidemiology, toxicology, industrial hygiene, bio- statistics, environmental health, etc.)

**R614-1-12B. Appendix B to R614-1-12 Availability of NIOSH Registry of Toxic Effects of Chemical Substances (RTECS).**

"The annual publication of a list of known toxic substances is a NIOSH mandate under the Occupational Safety and Health Act of 1970. It is intended to provide basic information on the known toxic and biological effects of chemical substances for the use of employers, employees, physicians, industrial hygienists, toxicologists, researchers, and, in general, anyone concerned with the proper and safe handling of chemicals. In turn, this information may contribute to a better understanding of potential occupational hazards by everyone involved and ultimately may help to bring about a more healthful workplace environment.

# **UTAH RULES/REGULATIONS**

**<http://www.rules.utah.gov/publicat/code/r392/r392-510.htm>**

## **UTAH ADMINISTRATIVE CODE**

### **R392: HEALTH, DISEASE CONTROL AND PREVENTION, ENVIRONMENTAL SERVICES**

#### **RULE R392-510: UTAH INDOOR CLEAN AIR ACT**

##### **R392-510-7. HVAC System Documentation.**

(1) If a building has a smoking-permitted area under Section 26-38-3(2), the building owner must obtain and keep on file a signed statement from an air balancing firm certified by the Associated Air Balance Council or the National Environmental Balancing Bureau, or an **industrial hygienist certified** by the **American Board of Industrial Hygiene** that the smoking permitted area meets the requirements of Subsections R392-510-6(1). If a building's HVAC System is altered in any way, the building owner must obtain new certification on the system.

(2) The building owner must provide the information required in Subsection R392-510-7(1) within three working days upon request from the operator, executive director or local health officer.

(3) The operator must provide the information required in Subsection R392-510-7(1) within five working days upon the request of the executive director or local health officer.

# **UTAH RULES/REGULATIONS**

**<http://www.rules.utah.gov/publicat/code/r307/r307-801.htm>**

## **UTAH ADMINISTRATIVE CODE**

### **R307: ENVIRONMENTAL QUALITY, AIR QUALITY** **RULE R307-801: UTAH ASBESTOS RULE**

#### **R307-801-9. Asbestos Abatement, Renovation, and Demolition Projects: Requirement to Inspect.**

Asbestos inspectors shall use the following procedures when conducting an asbestos inspection of facilities to be abated, demolished, or renovated:

(8) Analysis of samples shall be performed by:

(a) Persons or laboratories accredited by a nationally recognized testing program such as the National Voluntary Laboratory Accreditation Program (NVLAP), or

(b) Persons or laboratories that have been rated overall proficient by demonstrating passing scores for at least two of the last three consecutive rounds out of the four annual rounds of the **Bulk Asbestos Proficiency Analytical Testing program administered by the American Industrial Hygiene Association (AIHA)** or an equivalent nationally-recognized interlaboratory comparison program.

(9) Inspection reports of residential facilities shall be submitted to the director.

# **UTAH RULES/REGULATIONS**

**<http://www.rules.utah.gov/publicat/code/r307/r307-842.htm>**

## **UTAH ADMINISTRATIVE CODE**

### **R307: ENVIRONMENTAL QUALITY, AIR QUALITY** **RULE R307-842: LEAD BASED PAINT ACTIVITIES**

#### **R307-842-1. Accreditation of Training Programs: Target Housing and Child-Occupied Facilities.**

(3) Requirements for the accreditation of training programs. For a training program to obtain accreditation from the director to offer lead-based paint activities courses, renovator courses, or dust sampling technician courses, the program must meet the following requirements:

(a) The training program shall employ a training manager who has:

(i) At least 2 years of experience, education, or training in teaching workers or adults; or

(ii) A bachelor's or graduate degree in building construction technology, engineering, **industrial hygiene**, safety, public health, education, business administration or program management or a related field; or

(iii) Two years of experience in managing a training program specializing in environmental hazards; and

(iv) Demonstrated experience, education, or training in the construction industry including: lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or **industrial hygiene**.

(b) The training manager shall designate a qualified principal instructor for each course who has:

(i) Demonstrated experience, education, or training in teaching workers or adults; and

(ii) Successfully completed at least 16 hours of any director-accredited, EPA-accredited, or EPA-authorized state or tribal-accredited lead-specific training for instructors of lead-based paint activities courses or 8 hours of any director-accredited, EPA-accredited or EPA-authorized state or tribal-accredited lead-specific training for instructors of renovator or dust sampling technician courses; and

(iii) Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or **industrial hygiene**.

**R307-842-2. Certification of Individuals and Firms Engaged in Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities.**

(2) Inspector, risk assessor or supervisor.

(a) To become certified by the director as an inspector, risk assessor, or supervisor, pursuant to paragraph (1)(a)(i) of this section, an individual must:

(iii) Meet or exceed the following experience and/or education requirements:

(B) Risk assessors.

(III) **Certification as an industrial hygienist**, professional engineer, registered architect and/or certification in a related engineering/health/environmental field (e.g., **safety professional**, environmental scientist); or