

# **VERMONT**

**STATUTES :        (3)**

## **VERMONT STATUTES ANNOTATED:**

**TITLE 3: EXECUTIVE  
CHAPTER 51: NATURAL RESOURCES**

**TITLE 3 APPENDIX: EXECUTIVE ORDERS  
CHAPTER 3: EXECUTIVE**

**TITLE 18: HEALTH  
CHAPTER 28: OCCUPATIONAL HEALTH**

### **Terms**

### **References**

Industrial Hygiene	4
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

# VERMONT

## RULES AND REGULATIONS: (2)

### CODE OF VERMONT RULES:

**AGENCY 13: AGENCY OF HUMAN SERVICES  
SUB-AGENCY 140: DEPARTMENT OF HEALTH  
CHAPTER 001: ASBESTOS CONTROL**

**AGENCY 13: AGENCY OF HUMAN SERVICES  
SUB-AGENCY 140: DEPARTMENT OF HEALTH  
CHAPTER 054: VERMONT REGULATIONS FOR LEAD CONTROL**

#### Terms

#### References

Industrial Hygiene	10
Industrial Hygienist	0
Certified Industrial Hygienist - CIH	4
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician– 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	3
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

# VERMONT STATUTES

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=03&Chapter=051&Section=02873>

## VERMONT STATUTES ANNOTATED

### TITLE 3: EXECUTIVE CHAPTER 51: NATURAL RESOURCES

#### **§ 2873. Department of environmental conservation**

(f) There is created a toxics technical advisory board, that is attached to the division of pollution prevention.

(1) The board shall consist of at least five members appointed by the governor, representing the various geographic areas of the state and with expertise in professional disciplines such as occupational health and safety, **industrial hygiene**, engineering, chemistry, manufacturing, business, ecology and environmental protection. Members shall be selected from business and industry groups that are to be served by technical assistance.

(2) The board shall advise the office of pollution prevention on the creation and administration of a technical assistance program designed to provide guidance, advice, and technical assistance to generators of hazardous waste and users of toxics.

(3) The board shall serve as liaison with industry, business, trade associations and educational institutions, and shall assemble volunteer teams to perform on-site technical assistance and other forms of assistance to complement programs of the office of pollution prevention.

(4) The board shall establish and administer an award program for excellence in toxics use reduction and the reduction in the generation of hazardous waste.

(g) There is created within the department of environmental conservation a small business technical and environmental compliance assistance program. This program shall include each element specified in section 507(a) of the federal Clean Air Act (42 U.S.C. § 7401 et seq.) and shall also be authorized to assist small businesses in similar fashion with regard to their obligations under all other environmental legislation administered by the department.

# VERMONT STATUTES

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=03APPENDIX&Chapter=003&Section=00046>

## VERMONT STATUTES ANNOTATED

### TITLE 3 APPENDIX: EXECUTIVE ORDERS CHAPTER 3: EXECUTIVE

**Executive Order No. 3-46. (No. 06-05)** [Rescinding Certain Executive Orders]

WHEREAS, the Governor has the power under 3 V.S.A., chapter 41 to alter the organization of the Executive Branch through use of the Executive Order; and

WHEREAS, the Executive Order has been used over the years for a variety of purposes, including the creation of certain boards, councils and commissions, and the reorganization of the Executive Branch; and

WHEREAS, these orders are of continuous effect unless expressly limited in duration, or revoked, rescinded or superseded; and

WHEREAS, certain executive orders are either no longer useful, no longer effective, or have been superseded by legislative enactment, and yet remain in existence.

NOW THEREFORE, I, James H. Douglas, by virtue of the power vested in me as Governor of the State of Vermont, do hereby revoke and rescind the following Executive Orders:

Executive Order #10-5 (formerly 43-71) dated October 6, 1971 (Transfer of Functions Relating to Industrial Hygiene and Ionizing Radiation to Department of Health);

# **VERMONT STATUTES**

**<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=18&Chapter=028&Section=01415>**

## **VERMONT STATUTES ANNOTATED**

### **TITLE 18: HEALTH**

### **CHAPTER 28: OCCUPATIONAL HEALTH**

#### **§ 1415. Division of occupational health**

To implement the policy of the state expressed in 21 V.S.A. § 201, and to continue the functions of the division of **industrial hygiene**, there is created within the department of health a division of occupational health, which shall be administered by the director of occupational health under direction and control of the commissioner of health and the state board of health. The division is the successor to and a continuation of the division of **industrial hygiene**. (Added 1971, No. 205 (Adj. Sess.), § 2.)

# **VERMONT RULES/REGULATIONS**

**<https://web.lexisnexis.com/research/retrieve? m=56e101f47008adf910c818f618dea3f6&docnum=1& fmtstr=FULL& startdoc=1&wchp=dGLbVzk-zSkAz& md5=0ac6d7d39ecb8d88afaa1a5bf73a68bf>**

## **CODE OF VERMONT RULES**

### **AGENCY 13: AGENCY OF HUMAN SERVICES** **SUB-AGENCY 140: DEPARTMENT OF HEALTH** **CHAPTER 001: ASBESTOS CONTROL**

#### **Section 1. General Provisions**

##### **1.2 Definitions**

1.2.13 Asbestos Consultant Contractor - Any person who is directly involved with providing **industrial hygiene** services for asbestos abatement activities, sampling for asbestos, inspecting or evaluating a building for asbestos hazards, preparing management plans, or the development, design, inspection, monitoring, or implementation of an asbestos abatement project or any other services listed in Section 4.2 and has obtained a contractor certificate to perform these activities as either an inspector, inspector/management planner, project designer or a project monitor.

#### **Section 3. CERTIFICATION STANDARDS FOR ANALYTICAL CONTRACTOR ENTITIES AND ASBESTOS ANALYST CONTRACTORS**

##### **3.2 Requirements for Certification of Analytical Contractor Entities**

###### **3.2.3 Air Sample Analysis**

###### **A) Proficiency Testing**

i) To be certified to analyze air samples for asbestos content by phase contrast microscopy (PCM) the applicant shall show evidence of proficiency in Asbestos Analysis by the National Institute for Occupational Safety and Health's Proficiency Analytical Testing Program/**American Industrial Hygiene Association Proficiency Analytical Testing Program** for Phase Contrast Microscopy (PAT Program) or the **Asbestos Analysts Registry (AIHA)**. The applicant shall participate in all rounds available, unless granted a waiver from the Department.

ii) To be certified to analyze air samples for asbestos content by Transmission Electron Microscopy, the applicant shall show evidence of proficiency in Asbestos Analysis by the

National Institute of Standards and Technology (NIST). The applicant shall participate in all rounds available, unless granted a waiver from the Department.

## **Section 4. CERTIFICATION STANDARDS FOR CONSULTING CONTRACTOR ENTITIES AND CONSULTANT CONTRACTORS**

### **4.1 Applicability**

#### 4.1.2 Experience Requirements

For the purposes of Section 4.1.2 experience requirements, the following areas are defined:

ii) **Industrial Hygiene** - the recognition of environmental factors and stresses associated with work and work operations and the understanding of their effects on people and their well-being in the workplace and the community; the evaluation, through training and experience, and with the aid of quantitative measurement techniques, of the magnitude of these factors and stresses in terms of ability to impair one's health and well-being. This would include the prescription of methods to control or reduce such factors and stresses when necessary to alleviate their effects.

### **4.5 Certification Standards for Individual Consultant Contractors**

#### 4.5.1 Inspector Contractor Certification

##### B) Requirements for Inspector Certification

The following are the minimum requirements necessary to establish competence for certification:

i) Possession of a High School diploma or G.E.D. and successful completion of an Inspector training course certified by the Department per Section 5 and one year of experience in asbestos abatement activities; or

ii) Possession of two years of college education from an accredited college or university and successful completion of an Inspector training course which is certified by the Department per Section 5; or

iii) three years of experience in engineering or **industrial hygiene**, and successful completion of a Inspector training course certified by the Department per Section 5.

#### 4.5.2 Inspector/Management Planner Contractor Certification

##### B) Requirements for Inspector/Management Planner Contractor Certification

The following are the minimum requirements necessary to establish competence for certification:

i) Possession of one year of experience in asbestos abatement activities and successful completion of an Inspector/Management Planner training course certified by the Department per Section 5; or

ii) Possession of two years of college education from an accredited college or university and one year of experience in asbestos abatement activities and successful completion of an Inspector/Management Planner training course certified by the Department per Section 5; or

iii) Possession of a bachelor's degree from an accredited four-year college or university, and successful completion of an Inspector/Management Planner training course certified by the Department per Section 5. or

iv) three years of experience in engineering or **industrial hygiene**, and successful completion of an Inspector/Management Planner training course certified by the Department per Section 5.

#### 4.5.3 Project Monitor Contractor Certification

##### B) Requirements for Project Monitor Contractor Certification

The following are the minimum requirements necessary to establish competence for certification:

i) Status as either an **American Board of Industrial Hygiene Certified Industrial Hygienist**, or a Registered Professional Engineer or Registered Architect and 3 months asbestos abatement activities and successful completion of a Contractor/Supervisor asbestos training course, certified by the Department per Section 5, and an Air Sampling for Project Monitors training course approved by the Department, per Section 5; or

ii) Possession of a bachelor's degree from an accredited four-year college or university and six months of experience in asbestos abatement activities and successful completion of a Contractor/Supervisor asbestos training course, certified by the Department, per Section 5 and an Air Sampling for Project Monitors training course, approved by the Department per Section 5; or

iii) Possession of two years of college education from an accredited college or university and one year of experience in asbestos abatement activities and successful completion of a Contractor/Supervisor training course certified by the Department per Section 5 and an Air Sampling for Project Monitors training course, approved by the Department per Section 5; or

iv) Possession of a High School Diploma or G.E.D., four years experience in engineering or **industrial hygiene** and one year experience in asbestos abatement activities and the successful completion of a Contractor/Supervisor asbestos training course, certified by the Department per Section 5 and an Air Sampling for Project Monitors training course approved by the Department per Section 5.



#### 4.5.4 Project Designer Contractor Certification

##### B) Requirements for Project Designer Contractor Certification

The following are the minimum requirements necessary to establish competence for certification:

- i) Status as either an **American Board of Industrial Hygiene Certified Industrial Hygienist**, or a Registered Professional Engineer or Registered Architect and six months of asbestos abatement activities and the successful completion of a Project Designer or a Contractor/Supervisor training course, certified by the Department per Section 5; or
- ii) Possession of a bachelor's degree from an accredited college or university and one year of experience in asbestos abatement activities and the successful completion of a Project Designer or a Contractor/Supervisor training course which have been certified by the Department per Section 5; or
- iii) Possession of an associates degree from an accredited college or university and two years of experience in engineering or **industrial hygiene** and one year of experience in asbestos abatement activities and the successful completion of a Project Designer or a Contractor/Supervisor training course which have been certified by the Department per Section 5; or
- iv) Possession of a High School diploma or G.E.D. and four years of experience in engineering or **industrial hygiene** and one year of experience in asbestos abatement activities and the successful completion of a Project Designer or a Contractor/Supervisor training course which have been certified by the Department per Section 5.

# **VERMONT RULES/REGULATIONS**

**[https://web.lexisnexis.com/research/retrieve?\\_m=56e101f47008adf910c818f618dea3f6&docnum=2&fmtstr=FULL&startdoc=1&wchp=dGLbVzk-zSkAz&md5=0ac6d7d39ecb8d88afaa1a5bf73a68bf](https://web.lexisnexis.com/research/retrieve?_m=56e101f47008adf910c818f618dea3f6&docnum=2&fmtstr=FULL&startdoc=1&wchp=dGLbVzk-zSkAz&md5=0ac6d7d39ecb8d88afaa1a5bf73a68bf)**

## **CODE OF VERMONT RULES**

### **AGENCY 13: AGENCY OF HUMAN SERVICES**

### **SUB-AGENCY 140: DEPARTMENT OF HEALTH**

## **CHAPTER 054: VERMONT REGULATIONS FOR LEAD CONTROL**

### **1. General Provisions**

#### **4.3 CERTIFICATION STANDARDS FOR CONSULTING CONTRACTORS AND INDIVIDUAL CONSULTANTS**

##### **4.3.1 General Requirements**

(f) Experience Requirements:

(2) **Industrial Hygiene** - the recognition of environmental factors and stresses associated with work and work operations and the understanding of their effects on people and their well-being in the work place and the community; the evaluation through training and experience and with the aid of quantitative measurement techniques of the magnitude of these factors and stresses in terms of ability to impair one's health and well-being. This would include the prescription of methods to control or reduce such factors and stresses when necessary to alleviate their effects.

##### **4.3.3 Certification Standards for Individual Consultants**

#### **II. Inspector/Risk Assessor Certification**

##### **(b) Requirements for Inspector/Risk Assessor Certification**

The following are the minimum requirements necessary to establish competence for certification:

(1) Possession of one year of experience in a related field (e.g., lead, asbestos, or environmental remediation work) or 25 inspections over at least a three month period as a licensed lead inspector technician and successful completion of an Inspector/Risk Assessor training course licensed or approved by the Department per Section 5 and one of the following:

(a) Bachelor's degree in addition to at least one year of experience in a related field (e.g., a supervisor in lead, asbestos, or radon related work); or

(b) **Certification as an industrial hygienist**, an engineer, a registered architect, or an environmentally related scientific field; or

(c) A high school diploma, plus at least two years of experience in a related field as defined above.

### III. Project Designer Certification

#### (b) Requirements for Project Designer Certification

The following are the minimum requirements necessary to establish competence for certification:

(1) Successful completion of Project Designer training course licensed or approved by the Department per Section 5 and one of the following:

(a) Status as either an **American Board of Industrial Hygiene Certified Industrial Hygienist** or a Registered Professional Engineer or Registered Architect and six months of lead-based paint abatement activities or at least one year of experience as a Project Designer for asbestos or radon. or

(b) Possession of a bachelor's degree from an accredited college or university and one year of experience in lead-based paint abatement activities or one year experience as a Project Designer for asbestos or radon. or

(c) Possession of an Associates Degree from an accredited college or university and two years of experience in engineering or **industrial hygiene** and one year of experience in lead-based paint abatement activities or one year experience as a Project Designer for asbestos or radon. or

(d) Possession of a High School diploma or G.E.D. and four years of experience in engineering or **industrial hygiene** and one year of experience in lead-based paint abatement activities or one year experience as a Project Designer for asbestos or radon.