

# WYOMING

## STATUTES :        (1)

### WYOMING STATE STATUTES:

**TITLE 35: PUBLIC HEALTH AND SAFETY  
CHAPTER 1: ADMINISTRATION  
ARTICLE 5: INDUSTRIAL HEALTH SERVICE**

#### Terms

#### References

Industrial Hygiene	3
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

# WYOMING

## RULES AND REGULATIONS: (2)

### WYOMING RULES AND REGULATIONS:

#### **OCCUPATIONAL HEALTH AND SAFETY CHAPTER 4**

#### **OCCUPATIONAL HEALTH AND SAFETY CHAPTER 2**

### Terms

### References

Industrial Hygiene	1
Industrial Hygienist	7
Certified Industrial Hygienist - CIH	7
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	2
American Conference of Governmental Industrial Hygienists – ACGIH	5
Occupational Health and Safety Technologist – OHST	0
Associate Safety Professional – ASP	0
Certified Safety Professional – CSP	1
Board of Certified Safety Professionals – BCSP	1

# **WYOMING STATUTES**

**<http://legisweb.state.wy.us/statutes/titles/Title35/T35CH1.htm>**

## **WYOMING STATE STATUTES**

### **TITLE 35: PUBLIC HEALTH AND SAFETY**

#### **CHAPTER 1: ADMINISTRATION**

#### **ARTICLE 5: INDUSTRIAL HEALTH SERVICE**

##### ARTICLE 5 - INDUSTRIAL HEALTH SERVICE

35-1-501. Short title.

This act shall be cited as the Industrial Health Service Act of 1945.

35-1-502. Service of **industrial hygiene** created.

The state department of health is hereby authorized and empowered to create and maintain a service of **industrial hygiene** as the state health officer may deem necessary.

35-1-503. Investigations; annual report required.

The **industrial hygiene** service shall investigate places of employment and study those conditions which might be responsible for ill health of the industrial workers and submit a yearly report to the state treasurer.

# **WYOMING RULES/REGULATIONS**

**<http://legisweb.state.wy.us/ARULES/2009/AR09-019employment.pdf>**

## **WYOMING RULES AND REGULATIONS**

### **OCCUPATIONAL HEALTH AND SAFETY**

#### **CHAPTER 4**

##### **Subpart D - Occupational Health and Environmental Controls**

1926.55 Gases, vapors, fumes, dusts, and mists.

(a) Exposure of employees to inhalation, ingestion, skin absorption, or contact with any material or substance at a concentration above those specified in the “Threshold Limit Values of Airborne Contaminants for 1970” of the **American Conference of Governmental Industrial Hygienists**, shall be avoided. See Appendix A to this section.

(b) To achieve compliance with paragraph (a) of this section, administrative or engineering controls must first be implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or other protective measures shall be used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and technical measures used for this purpose must first be approved for each particular use by a competent **industrial hygienist** or other technically qualified person. Whenever respirators are used, their use shall comply with 1926.103.

Appendix A to 1926.55 - 1970 **American Conference of Governmental Industrial Hygienists**’ Threshold Limit Values of Airborne Contaminants

##### **TABLE D-57.7 - MINIMUM MAINTAINED VELOCITIES INTO SPRAY BOOTHS**

(iv) The exhaust system, consisting of hoods, ducts, air mover, and discharge outlet, shall be designed in accordance with American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960, or the manual, Industrial Ventilation, published by the **American Conference of Governmental Industrial Hygienists** 1970. Airflow and pressure loss data provided by the manufacturer of any air cleaning devices shall be included in the design calculations.

(8) Operation.

(i) The required airflow shall be maintained at all times during which gas, mist, or vapor is emitted from the tank, and at all times the tank, the draining, or the drying area is in operation or use. When the system is first installed, the airflow from each hood shall be measured by means of a pitot traverse in the exhaust duct and corrective action taken if

the flow is less than that required. When the proper flow is obtained, the hood static pressure shall be measured and recorded. At intervals of not more than 3 months operation, or after a prolonged shutdown period, the hoods and duct system shall be inspected for evidence of corrosion or damage. In any case where the airflow is found to be less than required, it shall be increased to the required value. (Information on airflow and static pressure measurement and calculations may be found in American National Standard Fundamental Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960, or in the manual, Industrial Ventilation, published by the **American Conference of Governmental Industrial Hygienists.**)

(vi) When, during emergencies specified in paragraph (i)(11)(v) of this section, employees must be in areas where concentrations of air contaminants are greater than the limit set by paragraph (i)(2)(iii) of this section, or oxygen concentrations are less than 19.5 percent, they must use respirators that reduce their exposure to a level below these limits or that provide adequate oxygen. Such respirators must also be provided in marked, quickly-accessible storage compartments built for this purpose, when the possibility exists of accidental release of hazardous concentrations of air contaminants. Respirators must be approved by NIOSH under 42 CFR part 84, selected by a competent **industrial hygienist** or other technically-qualified source, and used in accordance with 29 CFR 1926.103. Respirators shall be used in accordance with 1926.103, and persons who may require them shall be trained in their use.

Hazardous waste operations and emergency response. CPL 2-2.51

(a) Scope, application, and definitions.

(3) Definitions –

“Published exposure level” means the exposure limits published in “NIOSH recommendations for Occupational Health Standards” dated 1986 incorporated by reference, or if none is specified, the exposure limits published in the standards specified by the **American Conference of Governmental Industrial Hygienists** in their publication “Threshold Limit Values and Biological Exposure Indices for 1987 - 88” dated 1987 incorporated by reference.

App C Compliance guidelines

Appendix C to - Compliance guidelines

1. Occupational Safety and Health Program. Each hazardous waste site clean-up effort will require an occupational safety and health program headed by the site coordinator or the employer’s representative.

For the development and implementation of the program to be the most effective, professional safety and health personnel should be used. **Certified Safety Professionals, Board Certified Industrial Hygienists** or Registered Professional Safety Engineers are good examples of professional stature for safety and health managers who will administer the employer’s program.

## Appendix E - Training Curriculum Guidelines.

### Suggested Core Criteria:

4. Course materials. The Training Director should approve all course materials to be used by the training provider. Course materials should be reviewed and updated at least annually. Materials and equipment should be in good working order and maintained properly. All written and audio-visual materials in training curricula should be peer reviewed by technically competent outside reviewers or by a standing advisory committee.

Reviews should possess expertise in the following disciplines where applicable: occupational health, **industrial hygiene** and safety, chemical/environmental engineering, employee education, or emergency response. One or more of the peer reviewers should be an employee experienced in the work activities to which the training is directed.

### **Part 1926 Subpart Z - Toxic and Hazardous Substances** **1926.1101 Asbestos. CPL 2-2.40**

**Certified Industrial Hygienist (CIH)** means one certified in the practice of **industrial hygiene** by the **American Board of Industrial Hygiene**.

**Industrial hygienist** means a professional qualified by education, training, and experience to anticipate, recognize, evaluate and develop controls for occupational health hazards.

(vi) A small walk-in enclosure which accommodates no more than two persons (mini-enclosure) may be used if the disturbance or removal can be completely contained by the enclosure with the following specifications and work practices.

(B) Work practices:

(6) Alternative control methods for Class I work. Class I work may be performed using a control method which is not referenced in paragraph (g)(5) of this section, or which modifies a control method referenced in paragraph (g)(5) of this section, if the following provisions are complied with:

(i) The control method shall enclose, contain or isolate the processes or source of airborne asbestos dust, or otherwise capture or redirect such dust before it enters the breathing zone of employees.

(ii) A **certified industrial hygienist** or licensed professional engineer who is also qualified as a project designer as defined in paragraph (b) of this section, shall evaluate the work area, the projected work practices and the engineering controls and shall certify in writing that the planned control method is adequate to reduce direct and indirect employee exposure to below the PELs under worst-case conditions of use, and that the planned control method will prevent asbestos contamination outside the regulated area,

as measured by clearance sampling which meets the requirements of EPA's Asbestos in Schools rule issued under AHERA, or perimeter monitoring which meets the criteria in paragraph (g)(4)(ii)(B) of this section.

(8) Additional Controls for Class II work. Class II asbestos work shall also be performed by complying with the work practices and controls designated for each type of asbestos work to be performed, set out in this paragraph. Where more than one control method may be used for a type of asbestos work, the employer may choose one or a combination of designated control methods. Class

II work also may be performed using a method allowed for Class I work, except that glove bags and glove boxes are allowed if they fully enclose the Class II material to be removed.

(i) For removing vinyl and asphalt flooring materials which contain ACM or for which in buildings constructed no later than 1980, the employer has not verified the absence of ACM pursuant to paragraph (g)(8)(i)(I) of this section. The employer shall ensure that employees comply with the following work practices and that employees are trained in these practices pursuant to paragraph (k)(9) of this section.

(I) Resilient flooring material including associated mastic and backing shall be assumed to be asbestos-containing unless an **industrial hygienist** determines that it is asbestos-free using recognized analytical techniques.

(B) Performing tests of the material containing PACM which demonstrate that no ACM is present in the material. Such tests shall include analysis of bulk samples collected in the manner described in 40 CFR 763.86. The tests, evaluation and sample collection shall be conducted by an accredited inspector or by a CIH. Analysis of samples shall be performed by persons or laboratories with proficiency demonstrated by current successful participation in a nationally recognized testing program such as the National Voluntary Laboratory Accreditation Program (NVLAP), the National Institute for Standards and Technology (NIST) or the Round Robin for bulk samples administered by the **American Industrial Hygiene Association (AIHA)** or an equivalent nationally-recognized round **robin testing program**.

(iii) The employer and/or building owner may demonstrate that flooring material including associated mastic and backing does not contain asbestos, by a determination of an **industrial hygienist** based upon recognized analytical techniques showing that the material is not ACM

#### Quality Control Procedures

2. b. All **laboratories** should also participate in a national sample testing scheme such as the **Proficiency Analytical Testing Program (PAT), or the Asbestos Registry** sponsored by the **American Industrial Hygiene Association (AIHA)**.

If a pair of counts are rejected by this criterion then, recount the rest of the filters in the submitted set. Apply the test and reject any other pairs failing the test. Rejection shall

include a memo to the **industrial hygienist** stating that the sample failed a statistical test for homogeneity and the true air concentration may be significantly different than the reported value.

#### 7.4. Reporting Results

Report results to the **industrial hygienist** as fibers/cc. Use two significant figures. If multiple analyses are performed on a sample, an average of the results is to be reported unless any of the results can be rejected for cause.



# **WYOMING RULES/REGULATIONS**

<http://legisweb.state.wy.us/ARULES/2010/AR10-045SERC.pdf>

## **WYOMING RULES AND REGULATIONS**

### **OCCUPATIONAL HEALTH AND SAFETY**

#### **CHAPTER 2**

##### **Section 3. Qualifications and Training Requirements for ESPs.**

(a) ESPs shall meet one of the following criteria:

(i) Possess current certification as a **Certified Industrial Hygienist** in Comprehensive Practice (**CIH**) from the **American Board of Industrial Hygiene**, or a Professional Engineer (PE) currently registered in the State of Wyoming, or,

(ii) Have the equivalent of two years full-time recent environmental sampling experience and perform any work under the direction and review of a **CIH/PE** employed by the same firm. The **CIH/PE** supervising the work is required to sign off on all reports required by this regulation.

##### **Section 14. Final Reports.**

(a) After all required remediation and sampling is complete, a final report shall be prepared, signed, and stamped by the **CIH/PE** summarizing all testing for the site. The report shall specifically include:

(i) Initial and clearance testing data

(ii) Pertinent observations

(iii) Sketches and photographs of pre-existing and final conditions documenting sample locations

(iv) Remediation scope of work

(v) Remediation work performed, as provided by the contractor

(vi) Certification that the structures are in compliance with the clearance sampling requirements as of the date of the final assessment.

(b) This report shall be provided to the homeowner, the incident commander, the Wyoming Department of Health, and the Wyoming Office of Homeland Security. This report shall be retained by the owner and the **CIH/PE** for a period of no less than seven years.