June 7, 2019

Assembly Member Bill Quirk,
Chair
Environmental Safety and Toxic Materials Committee

**Recommendations on Assembly Bill 1596 from AIHA Opioids Responder Working Group (Hazardous substances: contaminated property: fentanyl cleanup.)**

Dear Assembly Member Quirk:

On behalf of the American Industrial Hygiene Association® (AIHA) and AIHA’s Opioids Responder Working Group, we applaud you for introducing AB 1596, and believe that the public and workers would be further protected if the bill is amended in accordance with our below recommendations:

1) Amend Sections 25400.19 and 25400.20 to require the local health officer to consult with a Certified Industrial Hygienist (CIH) throughout the inspection and assessment of the property to determine the specific type and extent (e.g., concentration) of the contamination within the residence and the specific remediation strategy required.

2) Amend Section 25400.26 to require the local health officer to consult with a CIH during the development and approval of the Preliminary Site Assessment (Sampling) Work Plan, the Preliminary Site Assessment, and the development and approval of the Mitigation Work Plan as noted within this section. Such professional CIH oversight would be critical to determine whether these key stages of the assessment and remediation plan would be sufficient to evaluate and remediate the contamination caused by the illicit methamphetamine or fentanyl laboratory production, distribution and/or handling activities.

3) It is recognized by AIHA that the proposed legislation authored by your office would importantly expand the current regulatory framework to now include the highly toxic fentanyl and fentanyl analogs. AIHA believes that such expansion of current California statute would be instrumental in further protecting workers and our communities from these new forms of contamination that are now emerging as a result of the opioid epidemic and illicit manufacturing and distribution operations.
The CIH professional certification attests to an individual meeting educational, experience, and successful exam results. The CIH provides critical protections to workers and the public. In addition to being the most commonly-recognized voluntary certification in the industrial hygiene profession because of its high standards and code of ethics, CIHs have knowledge and skills in numerous areas applicable to property remediation, including: air sampling, analytical chemistry, biohazards, toxicology, ventilation, community exposure concerns, health risk analysis, and hazard communication, among others¹.

Conclusion and Next Steps
Thank you for this opportunity to comment on AB 1596 and for taking an important step forward to better protect our communities. For additional information and follow up, please contact Mark Ames, AIHA’s Director of Government Relations, at mames@aiha.org or 703-846-0730.

Sincerely,

Lawrence Sloan, CAE
Chief Executive Officer
American Industrial Hygiene Association

Background on AIHA
AIHA and our members have the expertise to help prevent, mitigate, and respond to workplace hazards in every industry. Our expertise is based upon solid credibility built from 80 years of service to the industrial hygiene and occupational and environmental health and safety communities. Through our service to help protect the health and safety of all workers, we have a reach that extends to millions of people. Specifically, AIHA has more than 600 members in California, and 8,500 members throughout the United States and its territories who represent a cross-section of industry, private business, labor, government, and academia. We have Local Sections throughout the United States and more than 50 volunteer groups. We also have formal and informal partnership agreements with governmental and nongovernmental organizations that represent the full spectrum of worker health and safety vocations. For additional information on AIHA, please visit https://www.aiha.org/.

¹ For additional information on the process for becoming a Certified Industrial Hygienist®, please visit http://www.abih.org/about-abih/cih-caih.