

MARYLAND

STATUTES : (2)

ANNOTATED CODE OF MARYLAND:

HEALTH OCCUPATIONS
TITLE 21. ENVIRONMENTAL HEALTH SPECIALISTS
SUBTITLE 3. LICENSING

BUSINESS REGULATION
TITLE 8. HOME IMPROVEMENT
SUBTITLE 7. MOLD REMEDIATION SERVICES

Terms

References

Industrial Hygiene	0
Industrial Hygienist	2
Certified Industrial Hygienist - CIH	1
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician – CHST	0
Industrial Hygienist in Training - IHIT	1
AIHA Lab Accreditation Program	0
American Industrial Hygiene Association - AIHA	2
American Board of Industrial Hygiene - ABIH	2
American Conference of Governmental Industrial Hygienists – ACGIH	0
Occupational Health and Safety Technologist – OHST	1
Associate Safety Professional – ASP	1
Certified Safety Professional – CSP	1
Board of Certified Safety Professionals – BCSP	2

MARYLAND

RULES AND REGULATIONS: (6)

**TITLE 09: DEPARTMENT OF LABOR, LICENSING, AND
REGULATION**

**SUBTITLE 12: DIVISION OF LABOR AND INDUSTRY:
CHAPTER 20: OCCUPATIONAL SAFETY AND HEALTH**

**TITLE 09: DEPARTMENT OF LABOR, LICENSING, AND
REGULATION**

**SUBTITLE 12: DIVISION OF LABOR AND INDUSTRY:
CHAPTER 22: PERSONALLY IDENTIFIABLE EMPLOYEE
MEDICAL INFORMATION**

TITLE 26: DEPARTMENT OF ENVIRONMENT

**SUBTITLE 11: AIR QUALITY:
CHAPTER 15: TOXIC AIR POLLUTANTS**

TITLE 26: DEPARTMENT OF ENVIRONMENT

**SUBTITLE 11: AIR QUALITY:
CHAPTER 16: PROCEDURES RELATED TO REQUIREMENTS
FOR TOXIC AIR POLLUTANTS**

TITLE 26: DEPARTMENT OF ENVIRONMENT

**SUBTITLE 11: AIR QUALITY:
CHAPTER 21: CONTROL OF ASBESTOS**

TITLE 26: DEPARTMENT OF ENVIRONMENT

**SUBTITLE 16: LEAD
CHAPTER 1: ACCREDITATION AND TRAINING FOR LEAD
PAINT ABATEMENT SERVICES**

Terms**References**

Industrial Hygiene	1
Industrial Hygienist	3
Certified Industrial Hygienist - CIH	1
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician – CHST	0
Industrial Hygienist in Training - IHIT	2
AIHA Lab Accreditation Program and related	0
American Industrial Hygiene Association - AIHA	0
American Board of Industrial Hygiene - ABIH	2
American Conference of Governmental Industrial Hygienists – ACGIH	7
Occupational Health and Safety Technologist – OHST	0
Associate Safety Professional – ASP	0
Certified Safety Professional – CSP	1
Board of Certified Safety Professionals – BCSP	0

MARYLAND STATUTES

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ANNOTATED CODE OF MARYLAND

HEALTH OCCUPATIONS

TITLE 21. ENVIRONMENTAL HEALTH SPECIALISTS

SUBTITLE 3. LICENSING

§21–301. Licensure

(a) Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice as an environmental health specialist in this State.

(b) This section does not apply to:

(1) An environmental health specialist–in–training as provided for under § 21–305 of this subtitle;

(2) A student participating in a field experience as part of an educational program; and

(3) A qualified individual in any of the following job classifications:

(i) **Industrial hygienists** as defined by the **American Industrial Hygiene Association**;

(ii) **Certified industrial hygienists** and **industrial hygienists in training** as defined by the **American Board of Industrial Hygiene**;

(iii) Health planners or natural resource planners;

(iv) Building and housing inspectors;

(v) Geologists;

(vi) Chemists;

...

(xix) Persons employed by the Division of Labor and Industry of the Department of Labor, Licensing, and Regulation who perform duties and responsibilities under the Maryland Occupational Safety and Health Act;

(xx) **Occupational safety and health technologists** as defined by the **American Board of Industrial Hygiene** and the **Board of Certified Safety Professionals**;

(xxi) Safety professionals as defined by the American Society of Safety Engineers;

(xxii) **Certified safety professionals** and **associate safety professionals** as defined by the **Board of Certified Safety Professionals**;

(xxiii) Persons employed by industrial operations whose environmental services are performed solely for their employer; and

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ANNOTATED CODE OF MARYLAND

BUSINESS REGULATION

TITLE 8. HOME IMPROVEMENT

SUBTITLE 7. MOLD REMEDIATION SERVICES

§8-702. Applicability of subtitle

(a) This subtitle does not apply to:

- (1) the performance of mold remediation on nonresidential property;
- (2) the performance of mold remediation in an area less than 10 square feet;
- (3) the performance of mold assessments; or
- (4) routine cleaning that is not performed for the purpose of mold remediation.

(b) This subtitle does not limit the right of:

- (1) an individual residential property owner who performs mold remediation on the individual's property;
- (2) an employee of the United States government, the State government, a local government, or an independent agency while that employee is performing mold remediation services on or within buildings or structures owned or solely occupied by the United States government, the State government, a local government, or an independent agency;
- (3) an **industrial hygienist**, as defined by the **American Industrial Hygiene Association**, a professional engineer, or an environmental sanitarian who engages in mold remediation services; or
- (4) an individual regularly employed by the owner of property, or the owner's agent, to engage in maintenance and repair work.

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=09.12.20.03.htm>

TITLE 09: DEPARTMENT OF LABOR, LICENSING, AND REGULATION

SUBTITLE 12: DIVISION OF LABOR AND INDUSTRY CHAPTER 20: OCCUPATIONAL SAFETY AND HEALTH

09.12.20.03

.03 Inspection Procedures.

E. Representatives of Employers and Employees.

(1) An inspector shall:

- (a) Be in charge of inspections and of questioning persons; and
- (b) Provide an opportunity for a representative of the employer and a representative chosen by employees to accompany the inspector during the physical inspection of a workplace for the purpose of aiding the inspection.

(2) An inspector may permit:

- (a) Additional employer or employee representatives to accompany the inspector, if the inspector determines that the additional representatives will further aid the inspection;
 - (b) A different employer and employee representative to accompany the inspector during each phase of an inspection if this does not interfere with the conduct of the inspection.
- (3) If there is no representative chosen by employees, or if the inspector is unable to determine with reasonable certainty who is the representative, the inspector shall consult with a reasonable number of employees concerning matters of safety and health in the workplace.

(4) Except as noted in §E(5) of this regulation, the representative chosen by employees shall be an employee of the employer.

(5) If the inspector determines that the inclusion of a third party, such as an **industrial hygienist** or a safety engineer, who is not an employee of the employer is reasonably necessary to conduct an effective and thorough physical inspection of the workplace, the inspector may permit that individual to participate in the inspection.

(6) An inspector may deny the right of accompaniment to an individual whose conduct interferes with a fair and orderly inspection.

(7) The right of accompaniment in areas containing trade secrets is subject to the provisions of §F of this regulation.

(8) With regard to information classified by an agency of the United States Government in the interest of national security, only an individual authorized to have access to the information may accompany the inspector.

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=09.12.22.04.htm>

TITLE 09: DEPARTMENT OF LABOR, LICENSING, AND REGULATION

SUBTITLE 12: DIVISION OF LABOR AND INDUSTRY

CHAPTER 22: PERSONALLY IDENTIFIABLE EMPLOYEE MEDICAL INFORMATION

09.12.22.04

.04 Responsible Individuals.

C. Principal Investigator.

(1) The principal investigator is the MOSH representative who, in each instance of access to personally identifiable employee medical information, is made primarily responsible for assuring that the examination and use of the information is performed in the manner prescribed by:

- (a) A written access order; and
- (b) The requirements of this chapter.

(2) When access is under a written access order, the principal investigator shall be professionally trained in medicine, public health, or allied fields such as epidemiology, toxicology, **industrial hygiene**, biostatistics, or environmental health.

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.11.15.01.htm>

TITLE 26: DEPARTMENT OF ENVIRONMENT SUBTITLE 11: AIR QUALITY CHAPTER 15: TOXIC AIR POLLUTANTS

26.11.15.01

.01 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.

(17) "Simple asphyxiant" means a physiologically inert gas or vapor that acts primarily by diluting atmospheric oxygen below the level required to maintain proper levels of oxygen in the blood. Examples of simple asphyxiants are listed in COMAR 26.11.16.08.

(18) "Threshold limit value (TLV)" means the airborne concentration of a substance that, according to the American Conference of Governmental Industrial Hygienists (ACGIH), represents conditions to which nearly all workers may be exposed without adverse effect and that is published in the chapter titled "1991—1992 Threshold Limit Values for Chemical Substances in the Work Environment" (Adopted by ACGIH with Intended Changes for 1991—1992), which is incorporated by reference. This chapter is found in the TLV booklet, defined in §B(19) of this regulation. TLV includes the following:

- (a) "Ceiling TLV (TLV-C)" means a concentration that ACGIH indicates should not be exceeded even instantaneously in a workplace;
 - (b) "Short term exposure limit (TLV-STEL or STEL)" means a 15-minute time-weighted average concentration that ACGIH indicates should not be exceeded at any time during a workday;
 - (c) "Threshold limit value—time weighted average (TLV-TWA)" means a concentration recommended by ACGIH for a normal 8-hour workday and 40-hour workweek.
- (19) "TLV booklet" means "1991—1992 Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices" (American Conference of Governmental Industrial Hygienists, 1991).

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.11.16.03.htm>

TITLE 26: DEPARTMENT OF ENVIRONMENT

SUBTITLE 11: AIR QUALITY

CHAPTER 16: PROCEDURES RELATED TO REQUIREMENTS

FOR TOXIC AIR POLLUTANTS

26.11.16.03

03 Screening Levels.

A. Screening Levels for Toxic Effects Other than Cancer.

(3) Special Screening Level. If a special screening level for a toxic air pollutant is listed in Regulation .09 of this chapter, the special screening level or levels in Regulation .09 of this chapter replace applicable TLV-based or threshold-based screening levels for that toxic air pollutant.

(4) General.

(a) The Department may adopt special screening levels for TAPs that **ACGIH** has identified as carcinogens. A person should contact the Air Management Administration before using a TLV-based screening level for any of these TAPs.

(b) The Department will provide information on TLV-based screening levels upon request.

(c) The Department will maintain a list of AALs under consideration pending their adoption into this chapter, and will make a list available upon request.

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.11.21.13.htm>

TITLE 26: DEPARTMENT OF ENVIRONMENT **SUBTITLE 11: AIR QUALITY** **CHAPTER 21: CONTROL OF ASBESTOS**

26.11.21.13

.13 Health and Safety Training.

B. Criteria for Initial Course. In order to obtain or retain Department approval, a person sponsoring a course shall substantially satisfy the following criteria:

(4) Ensure that instruction is given or supervised by:

(a) An **industrial hygienist** who is at least designated an **industrial hygienist in training (IHIT)** by the **American Board of Industrial Hygiene**; or

(b) An individual with equivalent education and experience as determined by the Department.

C. Criteria for operations and maintenance (O and M) training courses shall substantially satisfy the following:

(3) Ensure that instruction is given or supervised by an:

(a) **Industrial hygienist** who is at least designated an **industrial hygienist in training (IHIT)** by the **American Board of Industrial Hygiene**; or

(b) Individual with equivalent education and experience as determined by the Department;

MARYLAND RULES/REGULATIONS

<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.16.01.18.htm>

TITLE 26: DEPARTMENT OF ENVIRONMENT

SUBTITLE 16: LEAD

CHAPTER 1: ACCREDITATION AND TRAINING FOR LEAD PAINT ABATEMENT SERVICES

26.16.01.18

.18 Lead Abatement Instructor Requirements.

B. Recognized Expert.

(1) Recognized experts include:

- (a) A physician who is board-certified in occupational medicine or who has demonstrated equivalent experience;**
- (b) A certified occupational health nurse;**
- (c) A certified industrial hygienist;**
- (d) A registered environmental sanitarian;**
- (e) An accredited lead paint abatement services contractor;**
- (f) An accredited lead paint risk assessor;**
- (g) A certified safety professional; or**
- (h) Other professionals approved on a case-by-case basis by the Department.**

(2) A recognized expert may serve as an instructor in an accredited course under the direction of an accredited instructor.

(3) A recognized expert may teach only those topics corresponding with the specified areas of expertise.