

CAROLINAS SECTION Fall 2004 Newsletter

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President's Message

Dear Fellow IHs:

Change is inevitable. Change can be positive or negative. What is important is how you respond to change.

I joined the Carolinas Local Section about 20 years ago when I was still in college at UNC-Chapel Hill. I remember attending my first conference in Myrtle Beach in the fall. I was just another student who had not faced the real world of IH work yet. Now, I will be going back to Myrtle Beach as the Section President (Shows that some changes can bring you back to where you started!). What has changed is my experience, my perspective and most importantly, my willingness to get involved.

Over the years, there has been concern that the Carolinas Local Section was not changing with the times, was not reaching out enough. So some changes were made. City meetings were added and have been very successful. A web page was created to keep members updated. Increased efforts were made to bring topics to the conferences that were leading edge to keep up with changes in the discipline of IH. I would never have predicted 20 years ago that IAQ and mold would be the topic of the day. Or the most significant event in the last few years that has changed many of our lives – September 11. Who could have predicted that security issues and terrorist threats would become mainstream topics for IH's? Another change has been the increasing influx of other groups into areas traditionally covered by IH's. This change has led to the need for increased involvement at the state and federal government level. The Carolinas Local Section faced that need for change by successfully supporting the NC Title Protection effort several years ago and the SC Title Protection effort this year (More on that success later in this newsletter!).

In my current job at Duke Energy and as the new Carolinas Local Section President, it is important for me to identify future changes that can impact my company or the Section. At Duke Energy, I have a number of resources to use to track and predict what is

coming and what we should do about it. The Carolinas Section board and I do not have these same resources. We need input from you as members.

- What do you feel are the important issues for the future of the Carolinas Local Section?
- What do you feel we should do about it?
- Even more important, what are you prepared to do about it?
- Have you sent an email or talked to any of the board members about any concerns for the Section?
- Are you prepared to participate yourself to help make needed changes (e.g. join a committee or run for a board position yourself)?

Our congressional representatives do not always know what is most important to their constituents or what is the best way to address needed changes. They rely on letters and/or lobbyist to hear what is important. The Carolinas Local Section board needs to hear from you about what is important to you and what you would like us to do about it. Changes will happen and we will do our best, but we could do better with your help.

*James G. Gartland,
Carolinas AIHA President*

In This Issue...

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- **Fall Conference Information**

Fall Conference & PDC, Myrtle Beach, SC

The Fall Conference will be held at the Embassy Suites Hotel at Kingston Plantation in Myrtle Beach, South Carolina on September 30-October 1. A PDC on "Industrial Toxicology for Practicing Safety and Health Professionals" will precede the conference on September 29-30. The conference program and registration form are attached for your convenience.

Fall PDC on September 29 & 30 - Industrial Toxicology for Practicing Safety and Health Professionals

Are you currently preparing to take the certification exam? Or are you a mid-to-late career industrial hygienist who is a little rusty on industrial toxicology? Or do you just enjoy an excellent short-course with premier instructors? If you have answered "yes" to any of these questions, this PDC is designed just for you.

The "Industrial Toxicology for Practicing Safety and Health Professionals" PDC is a refresher course in applied industrial toxicology that is targeted at working IH and safety engineer. The material covered will be helpful for those individuals who are preparing to take the CIH exam, too.

The course is being taught by Finis L. Cavender, PhD, DABT, CIH and Edward J. Sowinski, PhD, DABT, CIH. Both are recognized experts in the field of toxicology with over 30 years of experience, as well as active AIHA members.

Dr. Cavender is President of CEI in Greer, SC. He has taught at Abilene Christian University, UNC-Chapel Hill and the University of Maryland. Dr. Sowinski is Vice President of EHMS Inc. in Williamsburg, VA.

Volunteer Needed for AV Equipment

The Section needs a volunteer to handle audio-visual equipment at the PDCs and conferences. If interested, please contact Phil Hooper at Phil.Hooper@SouthernIndustrial.com.



Carolinas AIHA on the Web

- Post Articles!
- Post Information to the IH Community!
- How? Visit and see whom to contact.

Go to:

<http://www.aiha.org/localsections/html/carolinas/aihacar.htm>

South Carolina Title Protection Update

The South Carolina Legislative Session of 2004 ended June 3, 2004 with a ratified bill on title protection for Certified Industrial Hygienist (CIH) and Certified Safety Professional (CSP), South Carolina Act 235. The bill was introduced on January 14, 2004 in the Senate sponsored by Senator Glenn McConnell and Senator Verne Smith. The bill moved quickly through the Subcommittee on Labor Commerce and Industry and onto the Senate Floor. The title protection bill was passed in the Senate March 3, 2004.

The Bill was introduced and sponsored in the House by Representative Henry Cato. The bill was received in the House April 1, 2004 and passed April 20, 2004. This fast moving legislation however came to an abrupt halt on April 26, 2004 when Governor Sanford vetoed the bill citing his belief of no widespread harm in not having the bill. After calling the Senate and House sponsors and a timely letter from AIHA's Governmental Affairs Director, Aaron Trippler, the veto was over turned by the Senate May 12th and the House May 19th. The bill became the "Certified Industrial Hygienist and Certified Safety Professional Title Protection Act", Act 235, on June 10, 2004.

That is the short version of the process. Before the Title Protection bill reached the 2004 Legislative Session a committed group of South Carolina members of ASSE and Carolinas Section of AIHA had been working for many years. An *ad hoc* committee, SC Title Protection Committee, had developed a draft bill based on model legislation provided by AIHA/ASSE and on input from the three SC chapters of ASSE and the SC members of AIHA. The SC Title Protection Committee had also met with the Director of SC Department of Labor, License, and Regulatory from three different administrations. The committee had successfully assuaged the concerns of all interested parties before getting the bill submitted to the legislation. Needless to say, the Governor's veto was a shock. However, even this was a short setback.

Thank you to all of the ad hoc Committee Members:

- Stead Fast: Colleen Eubanks, Ronda Haggerty, Pam Tompkins, Bruce Sproles, Sherman Woodson,
- At the Beginning: John Mewborn, Greg Rawls, Lee Safely
- Support when needed: Marshal Fowler, Fred Miller, Joel Jones, Aaron Trippler

And the many who wrote letters, sent emails or made phone calls to their elected representative

Linda Rackley, CIH

Thank You Note to the SC Legislature

As President of the Carolinas AIHA Local Section, James Gartland wrote the following note to several SC legislators who were key in getting the SC Title Protection bill passed:

“Dear Representative Cato, Senators McConnell and Smith:

On behalf of the South Carolina members of the Carolinas Section of the American Industrial Hygiene Association, thank you for your support in sponsoring S. 827: The Certified Industrial Hygienist and Certified Safety Professional Title Protection Act”. We especially applaud your continued interest in this legislation through your effort to override the Governor’s veto.

We feel strongly that this legislation will provide the citizens of South Carolina assurance that the professional they hire will be qualified. Just recently the American Board of Industrial Hygiene, the certifying board for Certified Industrial Hygienist (CIH), published in their newsletter the name of an individual located in Columbia that had falsely presented himself as a Certified Industrial Hygienist. Their publication is distributed only to members, not the public. There is now a mechanism to address this issue.

Again, thank your for all your assistance.

James G. Gartland, CIH, CSP, CHMM“

Manufacturer and Retailer of Bed Sheets (Springs Industries) Did Not Have a Duty to Warn Consumers About Formaldehyde Used in the Manufacturing Process

I recently assisted in providing technical expertise in a formaldehyde product liability case brought against my company. My knowledge and skills acquired as an industrial hygienist (toxicology, standard laboratory methods) proved to be very helpful to the law firm who represented Springs Industries.

Trace amounts of free formaldehyde are present in nearly all textile products as a by-product of resins, dyes, and finishes. The level of free formaldehyde is closely monitored and the chemical components used to manufacture these products are screened to assure that the resulting free formaldehyde levels are acceptable.

Pai v. Springs Industries, Inc., et. al., Ohrenstein & Brown represented Springs Industries, Inc., in an action brought by plaintiff Rose Pai, who suffered from chronic or severe allergies and multiple chemical sensitivities. Plaintiff sought damages from Springs and Macy's based on their alleged negligence, failure to warn, strict products liability, and breach of warranty. She claimed to have developed rashes, sores, scarring, itching and other afflictions due to excessive formaldehyde levels in cotton sheets manufactured by Springs and sold by Macy's.

Springs sought dismissal, contending that its sheets and pillow cases had been tested by the only method recognized by the textile industry for measuring formaldehyde, that those tests revealed minuscule levels of formaldehyde, and that there had been no consumer complaints regarding its sheets. The Supreme Court, Queens County (Durante, J.) granted Springs' motion for summary judgment in all respects. Justice Durante reasoned that the claim against Springs for failure to warn was preempted by the Federal Hazardous Substance Act.

He also found that plaintiff failed to present evidence suggesting that a substantial number of people suffered any allergic reactions to Springs sheets. The Court held that, given the absence of evidence suggesting that the sheets caused adverse skin conditions to more than a microscopic fraction of potential users, Springs had no duty to warn of potential allergic reactions. The Court also granted Macy's cross-motion for summary judgment on the ground that the store had no liability for a product it sold in a sealed package.

I along with Jonathon Judd of Ohrenstein & Brown will be presenting this case study at our fall conference. The presentation will provide technical information about case law involving strict liability, information about free formaldehyde in textile products, as well as pro-active product liability strategies.

*John Lopez CIH, CSP
Director of Health and Safety, Springs Industries.*

City Lunch Meetings

Marie Fitzgerald has organized the Triad meetings. Most recently, there were 28 attendees at a meeting in Greensboro, hosted by Bill Dyson and the Workplace Group. The speaker was Ron Howell from UNC-CH who spoke on “Mold—The Good, The Bad & the Allergic.”

Susan Buchanan has organized the RTP-area meetings, which are hosted by Marshal Gray and A.J. Reid at the US EPA facility in the Research Triangle Park. Recent speakers include Bob Willson on noise, Alexy Kolesnikov on computational fluid dynamics to assess exhaust ventilation, and Andy Prokeptez on intellectual property rights.

Conference Speakers Information

PDC

Finis L. Cavender, PH.D., DABT, CIH is President of CEI located in Greer, SC. He obtained his BS, MS and Ph.D. degrees from Texas Tech University and performed postdoctoral work at the University of North Carolina. He is a Diplomate of the American Board of Toxicology, a Fellow in

the American Academy of Toxicology and a CIH. He has been a private consultant since 1984.

Edward J. Sowinski, Ph.D., DABT, CIH is Vice President of EHMS, Inc in Williamsburg, VA. He received his BS degree from the University of Scranton, MS from the University of Cincinnati, and Ph.D. from Drexel University. He is a Diplomate of the American Board of Toxicology, a Fellow of the AIHA and a CIH.

Chemical Security

James Gartland, CIH, CSP, CHMM, CPEA is the Manager, Health and Safety in the Corp. EHS Policies department at Duke Energy. He has been in that role for two years. Previously he spent 13 years in various Duke Power safety and industrial hygiene groups. James has a Bachelors Degree in Environmental Protection and a Master's Degree in Industrial Hygiene, both from UNC-Chapel Hill. James holds certifications in multiple areas: CIH, CSP, Certified Hazardous Materials Manager and Certified Professional Environmental Auditor-Health and Safety focus area. James is the current President of the Carolinas AIHA local section and serves on the board of the Queen City (Charlotte) Certified Hazardous Materials Manager Chapter. When he is not collecting certifications, he lives in Charlotte, NC with his wife and two sons.

James' presentation will cover both regulatory and voluntary programs that were developed in response to concerns about terrorist activities involving bulk hazardous chemicals. A particular focus will be on the Dept. of Transportation's Hazardous Materials transportation security regulations and on the bill currently in Congress that would give the Dept. of Homeland Security authority to regulate security issues related bulk hazardous chemicals at facilities.

The Latest OH&S News from Washington

Aaron Trippler is Director of Government Affairs for the American Industrial Hygiene Association (AIHA), directing government affairs for more than 70 local sections and chief liaison with Congress and federal agencies. Aaron has served in this capacity since 1992, when he developed the AIHA government affairs program. AIHA is the premier association of occupational and environmental health and safety professionals. AIHA's members play a crucial role on the front line of worker health and safety every day.

In directing federal affairs, Aaron is responsible for following all federal legislation and regulations, as well as drafting AIHA Congressional testimony and working with numerous federal agencies on the public policy issues of AIHA.

Aaron also directs state government affairs for AIHA, annually reviewing nearly 3,000 pieces of state legislation and

regulations affecting the profession of industrial hygiene and testifying when needed.

In Aaron's presentation, you will hear the latest happenings from Washington regarding occupational health and safety. What will be the impact of the November election? What issues are rising to the forefront? Here's the latest without the fluff – just reality.

Safety Considerations for High Voltage, High Power Electrical Generation, Distribution and Control Systems

Mark A. McCoy, MS, CIH, CSP currently works as a Health and Safety Specialist and PSM Coordinator for Duke Power Company at the Belews Creek Steam Station, one of the largest coal-fired power plants in the nation. He has a Master of Science degree in Safety Engineering from Texas A&M University and a Bachelor of Science Degree in Geological Engineering from Brigham Young University. Mark has worked in the EHS field for 18 years in a variety of industries including aerospace, environmental consulting, mining, chemicals, high-energy physics research, semiconductors, and electric power generation.. Mark is married to the mother of his 4 children and lives out in the woods north of Winston-Salem.

This presentation will illustrate some of the components of high voltage and high power electrical systems, discuss the hazards associated with those systems and describe methods that may be used to control exposures and hazards.

Lessons Learned From The West Pharmaceutical Plant Explosion

Roger Dail is Director of Lenoir County Emergency Services in Kinston, NC. He has been with the department since March, 1991.

Roger started out as the assistant director/fire marshal. He served on a local volunteer fire and rescue squad for many years. His job entails the public safety of approximately 60,000 citizens in Lenoir County. Emergency Management involves preparedness, response, mitigation and recovery from all emergencies/disasters. He oversees emergency management activities, fire inspections/investigation, communications-E911, and emergency medical services.

Preventing and Defending against Product Liability Action

John Lopez, CIH, CSP is the corporate director of health and safety for Springs Industries. His responsibilities include corporate health and safety policies, auditing, industrial hygiene services, ergonomics, and assists in product liability and workers compensation cases.

See John's article on page 3 of the Newsletter for a preview of his presentation.



There is a tremendous amount of behind-the-scenes work by a number of members to plan and implement the conference, PDC, brochure and newsletter. Without the effort of these members, we would not have the best local section of AIHA in the nation. So thanks needs to go to them:

Marie Fitzgerald and Amy Snow

- For their work on the Conference Committee

Mary Carol Lewis and Pat Curran

- For their work on the PDC Committee

Susan Buchanan, Marie Fitzgerald, John Lopez, Sam Ingram, Sherman Woodson, Rhonda Haggerty

- For their work on city lunch meetings

Mike Garrett

- For his work as section webmaster

Linda Rackley, Ronda Haggerty, Sherman Woodson

- For their work on the SC Title Protection bill



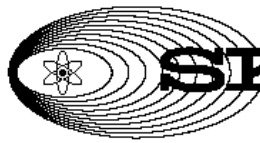
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SPRING 2005 CONFERENCE

North Raleigh Hilton
Raleigh, NC

March 2-4, 2005

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The North Carolina Occupational Safety and Health Education & Research Center

Mark your calendar for the upcoming...

- [Comprehensive Industrial Hygiene \(CIH\) Review Course](#), Sept. 13-17, 2004 in Chapel Hill
- [Sampling & Evaluating Airborne Asbestos Dust \(NIOSH 582\) Course](#), Sept. 27-Oct 1, 2004 in Chapel Hill
- [Certified Safety Professionals \(CSP\) Review Course](#), Oct. 15-19, 2004 in Chapel Hill
- [Occupational Health Nursing Introduction Course](#), Nov. 3-5, 2004 in Chapel Hill
- [25th Annual Occupational Safety and Health Winter Institute](#) * January 24-28, 2005 * at the Safety Harbor Resort, Safety Harbor, Florida (See website by early Fall 2004)

for information on these and other available courses, please visit us:

online: www.sph.unc.edu/osherc/
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or by telephone: 888-235-3320



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Conference Agenda

Wednesday, September 29th

1:00 - 5:00 p.m. PDC

Thursday, September 30th

8:00 am-Noon PDC (Continued)

10:30 a.m. Registration

11:00 a.m. Exhibitors Area Opens

Noon Lunch (Exhibitor's Area)

1:00 p.m. Welcome
James Gartland, President

1:15 p.m. Chemical Security
James Gartland, Duke Energy

2:00 p.m. National AIHA Update
*Aaron Trippler, AIHA Government
Affairs Director*

2:30-3:00 p.m. Break (Exhibitor's Area)

3:00 p.m. Springs Industries, Formaldehyde
Exposure Case Study
*Jonathan Judd, Ohrenstein &
Brown, LLP.,
John Lopez, Springs Industries*

4:00 p.m. SC DOL/OSHA Regulatory
Update
SC Department of Labor

4:30 p.m. Business Meeting

5:30 p.m. Past President's Reception
(Exhibitor's Area)

Friday, October 1st

7:30-8:00 a.m. Breakfast (Exhibitor's Area)

8:00 a.m. Electrical Safety
Mark McCoy, Duke Power

9:30-10:00 a.m. Break (Exhibitor's area)

10:00 a.m. Self-adjusting Industrial
Ventilation Systems
Jonathan Hale, JHET

11:00 a.m. LEPC and Local Fire Department
Response to Kinston Plant
Explosion / Fire
*Roger Dail, Lenoir County
Emergency Services,
Sherwood Shivar, Chair, Lenoir
County LEPC*

Noon Conference Ends

COURSE LOCATION AND LODGING

Embassy Suites at Kingston Plantation
9800 Queensway Blvd.
Myrtle Beach, SC 29572

Hotel Reservations: 800-876-0010

AIHA Rate: Ocean view suite: \$110 / night (Until
August 30, 2004)

Check-in: 4 pm Check-out: 12 noon

For complete directions go to:
www.kingstonplantation.com

Carolinas Section Membership

AMERICAN INDUSTRIAL HYGIENE ASSOCIATION

APPLICATION

Name: _____ Title: _____ Company: _____ Phone (W): _____ Phone (H): _____ Fax: _____ Address: _____ _____ E-Mail: _____	<p>Member of National AIHA? (Circle One)</p> <p style="text-align: center;">Yes No</p> <p>Membership: (Circle One)</p> <p style="text-align: center;">Full Associate Affiliate Student Emeritus</p>
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Education: (Complete only if not a member of AIHA)

Institution: _____	Major: _____	Degree: _____	Date: _____
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Employment: (Complete only if not a member of AIHA)

Employer: _____	Position/Title _____	Date: _____
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The Membership Committee will review all applications before submitting them to the Carolinas Section Board of Directors for Approval. Applicants will be notified following approval of their applications. Upon approval, applicants will be requested to submit dues payment. Annual dues for Full, Associate and Affiliate Members are \$20/year and Student Members are \$10/year. There are no dues for Emeritus Members.

Membership Requirements:

- Full:** A full member shall be any full time member of the American Industrial Hygiene Association. A full member votes, pays dues, may serve on committees, and be elected to the Board of Directors.
- Associate:** An associate member shall be either (1) an associated member of the American Industrial Hygiene Association or (2) an individual approved by a two-thirds vote of the Carolinas Section Board of Directors and meets the criteria of the AIHA for associate membership. An associate member votes, pays dues, may serve on committees, but may not be elected to the Board of Directors.
- Affiliate:** An affiliate member shall be either (1) an affiliate member of the American Industrial Hygiene Association or (2) an individual approved by a two-thirds vote of the Carolinas Section Board of Directors and meets the criteria of the AIHA for affiliate membership. An affiliate member pays dues, may serve on committees, but may not vote or be elected to the Board of Directors.
- Student:** A student member shall be either (1) a student member of the American Industrial Hygiene Association or (2) an individual approved by a two-thirds vote of the Carolinas Section Board of Directors and meets the criteria of the AIHA for student membership. A student member pays dues, may serve on committees, but may not vote or be elected to the Board of Directors.
- Emeritus:** An emeritus member shall be anyone so designated by a two-thirds vote of the Carolinas Section Board of Directors. An emeritus member is exempt from paying dues, but may serve on committees, vote and be elected to the Board of Directors.

Mail to: Carolinas Section- Attn: Connie McElroy-Bacon
 PO Box 37129 Raleigh, NC 27627-7129

Fall Conference & PDC September 29 - October 1, 2004

Registration Form

Advance Conference Registration

(add \$20 after September 15th)

Member	\$70
Nonmember	\$95
Students	\$20
Exhibit Space (each table)	\$200

PDC

(add \$20 after September 15th)

Member	\$150
Nonmember	\$180

Carolinas Section Annual Dues

Member	\$20	Student	\$10
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Method of Payment

Check Visa MasterCard
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Business Fax: _____

Email: _____

Check box if this is an address change

Make Checks payable to AIHA Carolinas Section and MAIL

Registration Form To:

Carolinas Section-

Attn: Connie McElroy-Bacon

PO Box 37129

Raleigh, NC 27627-7129

Fax : 919-852-4594

Phone: 919-233-8400

Amount enclosed: _____

Carolinas Section-
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FALL 2004 NEWSLETTER
FALL CONFERENCE & PDC
REGISTRATION