



Your Essential
Connection

February 3, 2003

Senator Horacena Tate
Georgia Senate
State Capitol
Atlanta, GA 30334

Via E-Mail: htate@legis.state.ga.us

Dear Senator Tate:

On behalf of the American Industrial Hygiene Association (AIHA) I would like to comment on Senate Resolution 22, a resolution introduced by you that creates the Senate Toxic Mold Study Committee to undertake a study and recommend any actions or legislation required to address the issue of mold in buildings within the state of Georgia.

AIHA members in Georgia and around the country share your interest and commitment to address an issue that has received high-profile media attention, considerable litigation nationwide, and impacts the health of countless individuals. In 2002, nearly a dozen states considered legislation to address this issue. While few bills were enacted, we suspect that this year we will see as many, if not more, measures introduced. Already, six states have introduced legislation addressing this issue.

Founded in 1939, the American Industrial Hygiene Association is the premier association of occupational and environmental health and safety professionals. AIHA's 12,000 members play a crucial role on the front line of worker health and safety everyday. Members represent a cross-section of industry, private business, labor, academia, and government.

The key role of AIHA members in our society is protecting individuals from exposure to hazardous substances, (i.e., lead, asbestos, noise, radiation, biological chemicals) including exposure to fungi and other potentially hazardous microorganisms, commonly referred to as "mold".

AIHA

Your Essential Connection:

***Advancing Occupational and Environmental Health
and Safety Globally***

2700 Prosperity Ave., Suite 250, Fairfax, VA 22031 U.S.A.
(703) 849-8888; Fax (703) 207-7266; www.aiha.org

AIHA and our members are in favor of any legislation or regulation that would assist in addressing the issue of mold. However, one of the concerns we have is that many policy makers are considering the issue on such a fast pace that adequate language is not being used that would provide the utmost protection for everyone involved. I am pleased you have chosen to take a much calmer approach and move forward with language that would provide for a study and a recommendation for solutions.

I feel it is also important to provide you with the views of AIHA on the issue of mold, as well as our thoughts on any legislation and/or regulations that might be considered to address this issue:

AIHA does not believe it is possible to define or set permissible exposure levels for mold.

With the current science, AIHA does not believe it is possible for any single study to ascertain levels of exposure to mold or their products that may be harmful to human health. It is virtually impossible to specify levels at which the many different kinds of mold may be considered “toxic.”

As stated by Dr. Stephen Redd from the Centers for Disease Control in recent testimony before a U.S. House of Representatives oversight committee hearing on the issue of mold, “There are no accepted standards for mold sampling environments or for analyzing and interpreting the data in terms of human health. Molds are ubiquitous in the environment, and can be found almost anywhere samples are taken. It is not known, however, what quantity of mold is acceptable in indoor environments with respect to health. For these reasons, and because individuals have different sensitivities to molds, setting standards and guidelines for indoor mold exposure levels is difficult and may not be practical.” Therefore, AIHA believes other, more appropriate performance measures will need to be explored.

AIHA is concerned about standards for individuals involved with inspection, assessment, analysis and remediation of mold. This, of course, is of great concern to everyone involved with the issue. AIHA supports efforts to assure that individuals are properly educated and trained in the occupational and environmental hazards of mold.

A significant portion of our membership is comprised of certified industrial hygienists. Certified industrial hygienists (CIH) are one of the leading professional disciplines currently qualified and capable of inspecting and remediating mold. A CIH has *already* met stringent education and experience requirements in order to become certified.

While your Resolution does not address the issue of competency and qualifications for individuals involved in mold inspection or remediation; please keep this in mind as discussion moves forward on this resolution.

While AIHA is not opposed to standards that allow other individuals to become involved in mold inspection and remediation through training and examination, we believe any legislation or regulation needs to recognize those individuals already deemed qualified, such as certified industrial hygienists.

AIHA would support providing the department with the authority to adopt rules to effect reciprocity agreements with other states with similar programs. This recommendation is being considered in other states and would put you ahead of many other jurisdictions in assuring competency, yet providing for government coordination of rules and regulations. One needn't go back too far in time to see the problems encountered by numerous states that did not enact reciprocity agreements when dealing with issues such as lead and asbestos.

Need for accredited laboratories to analyze mold samples. One of the requirements to address the potentially harmful effects of mold contamination is to identify the type of mold and the level of exposure. As stated earlier, AIHA does not believe that with the current science available it is possible to set minimum exposure levels. If sampling is conducted to identify the mold or assess potential mold exposures or other issues (or in research), AIHA feels it is advisable that only qualified laboratories should be used to correctly analyze samples collected as part of the investigation process.

This recommendation comes with substantial previous interest and involvement on both the state and federal levels. The OSHA guidelines on mold in the workplace contain specific language that refers to the use of qualified laboratories. The OSHA language states, "The American Industrial Hygiene Association offers accreditation to microbial laboratories (Environmental Microbiology Laboratory Accreditation Program (EMLAP)). Accredited laboratories must participate in quarterly proficiency testing (Environmental Microbiology Proficiency Analytical Testing Program (EMPAT))". This identical language appears in the New York City Department of Health guidelines on mold and the Environmental Protection Agency guide on indoor air quality suggests that "sample analysis should follow analytical methods recommended by the American Industrial Hygiene Association, the American Conference of Governmental Industrial Hygienists, or other professional guidelines".

If this suggestion were considered AIHA would be pleased to provide you with the proper language to be used.

In conclusion, AIHA shares your concern about the potentially harmful effects microbial growth may have on the health of students in our public schools and other exposed individuals. We hope our suggestions and recommendations are helpful in your efforts to address this concern.

Page 4

Should you have any questions or need additional information regarding AIHA's expertise and interest in this area, please do not hesitate to contact me. I am sure that members of our local sections in Georgia will also be in touch with you regarding this legislation.

Sincerely,

(signature)

Aaron K. Trippler

Aaron K. Trippler
Director, Government Affairs

cc: Georgia Local Section Officers
Steven Davis, AIHA Executive Director