

State of California
Department of Industrial Relations
Occupational Safety and Health Standards Board

Petition File No. 612

Board Staff Evaluation

Submitted by Cha Yang

May 8, 2026



State of California
Gavin Newsom, Governor

INTRODUCTION

Petition 612 (the “Petition”) was submitted by the California Industrial Hygiene Council (the “Petitioner”) on February 19, 2026. The Petitioner respectfully requests that the California Occupational Safety and Health Standards Board amend subsection (e) of Section 5155, “Airborne Contaminants,” to codify that a Certified Industrial Hygienist (CIH) is deemed competent in industrial hygiene practice.

REQUESTED ACTION

The Petitioner proposed the following underlined texts to amend the California Code of Regulations (CCR), title 8, section 5155(e)(3):

For the adequate protection of employees, the person supervising, directing or evaluating the monitoring and control methods shall be versed in this standard and shall be competent in industrial hygiene practice. A Certified Industrial Hygienist as codified in California’s Business and Professions Code sections 20700-20705 is considered competent in industrial hygiene practice.

BACKGROUND/HISTORY

Section 5155 establishes requirements for air contaminants, including exposure monitoring, evaluation, and control to protect employee health. Subsection 5155(e) specifically addresses the assessment of employee exposures and the implementation of appropriate control measures.

Subsection 5155(e)(3) requires that individuals responsible for exposure monitoring and evaluation possess sufficient knowledge and competence in industrial hygiene practices. However, the regulation does not explicitly define or standardize the qualifications necessary to demonstrate such competence. As a result, employers have discretion in determining who is qualified to perform these duties.

The petition seeks to clarify competency requirements by recognizing Certified Industrial Hygienists (CIHs), as defined in the California Business and Professions Code sections 20700–20705, as meeting the standard for industrial hygiene competence.

PETITIONER’S ASSERTIONS

The petitioner asserts that subsection 5155(e)(3) lacks clarity because it requires individuals overseeing workplace exposure monitoring to be “competent in industrial hygiene practice” without defining what “competent” means. CIHC argues that this ambiguity can lead to inconsistent and potentially inadequate exposure evaluations, which may result in worker harm, uncontrolled exposures, or unnecessary costs. To address this, the petitioner requests amending the regulation to explicitly recognize a Certified Industrial Hygienist (CIH) as meeting the competency requirement.

The petitioner contends that explicitly recognizing a Certified Industrial Hygienist (CIH) as competent would:

- Establish a clear and objective benchmark for industrial hygiene expertise;
- Improve the quality and reliability of exposure monitoring and control evaluations;
- Enhance worker protection by ensuring qualified professionals oversee critical health-related determinations; and
- Align California's requirements with widely recognized professional standards within the industrial hygiene field.

The petitioner adds that similar references already exist in other California and federal OSHA standards:

- Section 5157, Permit Required Confined Space
- Section 5197, Occupational Exposure to Food Flavoring
- Section 5204, Respirable Crystalline Silica

RELEVANT STANDARDS

Federal Standards

There are no Title 29 Code of Federal Regulation standards that define or require a CIH as the standard for competency across all OSHA regulations. Instead, it uses broader terms such as "qualified person" or "competent person," allow flexibility. In a 1998 guidance and interpretation letter, OSHA acknowledges that a CIH is an example of a qualified professional, but it does not make certification mandatory.

California Standards

California's Title 8 regulations do not broadly require a CIH across all standards, but they do explicitly reference or require a CIH in certain substance-specific and programmatic standards. Key examples include:

- 8 CCR §5157. Permit Required Confined Spaces:

Section 5157 recognized CIH as competent but not required. It requires competency and hazard evaluation but leaves flexibility in who qualifies. The non-mandatory Appendix B guide of section 5157 states that atmospheric evaluation and interpretation should be conducted or reviewed by a CIH, or other technically qualified professional (e.g., CSP, PE). This is guidance, not a strict requirement, but still an explicit recommendation for the use of a CIH.

- 8 CCR §5197. Occupational Exposure to Food Flavoring Containing Diacetyl:

Section 5197 defines a CIH and uses the role of a program reviewer. The section requires that the employer's exposure control program be validated by a program reviewer, who must be a CIH or Licensed Professional Engineer with relevant expertise. This is one of the clearest examples where a is explicitly required for program validation.

- 8 CCR §5204. Occupational Exposure to Respirable Crystalline Silica:

Section 5204 defines a "Qualified Person" as someone competent in industrial hygiene practice. The section states that a CIH is considered competent under California Business & Professions Code §§20700–20705. The section does not require a CIH but elevates CIH as a recognized benchmark for competency.

Consensus Standards

There is no major national consensus standard (i.e. NFPA, ANSI, etc.) that universally requires a CIH. Like federal OSHA, most consensus standards rely on broader terms such as "qualified person," "competent person," or "industrial hygienist" rather than mandating a specific credential. That said, several widely used standards recommend or imply CIH-level expertise in certain contexts:

- National Fire Protection Association (NFPA): NFPA 652, NFPA 654 – combustible dust

The standard has no references to CIH. It does require a "qualified person" to perform hazard analyses.

- American National Safety Institute (ANSI)/ A: Z9 Series (e.g., Z9.5 – Laboratory Ventilation)

The standard refers to industrial hygiene expertise for exposure evaluation and ventilation design. It does not explicitly require CIH but recommends professional-level competency consistent with CIH training.

- American Industrial Hygiene Association (AIHA)

AIHA guidance documents often recognize CIH as the gold standard credential, though not required.

- American Society of Safety Professionals (ASSP)

ASSP's guides and standards use "qualified person" or "competent professional" language. CIH is often cited in commentary or industry practice as a preferred credential but is not required.

STAFF EVALUATION

Board staff reviewed federal OSHA, Cal/OSHA, and various other reports related to respirable hazards. The following materials were reviewed and considered in the Board staff's evaluation.

California OSHA (Cal/OSHA):

- Title 8, California Code of Regulations, section 5155 – *Airborne Contaminants*
- Title 8, California Code of Regulations, section 3203 – *Injury and Illness Prevention Program (IIPP)* (requires hazard identification and evaluation by competent persons)
- California Business and Professions Code sections 20700–20705 – *Regulation of Industrial Hygienists*

Federal OSHA:

- 29 CFR 1910.1000 – *Air Contaminants*
- 29 CFR 1910.134 – *Respiratory Protection* (requires evaluations by qualified individuals)

STAFF ANALYSIS

The intent of the petition is to provide a reasonable and targeted clarification to an existing regulatory requirement by recognizing a Certified Industrial Hygienist (CIH) as meeting the competency requirement. The petitioner's proposed language does not require employers to retain a CIH but instead seeks to recommend that a CIH is competent.

The structure of the proposed language differs from existing provisions in Title 8, California Code of Regulations, sections 5157, 5159, and 5204. Those sections define "program reviewer" or "competent person" in the definition section broadly as an individual who is knowledgeable in the applicable standard and competent in industrial hygiene practice. The definition also includes verbiage that "a Certified Industrial Hygienist as codified in California's Business and Professions Code sections 20700–20705 is considered competent in industrial hygiene practice."

In contrast, the petitioner proposes inserting the CIH language directly into section 5155(e)(3) without first establishing a definition of a competent person. This structural difference creates the potential for misinterpretation. Although the language does not explicitly require that the person be a CIH, placing the CIH reference directly within subsection 5155(e)(3) may imply that a CIH is the primary or preferred qualification.

Such an interpretation could unnecessarily narrow the pool of qualified professionals. According to Jason Stoberl, Corporate Environmental and Industrial Hygiene Manager for Swinerton Incorporated, "as of March 2024, there are only 6,659 CIHs globally, and about 40% of those professionals practice in the United States."¹ The Board for Global EHS Credentialing (formerly American Board of Industrial Hygiene) adds that in 2025, there are 6480 CIHs globally and the number of new CIH candidates decreased from 600 to 200 between 2023 and 2025.² This could increase burdens for employers, particularly in industries or geographic regions where access to CIHs may be limited.

Samantha Connel, CIH, is the global health programs director at Indorama Ventures PCL and president of the International Occupational Hygiene Association. Connel writes that there are around 20,000 occupational hygienists globally, yet fewer than 7,000 professionals currently hold an active CIH credential.³ According to the Board of Certified Safety Professionals, during 2023–2025 there were approximately 16,000 to 17,000+ CSPs who do not hold the CIH designation many of whom possess competency in industrial hygiene through their education, training, and professional experience.⁴

Although Board staff does not disagree that CIH are competent, the petitioner has not demonstrated nor have Board staff found evidence that CIHs are the only competent profession. Competency in industrial hygiene practice may also be demonstrated through other combinations of education, professional certification, training, and practical experience. Professionals such as Certified Safety Professionals (CSPs), occupational health specialists, safety engineers, and other experienced practitioners may possess substantial expertise in exposure assessment, hazard recognition, toxicology, and workplace hazard controls without holding the CIH designation.

¹ Jason Stoberl, "Controlling Unseen Hazards as a Certified Industrial Hygienist," Swinerton, available at <https://swinerton.com/controlling-unseen-hazards-as-a-certified-industrial-hygienist/> (accessed June 12, 2026).

² Board for Global EHS Credentialing, CIH Annual Statistics 2025 (March 2026), available at <https://gobgc.org/wp-content/uploads/2026/03/CIH-Annual-Statistics-2025.pdf> (accessed June 12, 2026).³

Samantha Connell, "The Widespread Need for Occupational Hygiene," The Synergist (November 2023), available at <https://publications.aiha.org/202311-need-for-occupational-hygiene> (accessed June 22, 2026).

⁴ Board of Certified Safety Professionals, 2023 Annual Report, available at <https://www.bccsp.org/hubfs/Downloads-PDFs-and-PPTs/Annual-Rpt-2023.pdf> (accessed June 22, 2026).

Although the CSP credential is not as technical as the CIH, the CSP examination includes occupational health, ergonomics, toxicology, industrial hygiene principles, and the recognition, evaluation, and control of workplace hazards. These are all subjects tested in the CIH exam. Many CSP and other environmental health and safety professionals are trained industrial hygienists and are competent in industrial hygiene practice but choose not to pursue the CIH exam for various personal and professional reasons.

Furthermore, the petitioner has not demonstrated that the current regulatory language has resulted in inconsistency, inadequate worker protection, or a clear regulatory gap requiring amendment. Section 5155 already requires that the person supervising, directing, or evaluating monitoring and control methods be versed in the standard and competent in industrial hygiene practice, allowing employers to assess qualifications based on education, training, experience, and certifications.

While the petitioner's intent is to provide clarity and establish a recognized benchmark, the proposed amendment may create ambiguity and limitation rather than resolve it. The current regulation already provides sufficient protection while preserving employer flexibility to utilize the most appropriate qualified professionals based on workplace hazards and operational needs.

For these reasons, the petition should be denied.

STAFF RECOMMENDATION

Board staff recommends Petition File No. 612 be DENIED.