ILLINOIS STATUTES:

ILLINOIS COMPILED STATUTES:

CHAPTER 225 - PROFESSIONS AND OCCUPATIONS
52. INDUSTRIAL HYGIENISTS LICENSURE ACT

CHAPTER 30 – FINANCE
105. STATE FINANCE ACT

CHAPTER 65 - MUNICIPALITIES
5. ILLINOIS MUNICIPAL CODE

CHAPTER 105 – SCHOOLS
105. ASBESTOS ABATEMENT ACT

CHAPTER 410 – PUBLIC HEALTH
105. MOLD REMEDIATION REGISTRATION ACT

CHAPTER 415 – ENVIRONMENTAL SAFETY
5. ENVIRONMENTAL PROTECTION ACT

CHAPTER 820 - EMPLOYMENT
255. TOXIC SUBSTANCES DISCLOSURE TO EMPLOYEES ACT
<table>
<thead>
<tr>
<th>Terms</th>
<th>References</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial Hygiene</td>
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<tr>
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ILLINOIS

RULES AND REGULATIONS: (9)

ILLINOIS ADMINISTRATIVE CODE:

TITLE 35 – ENVIRONMENTAL PROTECTION
PART 184 LICENSING OF INDUSTRIAL HYGIENISTS

TITLE 35 – ENVIRONMENTAL PROTECTION
PART 742 TIERED APPROACH TO CORRECTIVE ACTION
OBJECTIVES

TITLE 77: PUBLIC HEALTH
PART 215 REGIONAL POISON CONTROL CENTER CODE

TITLE 77: PUBLIC HEALTH
PART 845 LEAD POISONING PREVENTION CODE

TITLE 77: PUBLIC HEALTH
PART 855 ASBESTOS ABATEMENT FOR PUBLIC AND PRIVATE
SCHOOLS AND COMMERCIAL AND PUBLIC BUILDINGS IN
ILLINOIS

TITLE 8: AGRICULTURE AND ANIMALS
PART 259: AGRICHEMICAL FACILITY RESPONSE ACTION
PROGRAM

TITLE 32: ENERGY
PART 315 STANDARDS FOR PROTECTION AGAINST LASER
RADIATION

TITLE 35: ENVIRONMENTAL PROTECTION
PART 232 TOXIC AIR CONTAMINANTS
### TITLE 35: ENVIRONMENTAL PROTECTION
### PART 742 TIERED APPROACH TO CORRECTIVE ACTION

**OBJECTIVES**

<table>
<thead>
<tr>
<th>Terms</th>
<th>References</th>
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ILLINOIS STATUTES


ILLINOIS COMPiled STATUTES

CHAPTER 225 - PROFESSIONS AND OCCUPATIONS
52. INDUSTRIAL HYGIENISTS LICENSURE ACT

(225 ILCS 52/1)
Sec. 1. Short title. This Act may be cited as the Industrial Hygienists Licensure Act. (Source: P.A. 88-414.)

(225 ILCS 52/5)
Sec. 5. Public policy. Due to the increasing problems relating to chemical exposure, toxic substances, air pollution, hazardous waste, radon, lead poisoning, radiation, and related health and environmental problems, it is hereby declared necessary to protect the public health and safety from harm by regulating the profession of industrial hygiene. (Source: P.A. 88-414.)

(225 ILCS 52/10)
Sec. 10. Definitions. For purposes of this Act:
"Agency" means the Illinois Environmental Protection Agency.
"Board" means the Industrial Hygiene Examining Board.
"Certified industrial hygienist" means an individual who has been granted a certificate as a Certified Industrial Hygienist by the American Board of Industrial Hygiene.
"Director" means the Director of the Environmental Protection Agency.
"Industrial hygiene" means providing services in which the sciences are applied with the aid of quantitative measurement techniques in the control of physical, chemical, and biological factors that cause illness, injury, impaired health, or inefficiency among employees and the public.
"Industrial hygiene profession" means the providing of services by a licensed industrial hygienist in which the mathematical and natural sciences are applied with quantitative measurement techniques in the anticipation, recognition, evaluation, and control of physical, chemical, and biological stresses that cause or may cause illness, injury, impaired health and well-being, or significant discomfort and inefficiency among workers and the public.
"Industrial hygienist-in-training" means an individual who has been granted a certificate as an Industrial hygienist-in-training by the American Board of Industrial Hygiene. (Source: P.A. 88-414.)
(225 ILCS 52/15)
Sec. 15. License; renewal. To safeguard the welfare, health, and safety of the people of Illinois, no person may represent herself or himself as a licensed industrial hygienist, unless the person is licensed as an industrial hygienist under this Act. The industrial hygienist license shall be valid for 2 years. The Agency shall establish, by rule, standards and procedures for license renewal.
(Source: P.A. 88-414.)

(225 ILCS 52/20)
Sec. 20. Exemptions. This Act does not prohibit:
(1) Any persons legally regulated in this State under any other Act from engaging in the practice for which they are authorized, provided that they do not represent themselves by any title as being engaged in industrial hygiene as defined in this Act, nor does it prohibit the practice of nonregulated professions whose practitioners are engaged in the delivery of industrial hygiene services as long as these practitioners do not represent themselves as or use the title of "licensed industrial hygienist".
(2) The profession of industrial hygiene by a person employed by the United States government or by the State of Illinois, a unit of local government, or any bureau, division, or agency thereof while in the discharge of the employee's duties.
(3) A student pursuing a course of professional education under the terms of this Act, if these activities and services constitute a part of the student's supervised course of study.
(5) Industrial hygiene services performed by an individual who is an industrial hygienist-in-training.
(Source: P.A. 88-414.)

(225 ILCS 52/25)
Sec. 25. Qualifications for license as a licensed industrial hygienist. A person shall be qualified to be licensed as a licensed industrial hygienist and the Agency shall issue a license authorizing the profession of industrial hygiene to an applicant who meets all of the following:
(1) Has applied in writing on the prescribed form.
(2) Is of good moral character. Any felony conviction of the applicant shall be considered in a determination of moral character, but such a conviction shall not operate as a bar to registration for examinations.
(3) Demonstrates to the satisfaction of the Agency that the candidate:
(a) has a bachelor's degree in the physical or biological sciences or industrial hygiene from an undergraduate program approved by the Agency and has completed at least 5 years of professional experience as established by rule; or
(b) has a master's degree in industrial hygiene from a graduate program approved by the Agency and has successfully completed at least 4 years of professional experience as established by rule; or
(c) has a doctorate degree in industrial hygiene from a graduate program approved by
the Agency and has successfully completed at least 3 years of professional experience as established by rule.

(4) Has passed the examination authorized by the Agency for the practice of **industrial hygiene** as a licensed **industrial hygienist**. The Agency may recognize a **certified industrial hygienist** certificate granted by the **American Board of Industrial Hygiene** in lieu of the examination.

(5) Has paid the required fees.

(6) Has met the requirements under Section 50.

(Source: P.A. 88-414.)

(225 ILCS 52/30)
Sec. 30. Fees. All fees established under this Act are nonrefundable.
(1) The fee for an application for a license is $100.
(2) All applicants for an examination shall pay either to the Agency or to the designated testing service a fee covering the cost of providing the examination.
(3) The fee for the renewal of a license is $25 per year.
(4) The fee for the issuance of a duplicate license, for the issuance of a replacement license that has been lost or destroyed, or for issuance of a license with a change of name and address, other than during the renewal period is $25.
(5) The fee for a roster of persons licensed as **industrial hygienists** is the actual cost of producing the roster.
(6) The fee for a wall certificate of licensure is the actual cost of producing the certificate. The Agency is empowered, by rule, to adjust the fees set forth in this Section to cover the actual costs of administration and enforcement. All moneys collected shall be placed in a special fund created in the State Treasury known as the **Industrial Hygiene Regulatory and Enforcement Fund** which is hereby created. All expenses for the administration and enforcement of these provisions shall be made from this Fund.

(Source: P.A. 88-414.)

(225 ILCS 52/35)
Sec. 35. **Industrial Hygiene** Examining Board.
(1) The Director shall appoint an **Industrial Hygiene** Examining Board consisting of 5 persons who shall serve in an advisory capacity to the Director. The Board shall be composed of 4 **certified or licensed industrial hygienists**, one of whom shall serve as the chairperson, and one member of the public who is not regulated under this Act or a similar Act and who clearly represent consumer interests.
(2) Members shall serve for a term of 4 years and until their successors are appointed and qualified, except for the initial appointments. Of the initial appointments one member shall be appointed for one year, one shall be appointed to serve 2 years, one shall be appointed to serve 3 years, and 2 shall be appointed to serve for 4 years, and until their successors are appointed and qualified. No member shall be reappointed if that reappointment would cause that person's service on the Board to be longer than 8 successive years. Appointments to fill vacancies for the unexpired portion of a vacated term shall be made in the same manner as original appointments. Initial terms shall begin 30 days after the effective date of this Act.
(3) The Director may terminate the appointment of any member for cause set forth in
writing which, in the opinion of the Director, justifies termination.

(4) The Director shall consider the recommendation of the Board on all matters and questions relating to this Act.

(5) The Board is charged with the duties and responsibilities of recommending to the Director the adoption of all policies, procedures, and rules which may be required or deemed advisable in order to perform the duties and functions conferred on the Board, the Director, and the Department to carry out the provisions of this Act.

(6) The Board shall meet at the call of the Director.

(Source: P.A. 97-220, eff. 7-28-11.)

(225 ILCS 52/40)
Sec. 40. Penalties. The Agency is authorized to establish, by rule, procedures and conditions when a license may be suspended or revoked and that would authorize the Agency to impose reasonable fines on industrial hygienists who have proven to have endangered the safety of any employee or the public. All fines collected shall be deposited into the Industrial Hygiene Regulatory and Enforcement Fund. After one year following the effective date of this Act, persons identifying themselves as licensed industrial hygienists who are not licensed under this Act are guilty of a Class A misdemeanor.

(Source: P.A. 88-414.)
Sec. 5.380. The Industrial Hygiene Regulatory and Enforcement Fund.

Sec. 8.44. Special fund transfers. (a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

Industrial Hygiene Regulatory and Enforcement Fund.....$3,564
Sec. 11-17-5. The public health board may initiate and maintain activities for the promotion of maternal child health, industrial hygiene, mental health, sanitary housing, public health education, and shall have the right to inspect and regulate all food and milk products kept or offered for sale within the jurisdiction of the board; may prevent and suppress contagious diseases, and may initiate and maintain programs or activities which from time to time may become necessary or proper for the promotion of public health within the jurisdiction of the board.

(Source: P.A. 76-649.)
ILLINOIS STATUTES


ILLINOIS COMPILED STATUTES

CHAPTER 105 – SCHOOLS
105. ASBESTOS ABATEMENT ACT

(105 ILCS 105/1) (from Ch. 122, par. 1401)
Sec. 1. Short title. This Act shall be known and may be cited as the "Asbestos Abatement Act".
(Source: P.A. 83-1325.)

(105 ILCS 105/10b) (from Ch. 122, par. 1410b)
Sec. 10b. Certified Industrial Hygienists. For purposes of this Act and the rules promulgated thereunder, the Department shall use the list of certified industrial hygienists as prepared by the American Board of Industrial Hygiene.
(Source: P.A. 86-981.)
Sec. 5. Findings. The General Assembly finds that:
(1) Excessive indoor dampness in buildings is a widespread problem that warrants action at the local, State, and national levels.
(2) Because of the public's concern about the possible public health effects of exposure to mold in buildings, as well as the effects on workers performing remediation work, and the costs of remediation for the property owner, there is a need to identify parties performing mold remediation in the State.
(3) Because there is a need to reduce moisture that fosters mold formation in buildings, the State should review current State building codes to ensure that they do not foster mold.
(4) Parties providing mold remediation services in residential, public, and commercial buildings in Illinois should be required to register with the State and provide proof of financial responsibility.
(5) Laboratories performing tests to confirm mold contamination in buildings should be certified by the American Industrial Hygiene Association using nationally recognized accreditation standards set under the Environmental Microbiology Laboratory Accreditation Program.
(Source: P.A. 95-456, eff. 1-1-08.)
Sec. 22.2. Hazardous waste; fees; liability.

(iii) For purposes of this subparagraph (E), the term "environmental professional" means an individual (other than a practicing attorney) who, through academic training, occupational experience, and reputation (such as engineers, industrial hygienists, or geologists) can objectively conduct one or more aspects of an Environmental Audit and who either:
(I) maintains at the time of the Environmental Audit and for at least one year thereafter at least $500,000 of environmental consultants' professional liability insurance coverage issued by an insurance company licensed to do business in Illinois; or
(II) is an Illinois licensed professional engineer or an Illinois licensed industrial hygienist.

Sec. 58.2. Definitions.

The following words and phrases when used in this Title shall have the meanings given to them in this Section unless this context clearly indicates otherwise:
"Carcinogen" means a contaminant that is classified as a Category A1 or A2 Carcinogen by the American Conference of Governmental Industrial Hygienists; or a Category 1 or 2A/2B Carcinogen by the World Health Organizations International Agency for Research on Cancer; or a "Human Carcinogen" or "Anticipated Human Carcinogen" by the United States Department of Health and Human Service National Toxicological Program; or a Category A or B1/B2 Carcinogen by the United States Environmental Protection Agency in Integrated Risk Information System or a Final Rule issued in a Federal Register notice by the USEPA as of the effective date of this amendatory Act of 1995.
Sec. 3. Definitions. As used in this Act:
(a) "Chemical name" means the scientific designation of a chemical in accordance with
the nomenclature system developed by the International Union of Pure and Applied
Chemistry (IUPAC), or the Chemical Abstracts Service (CAS) rules of nomenclature, or
a name which will clearly identify the chemical for hazard evaluation purposes.
(b) "Department" means the Illinois Department of Labor.
(c) "Container" means any bag, barrel, box, can, cylinder, drum, pipe, piping system or
the like that contains a toxic substance.
(d) "Director" means the Director of the Illinois Department of Labor.
(e) "Employee" means any person employed by an employer on or after the effective date
of this Act, except domestic workers or casual laborers. For purposes of this Act, any
person whose employment is terminated for any reason after the effective date of this Act
is an employee.
(f) "Employer" means any individual, partnership, corporation or association including
the State and all of its political subdivisions, engaged in a business which has 20 or more
employees or 5 or more full-time employees in the State. The term "employer" does not
include an employer of domestic workers or casual laborers employed at a place of
residence. Where the employees are present at the workplace of another employer,
pursuant to an agreement between the employers, "employer" means the employer having
control of the toxic substances in the workplace.
(g) "Employee representative" means an individual or labor organization to whom an
employee gives written authorization to exercise his or her rights to request information
under Sections 8 and 9 of this Act. A recognized or certified collective bargaining agent
of a group of employees shall be considered to be an employee representative with
respect to those employees without written employee authorization.
(h) "Hazard Warning" means any words, pictures, symbols, or combination thereof which
convey the hazards of the toxic substances in the container.
(i) "Health professional" means a safety engineer employed by an employer to evaluate
hazards or a physician, dentist, toxicologist, registered nurse, licensed practical nurse or
industrial hygienist.
ILLINOIS RULES/REGULATIONS

http://www.ilga.gov/commission/jcar/admicode/035/03500184sections.html

ILLINOIS ADMINISTRATIVE CODE

TITLE 35 – ENVIRONMENTAL PROTECTION
PART 184 LICENSING OF INDUSTRIAL HYGIENISTS

Section 184.100  Purpose
This part sets forth the procedures to be used by the Illinois Environmental Protection Agency in administering a system for the licensing and sanctioning, where necessary, of industrial hygienists, as defined in Section 184.102 of this Subpart.

Section 184.101  Applicability
The rules of this Part shall be applicable to the licensing of all industrial hygienists who seek to represent themselves as Illinois Licensed Industrial Hygienists.

Section 184.102  Definitions
As used in this Part, the following terms shall have the meanings set forth below:
"Act" means the Illinois Industrial Hygiene Licensing Act [225 ILCS 52].
"Agency" means the Illinois Environmental Protection Agency. (Section 10 of the Act)
"American Board of Industrial Hygiene (ABIH)" means the Pennsylvania non-profit corporation which certifies industrial hygienists in the United States of America.
"Board" means the Industrial Hygiene Examining Board. (Section 10 of the Act)
"Certified Industrial Hygienist (CIH)" means an individual who has been granted a certificate as a Certified Industrial Hygienist by the American Board of Industrial Hygiene, and whose certificate has not been suspended or revoked for cause. (Section 10 of the Act)
"Director" means the Director of the Illinois Environmental Protection Agency.
"Fund" means the Industrial Hygienists Regulatory and Enforcement Fund created by Section 30 of the Act.
"IEPA-OCS" means the Illinois Environmental Protection Agency office which has primary responsibility for managing the industrial hygienists licensing program.
"Industrial hygiene" means providing services in which the sciences are applied with the aid of quantitative measurement techniques in the control of physical, chemical, and biological factors that cause illness, injury, impaired health, or inefficiency among employees and the public. (Section 10 of the Act)
"Industrial hygiene profession" means the providing of services by a Licensed Industrial Hygienist in which the mathematical and natural sciences are applied with quantitative measurement techniques in the anticipation, recognition, evaluation, and control of physical, chemical, and biological stresses that cause or may cause illness, injury, impaired health and well-being, or significant discomfort and inefficiency among workers and the public. (Section 10 of the Act)
"Industrial Hygienist-in-training" means an individual who has been granted a certificate as an Industrial Hygienist-in-training by the American Board of Industrial Hygiene. (Section 10 of the Act)

"Licensed Industrial Hygienist (LIH)" means an individual who has satisfied all the requirements of the Industrial Hygienist Licensure Act and these rules, who has been granted a license by the Agency, and whose license has not expired or been suspended or revoked.

"Person" means any natural person, and shall not include any corporation, trust or other non-natural entity.

"Professional experience" means the practice, research, teaching, or administration of industrial hygiene activities. Teaching or research as a student is not considered to be professional experience.

Section 184.105 Industrial Hygiene Examining Board
a) The Director shall appoint an Industrial Hygiene Examining Board consisting of 5 persons who shall serve in an advisory capacity to the Director. The Board shall be composed of 4 Certified or Licensed Industrial Hygienists, one of whom shall serve as the chairperson, and one member of the public who is not regulated under the Act or a similar Act and who represents consumer interests.

Section 184.106 Address for Submittals to Agency
All materials submitted to the Agency by applicants and Licensed Industrial Hygienists pursuant to this Part shall be addressed to:
Illinois EPA
Office of Chemical Safety
Health & Safety Unit
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois  62794-9276

Section 184.200 Application Requirements
a) The Industrial Hygienist License Application form shall be available from the Agency by mailing a written request to IEPA-OCS with a self-addressed stamped envelope.

b) Any person who seeks a license as a Licensed Industrial Hygienist shall submit a complete application to the Agency in which the applicant provides all of the following:
1) A statement that the applicant has not been convicted of a felony in the State of Illinois, any other state, or in any Federal Court; or, if the applicant has been convicted of a felony, the felony convictions are adequately described, as required in Section 184.201 of this Subpart;
2) Verification of experience from immediate supervisors for each industrial hygiene employment period claimed toward meeting the professional experience requirements specified in subsection (b)(3) below. When the applicant had no supervisor, the applicant shall submit verifications from clients; at least one verification from a
client shall be provided for each year of experience claimed. Each verification shall be provided on the Agency Professional Experience Verification form.

3) Official transcripts shall be required for coursework claimed for credit and shall be submitted directly to the Agency by the college or university. The verifications required by subsection (b)(2), above, and transcripts shall demonstrate that the applicant has either:
   A) A bachelors degree in a physical or biological science or industrial hygiene from an undergraduate program approved by the Agency and at least 5 years of professional experience (Section 25 of the Act); or
   B) A masters degree in industrial hygiene from a graduate program approved by the Agency and at least 4 years of professional experience (Section 25 of the Act); or
   C) A doctorate degree in industrial hygiene from a graduate program approved by the Agency and at least 3 years of professional experience. (Section 25 of the Act).

4) A copy of the ABIH notification stating that the applicant has passed the examination(s) required for qualification as a Certified Industrial Hygienist, or a copy of the Certified Industrial Hygienist certificate granted by ABIH.

5) The required fee payable to the Fund, as provided in Section 184.400 of this Part.

6) Applicants who did not register with the Agency by November 18, 1993 shall not be licensed before July 1, 1994.

7) Any applicant may be required to submit supplementary information in the event that an incomplete application is received by the Agency, or the Agency determines that any information provided in an application requires clarification.

8) No applicant may apply for licensure prior to having passed the examination authorized by the Agency.

Section 184.202 Agency-Approved Programs
   a) Any applicant who has completed a bachelors degree at an Agency-approved institution (as provided in Section 184.203 of this Subpart) in chemistry, physics, chemical engineering, mechanical engineering, sanitary engineering, environmental engineering, biology, or industrial hygiene shall have completed an Agency-approved undergraduate program. The Agency may accept other bachelors degrees provided the degree program included at least 60 semester credit hours in courses in physical or biological science, mathematics, engineering, and technology, with at least 15 of those hours at the junior, senior, or graduate level. An applicant who has a bachelors degree in a discipline not specifically mentioned in this subsection may be eligible to apply for a license on the basis of additional academic coursework from an Agency-approved institution or by completion of an Agency-approved graduate program.
   b) Any applicant who has completed a masters or doctorate degree at an Agency-approved institution (as provided in Section 184.203 of this Subpart) in the field of industrial hygiene shall have completed an Agency-approved graduate program.

Section 184.204 Agency-Authorized Examination
   The examination authorized by the Agency for the purpose of application for licensure shall be examination(s) required by the ABIH for qualification as a Certified Industrial Hygienist.
Section 184.205 Examination Review and Administration
a) The Agency shall review ABIH examination subjects at least annually to evaluate their continuing appropriateness for the licensing of industrial hygienists.
b) The Agency-authorized examination shall be administered by the ABIH, which shall be the designated testing service for purposes of Section 30 of the Act.

Section 184.206 Professional Experience Requirements
Applicants for licensure shall have achieved the years of professional experience required by Section 184.200 of this Subpart by having spent more than 50% of their total work time (more than 20 hours per week) in professional activities related to industrial hygiene during each year claimed for credit.

Section 184.301 License Renewal
a) The Industrial Hygienist License Application form shall be used for renewal application and shall be available from the Agency by submitting a written request to IEPA-OCS with a self-addressed stamped envelope.
b) Any person who seeks renewal of an unexpired license issued under this Part shall, no later than 30 days before the expiration of the currently effective license, submit a complete application to the Agency, in which the applicant must provide all of the following:
   1) A statement that the applicant has not had a license issued under this Part suspended or revoked;
   2) A statement that the applicant has not been convicted of any felony not previously reported to the Agency on an application or renewal form; and
   3) The required fee payable to the Fund, as provided in Section 184.400 of this Part.
c) A license shall remain valid for 90 days beyond its expiration date if a complete renewal application and the fee required pursuant to Section 184.400 of this Part is submitted no later than 30 days before the expiration date.
d) Any person who seeks renewal of an expired license shall submit a complete renewal application to the Agency as provided in subsection b, above, along with the renewal fee specified by subsection 184.400(c) of this Part.
e) Any applicant who has entered inactive status in accordance with Section 184.302 of this Subpart may remove himself or herself from inactive status and seek renewal of his or her license under subsection (a) and (b) of this Section irrespective of whether his or her license has expired during the period of inactive status.

Section 184.302 Inactive Status
Any person with a valid unexpired license issued under this Part may enter inactive status by notifying IEPA-OCS in writing by certified mail, provided that the person is not the subject of a pending investigation or proceeding pursuant to Subpart E of this Part. During the period of inactive status, the person shall not use the title Licensed Industrial Hygienist. A person on inactive status may return to active status by either:
a) Notifying IEPA-OCS by certified mail of the return to active status if the expiration date has not passed for the license that was valid at the time inactive status was elected, or
b) Submitting a complete renewal application to the Agency, as provided in subsection 184.301(b) of this Subpart, except that the fee required for a resumption of active status and renewal shall be $50.

Section 184.400 Application/Renewal Fees
a) All fees payable under this Part shall be made payable to the Industrial Hygienists Regulatory and Enforcement Fund.

b) As provided in Section 50 of the Act, all persons required to be licensed when the Act was approved on August 20, 1993, were to have registered with the Agency and submitted a registration fee of $100 by November 18, 1993. Persons who registered by November 18, 1993, shall be sent an Industrial Hygienist License Application form by the Agency. After January 1, 1994, the Agency will begin issuing licenses to qualified, registered applicants who have satisfied all the requirements of Section 184.200 of this Part. Persons submitting applications who did not register by November 18, 1993, shall not be issued licenses before July 1, 1994.

Section 184.401 Record Fee
Applicants and Licensed Industrial Hygienists who wish to pursue judicial review of a final administrative decision of the Agency under Subpart E of this Part shall send the Agency a written request for a certified copy of the record identifying the final administrative decision of the Agency of which the applicant or Licensed Industrial Hygienist is seeking review. Written requests for copies of records shall be sent to IEPA-OCS. Following receipt of the written request, the Agency shall notify the applicant or Licensed Industrial Hygienist of the number of pages of the relevant record. The applicant or Licensed Industrial Hygienist shall then submit a record fee of 20 cents for each page of the record to the Agency.

Section 184.402 Other Fees
a) Any Licensed Industrial Hygienist who wishes to obtain a wall certificate shall send a written request to IEPA-OCS, along with a $15 fee for each certificate requested.

b) Any Licensed Industrial Hygienist who wishes to obtain a duplicate license certificate, replacement license certificate, or new license certificate reflecting a legally-recognized name change shall send a written request to IEPA-OCS specifying whether a duplicate or replacement certificate or certificate reflecting a legally-recognized name change is desired. If an additional certificate is requested by a Licensed Industrial Hygienist, the fee shall be $15 each.

c) Any person wishing to obtain a roster of current, suspended and revoked licenses, or a roster of expired and inactive licenses shall send a written request to IEPA-OCS along with a $15 fee for each roster requested.

Section 184.403 Nonrefundability of Fees
All fees received by the Agency from applicants or Licensed Industrial Hygienists under this Part shall be non-refundable.
Section 184.501 Notice
The Agency, prior to denying, refusing to renew, suspending or revoking a license, shall notify the applicant or Licensed Industrial Hygienist in writing of the intent of the Agency to deny, refuse to renew, suspend or revoke a license, and the nature of any charges made by any third party against the applicant or Licensed Industrial Hygienist, and shall afford the applicant or Licensed Industrial Hygienist an opportunity to be heard in person or by counsel. The Agency shall also notify the Board of the issuance of a notification of intent to refuse to renew, suspend or revoke a license.

Section 184.502 Procedure
When the Agency has given notice of its intent to deny, refuse to renew, suspend or revoke any license, and of any charges made by any third party against an applicant or Licensed Industrial Hygienist, the procedures set forth at 35 Ill. Adm. Code 168, Procedures For Contested Case Hearings, shall apply to the conduct of any Agency hearings and the making of final administrative decisions.

Section 184.503 Grounds for Denial, Refusal to Renew, Suspension and Revocation
a) The Agency may deny, refuse to renew, suspend or revoke any license for any one or any combination of the following causes:
   1) The practice of any fraud or deceit in obtaining or attempting to obtain a license;
   2) Negligence or misconduct in the practice of industrial hygiene which endangered the health or safety of the public, an employee, or the environment;
   3) Repeated violations of federal, state or local laws, regulations, standards, or ordinances regarding health and safety;
   4) Conviction in Illinois or another state of any crime which is a felony under the laws of Illinois or that other state or conviction of a felony in a federal court;
   5) Being declared to be a person under a legal disability by a court of competent jurisdiction; or
   6) Revocation or suspension of Certified Industrial Hygienist status by the ABIH for cause.

b) The Agency may issue, renew or refuse to suspend or revoke a license notwithstanding the applicability of any of the factors set forth in subsection (a), above, if mitigating factors exist such that a license should be issued. Mitigating factors may include, but shall not be limited to, the following:
   1) The severity of the misconduct;
   2) How recently the misconduct took place; and
   3) The degree of control exerted over worker and public health and safety at a site by the applicant or Licensed Industrial Hygienist at the time any misconduct described in subsection (a), above, was committed.

c) Relative to all original and renewal applications and in all hearings before the Agency conducted under this Part, a person seeking licensure shall have the burden of demonstrating that he or she is entitled to the license.
Section 184.504 Sanctions
a) If a license is suspended, it shall be considered invalid for a period of time not less than 30 days, but no more than one year, as determined by the Agency. If a license expires during suspension, the suspended industrial hygienist may not reapply for license until the suspension period has elapsed. At the end of the suspension period, the suspended license, if not expired, shall be considered valid.

b) If a license is revoked it shall be considered void. If a license is revoked, the former Licensed Industrial Hygienist may not reapply for a license for a period of not less than six months but not more than three years, as determined by the Agency. If an applicant seeks to obtain a license after the revocation period has elapsed, the applicant must comply with all requirements of Subparts B and D of this Part as if originally applying for a license.

Section 184.505 Appeal
Within 35 days after receipt of a written notice of denial, refusal to renew, suspension or revocation from the Director, the applicant, suspended industrial hygienist, or former Licensed Industrial Hygienist may appeal the sanction to the Circuit Court of Sangamon County. The revocation or suspension of a license shall be stayed pending a final decision on an appeal. All judicial review conducted pursuant to this Part shall be in accordance with the Administrative Review Law [735 ILCS 5/Art. III].

Section 184.506 Record Required
No applicant or Licensed Industrial Hygienist may seek judicial review of a final administrative decision of the Agency under this Part unless that applicant or Licensed Industrial Hygienist has obtained a certified copy of the Agency record, paid the Agency the record fee required by Section 184.401 of this Part and filed the certified copy with the Circuit Court for Sangamon County.

Section 184.600 Evaluation of Licensing by Other States and Reciprocal Licensure
a) The Agency will monitor the establishment of systems for the licensing of industrial hygienists in other states, and will evaluate whether the qualifications for granting a license prescribed by any other state are compatible with those prescribed by the Act and this Part.

b) The Agency will evaluate the qualifications for the licensing of industrial hygienists prescribed by any other state on the basis of the following factors:
1) whether the examination requirements prescribed by that state are compatible with those specified in Sections 184.200, 184.204 and 184.205 of this Part;
2) whether the experience requirements prescribed by that State are compatible with those specified in Sections 184.200 and 184.206 of this Part;
3) whether the educational requirements prescribed by that state are compatible with those specified in Sections 184.200 and 184.203 of this Part;
4) whether the felony disclosure requirements prescribed by that state are compatible with those specified in Sections 184.200 and 184.201 of this Part; and
5) whether application, licensing and disciplinary records from that other state are available for review by the Agency.
c) The Agency may make a determination that another State's program for the licensing of *industrial hygienists* is compatible with that provided for by the Act and this Part by one of the following two methods:

1) The Agency may enter into an agreement with the licensing authority in another state providing for standards and procedures for the reciprocal licensing of *industrial hygienists*; or

2) The Agency may, on a case-by-case basis, review the qualifications required for licensure by another state pursuant to a written request made by an applicant for reciprocal licensure. The Agency may require written confirmation from the licensing authority in another state if a case-by-case review is undertaken.

d) The *Industrial Hygienist* Reciprocal Licensure Application form shall be available from the Agency by mailing a written request to IEPA-OCS with a self-addressed stamped envelope. Applicants for reciprocal licensure shall make any written request to the Agency for case-by-case review of their state's licensing qualifications as a part of their *Industrial Hygienist* Reciprocal Licensure Application. The Industrial Application form shall include the same application certification statement provided in Section 184.207 of this Part. Applicants for reciprocal licensure may be required to submit supplementary information to the Agency, as provided in Section 184.200 of this Part.

e) Applicants for reciprocal licensure and Licensed *Industrial Hygienists* who have obtained that status in Illinois on the basis of reciprocity shall be subject to and entitled to the same procedural rights provided in Subpart E of this Part.
Section 742.1100 Engineered Barriers

a) Any person who develops remediation objectives under this Part based on engineered barriers shall meet the requirements of this Subpart and the requirements of Subpart J relative to institutional controls.

b) The Agency shall not approve any remediation objective under this Part that is based on the use of engineered barriers unless the person has proposed engineered barriers meeting the requirements of this Subpart.

c) The use of engineered barriers can be recognized in calculating remediation objectives only if the engineered barriers are intended for use as part of the final corrective action.

d) Any no further remediation determination based upon the use of engineered barriers shall require effective maintenance of the engineered barrier. The maintenance requirements shall be included in an institutional control under Subpart J. This institutional control shall address provisions for temporary breaches of the barrier by requiring the following if intrusive construction work is to be performed in which the engineered barrier is to be temporarily breached:

1) The construction workers shall be notified by the site owner/operator in advance of intrusive activities. Such notification shall enumerate the contaminant of concern known to be present; and

2) The site owner/operator shall require construction industrial hygiene workers to implement protective measures consistent with good practice.

e) Failure to maintain an engineered barrier in accordance with that no further remediation determination shall be grounds for voidance of the determination and the instrument memorializing the Agency's no further remediation determination.

Section 742.1200 Building Control Technologies
e) Any no further remediation determination based upon the use of building control technologies shall require effective maintenance of the building control technology. The maintenance requirements shall be included in an institutional control under Subpart J. This institutional control shall address provisions for inoperability by requiring the following if the building control technology is rendered inoperable:

1) The site owner/operator shall notify building occupants and workers in advance of intrusive activities. The notification shall enumerate the contaminant of concern known to be present;

2) The site owner/operator shall require building occupants and workers to implement protective measures consistent with good industrial hygiene practice; and
Section 215.100 Definitions

The following terms shall have the meanings ascribed to them here whenever the term is used in this Part.

Poison Specialty Consultants – medical toxicologists, or professionals in any number of fields who provide technical information in their area of expertise concerning poison management and treatment. Examples may include botanist, entomologist, industrial hygienist, pharmacist, clinical toxicologist, or veterinarian.
Section 845.100 Approval of Training Program Providers

b) The training program provider shall employ a training manager with the following minimum requirements and responsibilities.

1) Requirements

A) A resume or letters of reference documenting at least two years of experience, education, or training in teaching adults; and

B) Education and/or work experience equivalent to the following:

i) A bachelor's degree or higher degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration or program management or a related field; or

ii) A resume or letters of reference documenting at least two years of experience in managing a training program specializing in environmental hazards; and experience, education or training in lead or asbestos abatement, construction, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

Section 845.125 Individual Licensing Requirements for Lead Activities

e) In addition to meeting the general requirements outlined in subsections (a) and (b) of this Section, lead inspector, lead risk assessor and lead supervisor disciplines have specific training course requirements, examination and education and experience requirements as specified in this subsection (e):

1) To qualify for a license as a lead risk assessor, a person shall:

B) Possess one of the following combinations of education and experience:

v) Licensure as an industrial hygienist, professional engineer, architect or environmental health practitioner; and
ILLINOIS ADMINISTRATIVE CODE

TITLE 77: PUBLIC HEALTH
PART 855 ASBESTOS ABATEMENT FOR PUBLIC AND PRIVATE SCHOOLS AND COMMERCIAL AND PUBLIC BUILDINGS IN ILLINOIS

Section 855.20 Definitions

"Certified Industrial Hygienist (C.I.H.)" means an industrial hygienist certified by the American Board of Industrial Hygiene.

Section 855.100 License Requirements

f) License requirements for an asbestos management planner.
   1) Submit a $50 application fee.
   2) Successfully complete IDPH accredited inspector and management planner initial training courses. If the initial course certificates have expired, the applicant shall successfully complete IDPH accredited inspector and management planner refresher courses.
   3) Submit a current copy of either an Illinois Architect License, an Illinois Professional Engineer License, an Illinois Structural Engineer License, or an Illinois Industrial Hygienist License; or

g) License requirements for an asbestos project designer.
   1) Submit a $50 application fee.
   2) Submit a current copy of either an Illinois Architect License, an Illinois Professional Engineer License, an Illinois Structural Engineer License, or an Illinois Industrial Hygienist License.

i) License requirements for an asbestos air sampling professional.
   1) Submit a $50 application fee.
   2) Submit a certificate of successful completion of the NIOSH course #582 "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.
   3) Submit a copy of a transcript and evidence of obtaining a Bachelor's Degree in the life, environmental or physical sciences or in engineering and written verification of 520 hours on-site experience in general indoor air pollution sampling; or a copy of an Illinois Industrial Hygienist License; or written verification of 2080 hours on-site experience in air sampling for asbestos abatement projects under the supervision of a licensed Air Sampling Professional.

k) Renewal of licenses.
6) If a management planner, project designer or air sampling professional is initially licensed with an Illinois Architectural License, an Illinois Professional Engineer's License, an Illinois Structural Engineer's License, or an Illinois Industrial Hygienist's License, the applicant shall submit a current copy of such license.

7) If a project designer initially qualified for licensure with an Industrial Hygienist Certificate, the licensee shall submit a current Illinois Industrial Hygienist License.

Section 855.150  Project Designer Responsibilities

c) The project designer shall plan the abatement project in accordance with all federal and State rules governing such action (i.e., 40 CFR 61; 29 CFR 1910 and 1926 and this Part) and the response action recommendations of the management plan, if a plan is utilized.


2) A licensed Industrial Hygienist who is a licensed project designer may act as an asbestos project designer when a project design only applies to interior alterations of surface materials in an existing building and does not result in life safety changes to the building or changes to the electrical, heating, air conditioning, physical plant or associated piping. Interior alterations of any public building which result in life safety or structural changes of the building are subject to the requirements of the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and must be performed under the direct supervision and control of an architect licensed under that Act.

3) The project designer shall certify that the project design meets or exceeds all federal, State, and local regulations and codes.

Section 855.170  Project Manager Responsibilities, Air Sampling Professional Responsibilities and Laboratory Services

c) Analyst Services

1) When final clearance air monitoring samples are analyzed by a laboratory using TEM, the laboratory shall be accredited by the NIOSH National Voluntary Laboratory Accreditation Program (NVLAP) for airbone asbestos fiber analysis.

2) When final clearance air monitoring samples are analyzed by PCM in a laboratory, the laboratory shall be considered proficient in asbestos analysis by
the American Industrial Hygiene Association (AIHA) Proficiency Analytical Testing (PAT) Program for PCM.

3) When final air clearance air monitoring samples are analyzed by an analyst outside of a laboratory, the analyst analyzing the samples shall be considered proficient (board approved) by the American Industrial Hygiene Association's (AIHA) Asbestos Analyst Registry (AAR) Program.

4) The period of time permitted between the collection of daily air samples and the availability of results shall be less than 24 hours for samples collected during abatement activities. Timetables for results of clearance air samples shall be established by the school board or building owner.

Section 855.220 Notification and Procedures for Abatement of Asbestos in Commercial and Public Buildings

The work procedures and controls specified below shall be followed only for abatement of ACBM in commercial and public buildings, except as indicated (Schools shall use procedures and controls specified in Subpart E of this Part.):

c) An air sampling professional is not required to obtain a license pursuant to Section 855.100(i) to conduct asbestos air sampling in commercial and public buildings; however, an air sampling professional shall meet the following qualifications prior to conducting asbestos air sampling in commercial and public buildings:

1) Successfully complete a NIOSH #582 course "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.

2) Possess a Bachelor's Degree in the life, environmental or physical sciences or in engineering and written verification of 520 hours on-site experience in general indoor air pollution sampling; or an Illinois Industrial Hygienist License; or written verification of 2080 hours on-site experience in air sampling for asbestos on abatement projects under the supervision of a licensed Air Sampling Professional.
Section 259.140 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of the words or terms in this Part shall be the same as that applied to the same words or terms in the Act.

"Licensed industrial hygienist" means a person who has a current license pursuant to the Industrial Hygienists Licensing Act of 1993 [225 ILCS 52].

Section 259.310 General

An owner or operator who elects to participate in the Agrichemical Facility Response Action Program shall conduct site assessments pursuant to this Subpart. The purposes of the site assessment are to identify any agrichemical contamination of soil or groundwater and to develop sufficient information regarding the extent of any contamination to guide decisions about corrective actions. The findings, opinions and conclusions of the site assessment shall be supported by adequate documentation. All site assessment activities shall be conducted by or under the supervision of a licensed professional geologist, professional engineer or licensed industrial hygienist. An applicant may request the Department's assistance in investigating suspected site contamination.

Section 259.320 Initial Assessment

b) The initial site assessment shall provide the following:

1) a listing of target pesticides, which shall include all pesticides known or suspected to have been released, on the basis of interviews with the owner and operator and a site investigation by or under the supervision of a licensed professional geologist, professional engineer or licensed industrial hygienist.
Section 259.420  Submittal

The Agrichemical Facility Response Action Program application shall be submitted to the Department on forms prescribed and provided by the Department with attachments, plans, and reports, as necessary. The forms may be copied or combined, but shall contain original signatures. The application shall be mailed or hand-delivered to the address designated by the Department on the forms. Corrective action plans shall be prepared and implemented by or under the supervision of a licensed professional geologist, professional engineer, or licensed industrial hygienist.

Section 259.510  General

This Section provides for the issuance of a Notice of Closure following the satisfactory completion of corrective actions and submittal of a corrective action report.

a) Upon completion of the activities described in the approved corrective action plan, the owner or operator shall submit a corrective action report to the Department. The report must provide adequate evidence to demonstrate that the actions were completed in accordance with the approved plan and that the cleanup objectives have been attained.

b) The corrective action report shall provide the following:

1) certification, by the facility owner and by the licensed professional geologist, professional engineer or licensed industrial hygienist who conducted the site assessments and supervised implementation of the corrective action plan, that all components of the approved corrective action plan were fully implemented;
Section 315.APPENDIX A  Sample Standard Operating Procedures

SAMPLE 4: Non-Beam Hazards in Health Care Facilities

**Purpose:** To recognize and effectively deal with a variety of potential non-beam hazards that may be present during laser procedures.

**Policy:** Non-beam hazards are the purview of safety and *industrial hygiene* personnel, who will effect the appropriate hazard evaluation and control.
Section 232.110  Incorporations by Reference
a) The following materials are incorporated by reference:

American Conference of Governmental Industrial Hygienists (ACGIH).
Document can be obtained from: 6500 Glenway Avenue, Building D-7,
Cincinnati, Ohio 45211-4438.

Section 232.120  Definitions

The definitions of 35 Ill. Adm. Code 201 and 211 apply to this Part, as well as the
definitions contained in this Section. Where a definition contained in this Section is more
specific than those found in 35 Ill. Adm. Code 201 and 211, it must take precedence in
application of this Part.

"ACGIH" means the American Conference of Governmental Industrial
Hygienists.

Section 232.320  Carcinogen Classification

b) The references ACGIH, IARC, and NTP are incorporated by reference in Section
232.110. The reference IRIS is the United States Environmental Protection
Agency, Office of Health and Environmental Assessment, Integrated Risk
Information System. The categories A, B1, and B2 carcinogens of IRIS as of
December 31, 1989, are listed in Section 232.Appendix C.
"Carcinogen" means a contaminant that is classified as a Category A1 or A2 Carcinogen by the American Conference of Governmental Industrial Hygienists; or a Category 1 or 2A/2B carcinogen by the World Health Organization's International Agency for Research on Cancer; or a "Human carcinogen" or "Anticipated Human Carcinogen" by the United States Department of Health and Human Service National Toxicological Program; or a Category A or B1/B2 Carcinogen by the United States Environmental Protection Agency in Integrated Risk Information System or a Final Rule issued in a Federal Register notice by the USEPA. [415 ILCS 5/58.2]
ILLINOIS RULES/REGULATIONS


ILLINOIS ADMINISTRATIVE CODE

TITLE 35: ENVIRONMENTAL PROTECTION
PART 742 TIERED APPROACH TO CORRECTIVE ACTION

OBJECTIVES

Section 742.200 Definitions
Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same words or terms in the Act.

"Carcinogen" means a contaminant that is classified as a category A1 or A2 carcinogen by the American Conference of Governmental Industrial Hygienists; a category 1 or 2A/2B carcinogen by the World Health Organization's International Agency for Research on Cancer; a "human carcinogen" or "anticipated human carcinogen" by the United States Department of Health and Human Service National Toxicological Program; or a category A or B1/B2 carcinogen or as "carcinogenic to humans" or "likely to be carcinogenic to humans" by the United States Environmental Protection Agency in the integrated risk information system or a final rule issued in a Federal Register notice by the USEPA. [415 ILCS 5/58.2]