

# NEVADA

## STATUTES :        (3)

### NEVADA REVISED STATUTES:

**CHAPTER 618: OCCUPATIONAL SAFETY AND HEALTH  
OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD**

**CHAPTER 625A: ENVIRONMENTAL HEALTH SPECIALISTS  
“PRACTICE OF ENVIRONMENTAL HEALTH” DEFINED**

**CHAPTER 616B: INDUSTRIAL INSURANCE: INSURERS;  
LIABILITY FOR PROVISION OF COVERAGE  
CONSOLIDATED INSURANCE PROGRAMS**

#### Terms

#### References

Industrial Hygiene	1
Industrial Hygienist	0
Certified Industrial Hygienist - CIH	5
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician – CHST	0
Industrial Hygienist in Training - IHIT	5
AIHA Lab Accreditation Program	0
American Industrial Hygiene Association - AIHA	0
American Board of Industrial Hygiene - ABIH	3
American Conference of Governmental Industrial Hygienists – ACGIH	0
Occupational Health and Safety Technologist – OHST	5
Associate Safety Professional – ASP	5
Certified Safety Professional – CSP	5
Board of Certified Safety Professionals – BCSP	4

# NEVADA

## RULES AND REGULATIONS: (3)

### NEVADA ADMINISTRATIVE CODE:

#### CHAPTER 459: HAZARDOUS MATERIALS

#### CHAPTER 618: OCCUPATIONAL SAFETY AND HEALTH

#### CHAPTER 512: INSPECTION AND SAFETY OF MINES

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

# NEVADA STATUTES

<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-618.html#NRS618Sec710>

## NEVADA REVISED STATUTES

### CHAPTER 618: OCCUPATIONAL SAFETY AND HEALTH OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

**NRS 618.710 Unlawful use of title or designation indicating recognition or certification as professional in field of occupational safety and health; revocation of license; penalty.**

1. A person shall not hold himself or herself out as:

(a) An **associate safety professional** or use in connection with the person's name the words or letters "**Associate Safety Professional**" or "**A.S.P.**" or any other title, word, letter or other designation intended to imply or designate that the person is an **associate safety professional**, unless the person is recognized as such by the **Board of Certified Safety Professionals**.

(b) A **certified industrial hygienist** or use in connection with the person's name the words or letters "**Certified Industrial Hygienist**" or "**C.I.H.**" or any other title, word, letter or other designation intended to imply or designate that the person is a **certified industrial hygienist**, unless the person is certified as such by the **American Board of Industrial Hygiene**.

(c) A **certified safety professional** or use in connection with the person's name the words or letters "**Certified Safety Professional**" or "**C.S.P.**" or any other title, word, letter or other designation intended to imply or designate that the person is a **certified safety professional**, unless the person is certified as such by the **Board of Certified Safety Professionals**.

(d) An **industrial hygienist in training** or use in connection with the person's name the words or letters "**Industrial Hygienist in Training**" or "**I.H.I.T.**" or any other title, word, letter or other designation intended to imply or designate that the person is an **industrial hygienist in training**, unless the person is certified as such by the **American Board of Industrial Hygiene**.

(e) An **occupational health and safety technologist** or use in connection with the person's name the words "**Occupational Health and Safety Technologist**" or "**O.H.S.T.**" or any other title, word, letter or other designation intended to imply or designate that the person is an **occupational health and safety technologist**, unless the person is certified as such by the Joint Committee of the **American Board of Industrial Hygiene** and the **Board of Certified Safety Professionals**.

(f) An associate safety and health manager or use in connection with the person's name the words "Associate Safety and Health Manager" or "**A.S.H.M.**" or any other title, word, letter or other designation intended to imply or designate that the person is an

associate safety and health manager, unless the person is recognized as such by the Institute for Safety and Health Management.

(g) A certified safety and health manager or use in connection with the person's name the words "Certified Safety and Health Manager" or "C.S.H.M." or any other title, word, letter or other designation intended to imply or designate that the person is a certified safety and health manager, unless the person is certified as such by the Institute for Safety and Health Management.

2. The Division shall report any alleged violation of subsection 1 to the district attorney of the county in which the alleged violation occurred.

3. Any governmental entity that has issued a license to conduct business in this State as an **associate safety professional**, a **certified industrial hygienist**, a **certified safety professional**, an **industrial hygienist in training**, an **occupational health and safety technologist**, an associate safety and health manager or a certified safety and health manager to a person who is convicted of violating any provision of subsection 1 shall revoke that license and send notice of the revocation to the licensee by certified mail.

4. Any person who violates a provision of subsection 1 is guilty of a misdemeanor.

# NEVADA STATUTES

<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-625A.html#NRS625ASec028>

## NEVADA REVISED STATUTES

### CHAPTER 625A: ENVIRONMENTAL HEALTH SPECIALISTS “PRACTICE OF ENVIRONMENTAL HEALTH” DEFINED

#### **NRS 625A.028 “Practice of environmental health” defined.**

1. “Practice of environmental health” means the use of public health principles in the application of the sanitary sciences, the biological sciences or the physical sciences to investigate, prevent or reduce environmentally acquired disease or illness.
2. The term does not include practice in the field of:
  - (a) Environmental health by a person whose primary work is performed by and for the Division of Environmental Protection of the State Department of Conservation and Natural Resources or for an entity whose activities are limited solely to issues relating to air quality;
  - (b) **Industrial hygiene**, public education, indoor air quality, health physics, mold assessment or mold remediation;
  - (c) Cleaning up and disposing of hazardous waste and substances performed by a person who is certified by the State Department of Conservation and Natural Resources pursuant to NRS 459.400 to 459.600, inclusive, and the regulations adopted pursuant thereto, unless the clean up and disposal of the hazardous waste and substances is performed directly by and for a public health agency;
  - (d) Zoonotic disease ecology or vector-borne disease ecology, or both, when the practice in that field is performed as a specialty;
  - (e) Mining performed by an employee or contractor of a mining company engaged in mining operations in this State;
  - (f) Building inspections performed by a person whose primary purpose is to determine compliance with building and safety codes; or
  - (g) Epidemiological investigations performed by a person whose primary profession or employment is as an epidemiologist or disease investigator.

# **NEVADA STATUTES**

**<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-616B.html#NRS616BSec725>**

## **NEVADA REVISED STATUTES**

### **CHAPTER 616B: INDUSTRIAL INSURANCE: INSURERS; LIABILITY FOR PROVISION OF COVERAGE CONSOLIDATED INSURANCE PROGRAMS**

#### **NRS 616B.725 Safety requirements: Contents of safety program; qualifications and duties of safety coordinators; duties of owner or principal contractor.**

1. A consolidated insurance program that a private company, public entity or utility is authorized to establish and administer pursuant to NRS 616B.710 must, in the manner set forth in this section, provide for the safety of an employee of a contractor or subcontractor who is engaged in the construction project when such an employee works at the site of the construction project.

2. The owner or principal contractor of the construction project shall develop and carry out a safety program that includes, without limitation:

- (a) The establishment of minimum standards of safety to be observed during construction of the project;
- (b) The holding of regular meetings to address and discuss issues related to safety;
- (c) Training of contractors and subcontractors regarding issues and procedures related to safety;
- (d) Regular inspections of the site of the construction project to identify potential safety hazards and ensure that minimum standards of safety are being observed;
- (e) The notification of contractors and subcontractors of special hazards that exist at the site of the construction project, including advice on ways in which the contractors and subcontractors can avoid those hazards; and
- (f) The prompt investigation of any injuries that take place at the site of the construction project which result in death or serious bodily injury.

3. The owner or principal contractor of the construction project shall hire or contract with two persons to serve as the primary and alternate coordinators for safety for the construction project. The primary and alternate coordinators for safety must:

- (a) Possess credentials in the field of safety that the Administrator determines to be adequate to prepare a person to act as a coordinator for safety for a construction project, including, without limitation, credentials issued by the:
  - (1) **Board of Certified Safety Professionals**; or
  - (2) Insurance Institute of America; or

(b) Have at least 3 years of experience in overseeing matters of occupational safety and health in the field of construction that the Administrator determines to be adequate to prepare a person to act as a coordinator for safety for a construction project.

# **NEVADA RULES/REGULATIONS**

**<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NAC/NAC-459.html>**

## **NEVADA ADMINISTRATIVE CODE**

### **CHAPTER 459: HAZARDOUS MATERIALS**

**NAC 459.95528 Adoption by reference of certain codes and standards. (NRS 459.3818, 459.3833)** The following provisions are hereby adopted by reference:

3. N.F.P.A. 30: Flammable and Combustible Liquids Code, 2003 edition. A copy may be obtained from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101, at a cost of \$38.25.

4. ERPG-2 of the Emergency Response Planning Guidelines Series. A copy of ERPG-2 may be obtained from the **American Industrial Hygiene Association**, 2700 Prosperity Avenue, Suite 250, Fairfax, Virginia 22031, at a cost of \$15.

5. R.M.P. Guidance for Off-Site Consequence Analysis. A copy may be obtained free of charge from the United States Environmental Protection Agency, National Service Center for Environmental Publications, P.O. Box 42419, Cincinnati, Ohio 45242-2419.

**NAC 459.972 Certification as environmental manager. (NRS 459.485, 459.500)**  
**An applicant for certification as an environmental manager must:**

1. Be of good character and reputation as determined by the Division upon review of the applicant's references, record of violations of environmental laws and regulations and such other considerations as the Division deems necessary and proper. Certification must be denied if such a review indicates that the applicant fails to meet the applicable standards.

3. Demonstrate to the Division that the applicant meets one of the following qualifications:

(a) A bachelor's or advanced degree from an accredited college or university in an area relating to the environment including, but not limited to, environmental science, engineering, geology, hydrology, hydrogeology, biology, toxicology, environmental health, physics, **industrial hygiene** or chemistry and at least 3 years of relevant environmental experience within the 5 years immediately preceding the date of the application;

(b) A relevant professional registration or certification recognized by the Division and at least 3 years of relevant environmental experience within the 5 years immediately preceding the date of the application; or

(c) An equivalent combination of appropriate education or experience, or both, as determined by the Division.



**NAC 459.9721 Certification as specialist in the management of hazardous waste. (NRS 459.485, 459.500) An applicant for certification as a specialist in the management of hazardous waste must:**

1. Be of good character and reputation as determined by the Division upon review of the applicant's references, record of violations of environmental laws and regulations and such other considerations as the Division deems necessary and proper. Certification must be denied if such a review indicates that the applicant fails to meet the applicable standards.

2. Submit to the Division:

- (a) An application on a form provided by the Division;
- (b) A nonrefundable fee of \$100 for the review of the application;
- (c) A color photograph of the applicant which is approximately 2 inches by 2 inches;
- (d) A statement signed by the applicant under penalty of perjury declaring the details of all pleas of guilty or nolo contendere in any criminal proceeding and all convictions of any crimes; and
- (e) Three letters of reference from natural persons with experience in the services of that classification attesting to the applicant's moral character and competence in that classification.

3. Demonstrate to the Division that the applicant meets one of the following qualifications:

- (a) A bachelor's or advanced degree from an accredited college or university in an area relating to the environment, including, but not limited to, environmental science, engineering, geology, hydrology, hydrogeology, biology, toxicology, environmental health, physics, or **industrial hygiene** or chemistry and at least 2 years of relevant hazardous waste experience within the 3 years immediately preceding the date of the application;

# **NEVADA RULES/REGULATIONS**

**<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NAC/NAC-459.html>**

## **NEVADA ADMINISTRATIVE CODE**

### **CHAPTER 618: OCCUPATIONAL SAFETY AND HEALTH**

#### **NAC 618.6419 “Inspector” defined. (NRS 618.295)**

“Inspector” means a person employed as a safety and health representative or **industrial hygienist** who is authorized by the Chief to conduct inspections.

#### **NAC 618.6437 Persons authorized to accompany inspector. (NRS 618.295)**

1. Except as provided in subsections 6 and 7, an inspector may permit a representative of an employer or the employees, or both, to accompany the inspector on an inspection if he or she determines that the representative or representatives will aid the inspection.
2. Each representative of the employees must be a person selected by the employees of the employer being inspected.
3. A different representative of the employer or employees may be permitted to accompany the inspector during each phase of an inspection if this arrangement will not interfere with the conduct of the inspection.
4. An inspector shall resolve all disputes as to who is the representative authorized by the employer or employees.
5. A third person, such as an **industrial hygienist** or safety inspector, may be permitted to accompany the inspector if the inspector determines that the person is reasonably necessary to the conduct of an effective and thorough physical inspection of the workplace.
6. A representative of the employees and any third person accompanying the inspector must be authorized by the employer to enter any area containing trade secrets.
7. Only persons authorized to have access to information classified by an agency of the United States Government in the interest of national security may accompany an inspector in areas containing such information.

**NAC 618.948 Analyses of samples: Accreditation of laboratories; certification of analyst. (NRS 618.295, 618.760, 618.765)**

1. A laboratory which analyzes bulk structural material samples for the presence of asbestos using polarized light microscopy must be accredited by the National Institute of Standards and Technology, under the National Voluntary Laboratory Accreditation Program.

2. A laboratory which analyzes air samples from a project for the abatement of asbestos using phase contrast microscopy must be accredited by the **American Industrial Hygiene Association Laboratory Accreditation Program**.

3. A laboratory which analyzes air samples from a project for the abatement of asbestos using transmission electron microscopy must be accredited by the National Institute of Standards and Technology, under the National Voluntary Laboratory Accreditation Program.

4. Air samples from a project for the abatement of asbestos which are analyzed by a mobile laboratory using phase contrast microscopy must be analyzed by a person who is a **registered asbestos analyst certified by the American Industrial Hygiene Association**.

**NAC 618.9927 Persons who may provide continuing education courses. (NRS 618.295, 618.973, 618.977)**

1. No person other than a trainer, as defined in subsection 3 of NRS 618.980, or a qualified continuing education course instructor may provide an OSHA-10 continuing education course or an OSHA-30 continuing education course.

2. The Administrator may determine that a person may act as a qualified continuing education course instructor if the person, without limitation:

(a) Is authorized by the Occupational Safety and Health Administration of the United States Department of Labor as a trainer, including, without limitation, if the person has completed OSHA 500, the Trainer Course for the Construction Industry;

(b) Has 3 years of experience in overseeing matters of occupational safety and health in the field of construction; or

(c) Has 2 years of experience in overseeing matters of occupational safety and health in the field of construction and has:

(1) A college degree in occupational safety and health; and

(2) Been designated as:

(I) A **certified safety professional**; or

(II) A **certified industrial hygienist**.

# **NEVADA RULES/REGULATIONS**

**<http://www.leg.state.nv.us/Division/Legal/LawLibrary/NAC/NAC-512.html#NAC512Sec178>**

## **NEVADA ADMINISTRATIVE CODE**

### **CHAPTER 512: INSPECTION AND SAFETY OF MINES**

**NAC 512.178 Mercury treatment plants. (NRS 512.131) In mercury treatment plants:**

1. Hoing tables must be completely enclosed except for the frontal opening and provided with mechanical exhaust ventilation providing a minimum hood face velocity of 100 feet per minute continuously during each shift.
2. Bottling operations must be as automatic as possible to reduce unnecessary exposure. A pan containing a layer of water must be placed under each mercury flask during the filling of the mercury flask to catch any spilled mercury.
3. A polysulfide mercury depressant must be applied at least once a month to surface areas where mercury may accumulate and immediately after all mercury spills.
4. At each mill for refining mercury, the operator shall provide nonabsorbent, smooth and impenetrable floors and sidewalls to a height of at least 6 inches under kilns, cooling towers, hoing tables, retorts, bottling operations and in any other area where mercury may be spilled or otherwise accumulate on floors.
5. General dilution ventilation is required in all areas where other methods are not adequate to maintain the mercury in air concentrations below the recommended threshold limit value established by the **American Conference of Governmental Industrial Hygienists**.
6. While performing operations where exposure to mercury vapors in air concentrations may exceed the recommended limit, workers shall wear devices recommended by the Chief for respiratory protection.
7. "No Smoking" signs must be posted in mercury refining areas, and workers are prohibited from smoking or eating except in designated areas.
8. A shower and change room must be provided along with adequate locker space for storage of off-duty clothing.
9. Urine samples must be submitted monthly to a laboratory for determination of levels of mercury. Workers with levels above 0.3 milligrams per liter should be removed from further exposure until their levels of mercury return to normal.
10. The operator shall provide annual physical examinations to all such workers to determine any effects of mercury vapor.