

September 21, 2026
Via email: rs@dir.ca.gov

Mr. Eric Berg
Deputy Chief of Health
Cal/OSHA
Oakland, California

RE: Revised Discussion Draft for Proposed Regulation on Occupational Exposure to Plume in Health Care

Dear Mr. Berg,

The California Industrial Hygiene Council (CIHC) appreciates the opportunity to comment on the revised discussion draft for a proposed regulation on Occupational Exposure to Plume in Health Care. Our comments are based on the revised discussion draft dated August 17, 2026, and CIHC offers the following comments and suggested changes.

In general, CIHC supports the development of a General Industry regulation related to the prevention of workplace exposure to plume in healthcare settings. CIHC also appreciates Cal/OSHA's careful consideration of previous written comments and verbal comments provided during the Advisory Committee meeting.

CIHC has the following comments for your consideration.

§51XX(d)(1)(A) and (B)

The revised proposed language that now incorporates references to standards for effectiveness of plume evacuation systems and general ventilation is an excellent improvement to this subsection on engineering controls.

§51XX(d)(3)

The proposed language currently requires that respiratory protection be used in accordance with section 5144 when engineering and administrative controls "do not prevent plume from contacting the respiratory tract of employees." CIHC's position is that this requirement lacks clarity. How would employers feasibly measure or otherwise evaluate whether plume is in "contact" with an employee's respiratory tract? Visual assessment alone would be insufficient to evaluate contact as plume components are not always visible.

The need for respiratory protection should be based on an exposure determination with exposure assessment performed by a qualified person and compared to established exposure limits or reference levels. Such an exposure determination could be made with quantitative sampling of one or more plume components for which a Permissible Exposure Limit (PEL) is established.

CALIFORNIA INDUSTRIAL HYGIENE COUNCIL

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of workers and the community.*

CIHC recommends revising this subsection as follows:

- (3) Respirators that provide protection against particulates and organic vapors shall be used in accordance with section 5144 when engineering controls and administrative controls do not effectively control exposure to plume components to below established PELs in accordance with 5155(e)(1) and as determined by exposure assessment performed by a qualified person. ~~not prevent plume from contacting the respiratory tract of employees.~~

CIHC further recommends that examples of plume components with established PELs that could be evaluated for exposure assessment be provided in the regulation or as an appendix to the regulation; for example, respirable particulates not otherwise regulated (5 mg/m³).

§51XX (d)(4)

CIHC recommends revising this section as follows:

- (4) The employer shall provide and ensure employees use appropriate eye protection where plume may ~~contact~~ affect the eyes of an employee.

The CIHC, founded in 1990, represents the occupational and environmental health profession in California and is affiliated with the national American Industrial Hygiene Association (AIHA), an 8,000-member organization. The CIHC is formally comprised of occupational and environmental health and safety professionals who are members of the five California AIHA local sections represented by the CIHC Board of Directors. The CIHC's mission is to provide sound scientific and technological input to the regulatory and legislative process, and establish a legislative presence in the state Capitol through professional representation.

CIHC appreciates the opportunity to provide comments to the Division. Please let us know if there are any questions concerning the above-stated comments. On behalf of CIHC, I may be reached by telephone at 858-247-1050 or email at megan.canright@facs.com.

Very truly yours,
California Industrial Hygiene Council



Megan Canright Racicot, MPH, CIH
President, CIHC