Dear Fellow San Diego Safety Professionals!

It’s June! June brings summer vacations, beaches, car trips, car games, motels, hotels, planes, trains, family, grandkids, empty nest vacations, passports, amusement parks, lazy days, sweet tea, evening strolls, BBQ’s, blockbuster movies, sleeping in, and… the annual ASSE Society PDC! What? The annual ASSE Society PDC you say?

Well yes! This year we will be in Dallas; Yee Haw! In fact you may be reading this even as Dan, Gary and I and hopefully a few of you are on the plane heading on out!

For the 6th year in a row our chapter will be recognized for our chapter achievements; and the third year in a row as a GOLD Chapter. That means we met all requirements a chapter is required to do to maintain the charter plus a few extras, like our newsletter and our community involvement, such as our activities with SDYS!

So think of us on June 8th when we receive our chapter award at the annual chapter recognition luncheon on your behalf. Yes, YOUR behalf. We could not have done this without you, our members! Our thoughts and thanks will be going out to you. Will you feel it? Yes you will!

Our June 9th meeting will introduce Bill Early, from the American Red Cross. Isaac has done a wonderful job over the last few years as our Public Relations chair to establish an amazing relationship with the American Red Cross of San Diego/Imperial Counties. Come listen to Bill describe their initiatives such as the program where volunteers help in the installation of smoke detectors for the elderly in our community, disaster relief, and preparing for fire season. You won’t want to miss this one! Sign up here! http://sandiegoasse.org/events/?ee=73

June also brings with it the end of this board service year. It has been an amazing year where we have continued our goals and objectives in growing our chapter, ensured our financial stability and created a leadership succession plan that will be revealed at our July 14, 2015 transition meeting. (See President, next page)
(President, continued from Page 1...)

As your President for the last two years, I will be sharing our successes and plans for the future.

Your new board will be led by Amy Leung. She and your new board will take their oath of office and Amy will share her thoughts regarding the next 12 months. If you haven’t been at a swearing in ceremony, bring a tissue; or is it just me that gets teary eyed? No, it’s not just me. Bring a tissue, I am not sharing and I am not kidding, bring a tissue.

I need to get ready to pack for Dallas now... let’s see ....pleather cowboy boots...✓ ... white cowboy hat ...✓ ... spurs✓ ... bandana... ✓ ...chaps✓ ...!

As always we thank you for this opportunity to serve you!

Be Safe out there!

Cathi

Did You Resolve to Get Your ASP/CSP This Year?

Thinking about working on your ASP/CSP? If so, that’s outstanding and we are pulling for you! If you’d like to participate in an ASP/CSP study group, call Enrique Medina, CSP to start the ball rolling.

As a member of our Chapter, Enrique has volunteered his time (thank you Enrique!) to assist those interested in pursuing their ASP/CSP professional certification. Once Enrique hears from those that are interested, timeframes and locations can be identified.

Enrique can be reached at: (619) 297-1469. Or emedina@pulse-point.com

This is a great opportunity our Chapter appreciates. Call today!

MEMBERSHIP CHAIR:
By Suzanne May, ARM, CSP

Welcome to our new members!

• Kevin McGee
• Devin Wheeler
• Mercedes O’Brien, BD Biosciences

Just a reminder to all members to update their profile at www.asse.org if there are any changes to your contact information. We use this data to update our mailing lists so be sure to make sure that the most current information is available.
Executive Board Chair Updates

Government Affairs Committee:
By Tom Bernitt, CSP, CHMM, CMQ/OE, CQA

Exotic Driving Experience at Disney to remain closed indefinitely

The Exotic Driving Experience at the Walt Disney World Speedway will remain shut down indefinitely instead of reopening Friday as previously planned.

It has been closed since April 12, when an instructor was killed after the driver of a Lamborghini lost control and crashed.

The Exotic Driving Experience had run cars in the opposite direction than the one for which the track was designed.

The Florida Highway Patrol is still investigating the incident. The Occupational Safety and Health Administration also opened an investigation.

"Exotic Driving Experience in Orlando will remain closed as we work with the Florida Highway Patrol regarding the ongoing investigation," a spokeswoman for Petty Holdings, which operates the racing attraction, said in an email. She did not have further details.

This could mean that the Exotic Driving Experience remains closed for good. It had already been scheduled to shut down permanently in August along with its sister attraction the Richard Petty Driving Experience. The Richard Petty experience, in which people drive in NASCAR racecars, is currently in operation.

The Exotic Driving Experience, which features cars such as Lamborghinis and Ferraris, is also shut down at the Daytona International Speedway.

The Exotic Driving Experience is currently operating in several other locations around the country.

Agencies publish toolkit on preventing transmissible diseases in hospital workers

May 15, 2015

The Occupational Safety and Health Administration (OSHA) and the National Institute for Occupational Safety (NIOSH) and Health on May 14 released the Hospital Respiratory Protection Toolkit, a resource for health care employers to use to help protect hospital staff from respiratory hazards.

Respirators are used to protect against exposures to airborne transmissible infectious diseases as well as chemicals and certain drugs that may be used in health care settings. OSHA's Respiratory Protection Standard requires that health care employers establish and maintain a respiratory protection program (RPP) in workplaces where workers may be exposed to respiratory hazards.

OSHA states that the toolkit covers respirator use, existing public health guidance on respirator use during exposure to infectious diseases, hazard assessment, the development of a hospital respiratory protection program, and additional resources and references on hospital respiratory protection programs. Appendix D of the toolkit is an editable document that each hospital can customize to meet its specific needs.

To supplement the toolkit, The Joint Commission, developed an educational monograph, Implementing Hospital Respiratory Protection Programs: Strategies from the Field, to assist hospitals in implementing respiratory protection programs. The monograph, produced in collaboration with NIOSH's National Personal Protective Technology Laboratory, identifies common implementation challenges, provides specific examples of innovative strategies from health care organizations and examines the (See Government Affairs, Page 4...
role of leadership, quality improvement, fit testing and training challenges, and program evaluation.

Oil Industry Asks Court to Block Rail Transport Safety Rules

The American Petroleum Institute (API) has petitioned the United States Court of Appeals for the District of Columbia Circuit to block certain federal rules that are designed to improve safety for trains that carry oil. The API says forcing oil producers and train companies to use new tank cars would result in high costs for companies and cause a tank car shortage. The API petition also raises issues with rules that would require railroad companies to install new electronic brakes or face operational restrictions. The rules were introduced this month by Transportation Secretary Anthony Foxx. They are intended to make the tank cars less prone to rupture in the event of a derailment. The Transportation Department says the rules will improve rail safety and lower the risks of fiery explosions that have occurred after a number of oil train derailments over the past year. The API represents several major oil industry companies like Exxon Mobil and Chevron.

Protecting America’s Workers Act.

Sen. Al Franken (MN) and Rep. Joe Courtney (CT) have introduced what one can say is the “OSHA reform bill”. The bills, S 1112 and HR 2090, are very similar to bills that have been introduced in each of the last three sessions of Congress. There is a lot in this bill, but to summarize, the legislation would expand OSHA coverage to those workers not currently covered, increase penalties (both civil and criminal) to those who break the law and do not follow OSHA regulations, provide additional protection to whistleblowers, clarify an employer’s duty to provide safe worksite for all workers onsite, and provide additional rights to victims of workplace hazards.

Will the legislation stand any chance of passage? Very doubtful as both measures were introduced by Democrats. Matter of fact it will be difficult for the legislation to even have hearing. But hey, it’s something! AIHA is in the process of developing comments on the bill as we need to address these issues as we have in the past.

Grace Period to Abate Violations.

HR 1932 has been introduced that would allow employers a grace period to abate certain occupational health and safety violations before being subject to a penalty. This issue has been more prevalent in the states with several states addressing the issue in the last couple of years. The bill has been introduced by Rep. Vicky Hartzler (MO) so stands a somewhat chance of passage.

MSHA Issues.

Bills have been introduced in both the House and the Senate addressing several compliance issues with mine safety and health laws, also empowering miners to raise safety concerns. Again though, introduced by Democrats the bill stands little chance of passage.

Federal Budget.

Still in the early stages of debate over the FY 2016 federal budget, it looks like it will be difficult for all sides to get together on a final figure. This means we may be looking at another long-term Continuing Resolution (CR). But we still have time.

To avoid any potential problems, the FY 2016 budget doesn’t have to be adopted until September 30. The President’s budget proposal is considered “dead on arrival” on the Hill. The Republicans have been working on their budget version which is opposed by (See Government Affairs, Page 5...
the President. The biggest concern is whether or not the Republicans will continue down the path of “sequestration”. Yes, that term is still around as the law requires the government to continue to cut spending unless overruled by Congress. The problem—the Republicans want to override sequestration cuts for defense spending but continue cuts in other areas. The President says he will not allow this to happen. He wants Congress to either comply with sequestration across the board or override all of the cuts. That will be the debate in the coming months.

And as if that isn’t bad enough, the President has released guidance to every federal agency that as the agencies begin to determine needed spending for the FY 2017 budget, the request should include at least a five percent reduction from what they put forth in the FY2016 budget request.

Things will get very difficult next year as the President has nothing to lose in his last year of office. Don’t expect him to give in on many things— or the Republicans. It’s going to be interesting!

Toxic Substances Control Act.

Legislation to amend the Toxic Substances Control Act (TSCA) is moving forward. The latest version of the legislation (after numerous attempts in previous sessions of Congress) is moving through the House Energy and Commerce Committee. The bill would force EPA to complete risk assessments for dangerous chemicals within three years, issue risk management rules within 90 days of completing an assessment and preserve states’ rights to issue their own protections.

In past years the legislation went nowhere, but this time could be different. There seems to be an awful lot of support for this version. I give it a 50-50 chance of passage.

Regulation through Guidance.

Seems the recent Supreme Court decision affirming agencies do not have to undergo notice-and-comment rulemaking when they issue guidance is not going to be accepted by all. This issue has been debated for several years and doesn’t seem to be going away. Several Republican Senators have announced plans to investigate the approach that is used by many federal agencies, including OSHA. Opponents of the use of “guidance” say the process does not allow the public to have input on what may be significant regulations. Supporters of the process say use of guidance is needed because the process for regulatory action just takes too long and that employers want to know how agencies plan on addressing and enforcing regulations.

Regulatory Reform Legislation.

If there is one issue that seems to be on everyone’s radar in Congress it is “regulatory reform”. To date, I count no less than a dozen separate bills that have been introduced to supposedly “reform” the process in some way. While not going into too much detail, here is quick look at some of the recommendations:

- Require federal agencies to submit rules that annual impact of $100 million or more to Congress for approval
- Require federal agencies to issue the “least costly” regulation
- Require agencies to cut or modify existing regulations before they can issue newness
- Require any proposed regulation to include the internet address of a 100-word, plain-language summary
- Require publication of project costs and benefits for at least six months before a new rule can take effect
- Direct agencies to review existing rules to determine those that are obsolete, duplicative, unnecessary or conflicting with other rules

OSHA Moving Forward on Several Issues:

Confined Spaces Rule

The OSHA confined spaces rule for general industry has been in place since 1993, but expanding this rule to the construction sector has been harder to accomplish. However, on May 4, after nearly twenty years (See Government Affairs, Page 6...
(Government Affairs, continued from page 5...) in the making, OSHA published the confined spaces in construction final rule. This new rule largely follows the general industry regulations with a few changes specific to the construction industry and other changes made by technological advances in safety. OSHA expects the new rule to protect nearly 800 construction workers a year from serious injuries and reduce life-threatening hazards.

Beryllium

The OSHA draft of this proposed rule to reduce the exposure to beryllium remains at the Office of Management and Budget (OMB) – under review. To refresh your memory, the OMB is required under Executive Order to review and return any proposed rule to the agency submitting the proposal within 90 days of receipt. They are allowed to extend this by up to 30 days. Well, the beryllium proposal has now been at OMB for more than eight months. What makes this even more frustrating is the fact that a major industry player in the beryllium industry and a labor union agreed long ago on an acceptable exposure limit. OMB is now getting a little pressure to complete the review, return the proposal to OSHA, and allow the agency to publish the proposal for public input. A group of Democratic lawmakers on the Hill recently sent a letter to OMB requesting this proposal be sent back to OSHA. As a follow-up, AIHA also sent a letter to OMB supporting efforts to return the proposal to OSHA. Bottom line – it’s time OSHA be allowed to publish its proposal and provide the public with the opportunity to comment.

Silica.

No word on when, or if, OSHA might move on the silica rule. Time is of the essence on this one as Congress would likely get involved and attempt to stop the rule.

That would leave little time for the President to override Congress via veto. There are still many who think this final rule is forthcoming.

Infectious Diseases Rule.

Hope is fading that OSHA might be able to conclude this rule in the remaining time of the Obama Administration. So many things on the OSHA plate that this one just might fall off.

Fatality Rate Continues to Decline

One fatality is too many! But good news from the Bureau of Labor Statistics that the U.S. workplace fatality rate set a record low in 2013, dropping to 33 deaths for every 100,000 full-time equivalent workers. This is the lowest since 2006. In announcing the statistics, BLS noted that private construction had the highest count of fatal injuries in 2013 (828), but the agriculture, forestry, fishing and hunting sector had the highest fatal work injury rate.

Job-Line

By David Ferguson

Looking for a new job? Visit our job-line at http://sandiegoasse.org/jobs/ to see current opportunities such as: Sr. Safety & Health Consultant; Health and Safety Manager; Production Manager; EH&S Director; EH&S Internship; Senior Loss Prevention Specialist; Safety Manager; HS&E Manager; Part time Loss Control Consultants; Sr. HSE Engineer. Check out these and other great jobs today!
SAN DIEGO ASSE EXECUTIVE BOARD MEETING MINUTES

The Executive Board met on Tuesday, April 7 via teleconference. Attending: Cathi Marx, Dan Hopwood, Amy Leung, Gary Couture, Allison Long, Isaac Szmulowicz, Rick Kaullen, Valerie Stakes, David Ferguson, Vaughn Osterhout.

TREASURER’S REPORT

Rick read the financial report dated April 30th. Motion made to approve report, seconded, to vote and passed.

Members may view a copy of the report upon request to our President, Cathi Marx.

OLD BUSINESS

1. Review / Approve Minutes from April 2015: Minutes were reviewed and a motion was made to accept the minutes. Motion seconded. Motion to vote, passed and carried.

2. Tax issue with Foreign Corporation Status Change: Cathi & Dan: Discussed tax issue at the ROC and other chapters are in the same boat. Society is stepping in and will help get everything figured out.

3. Feedback on April Breakfast Meeting: Positive feedback on the April meeting. It’s good to be back at the Admiral Baker even though we spent our April meeting in the small room.

4. Board Positions Candidates – Gary: Board positions voting update:
   - Chapter completed 4/14/2015
   - Section voting 5/20/2015

Transition in June

5. ROC meeting April 16th and 17th: Amy went to the ROC and brought back a lot of new information. People who attend the society PDC get 1 year of free ASSE membership. There is an internet streaming resource that can be used for a meeting topic if we can’t find a speaker, or a speaker cancels at the last minute. There is no more requirement to update bylaws every two years and the STARS report is gone. The FALL ROC is September 24-25th in Portland Oregon. Interactive meeting ideas like playing a “Safety Jeopardy” game and other ideas like a 10 meeting punch-card that offers members a discount if they purchase a card good for 10 meetings in the next year.

6. 2015-2016 Board Update: Transition meeting 7:00 am June 23rd, 2015 at Zenith.

NEW BUSINESS

OSHA Training Institute and UCSD partnership called to offer us a booth at their free event this week. Cathi
   - Not enough notice to actually put together a booth
   - 2 day free event might impact future SD ASSE PDC

2. Verify Membership numbers – Amy
   - Amy to order new Board Member Badges etc.

CHAIR REPORTS

North County: Vaughn – Last meeting was on water conservation.

Programs: Valerie – Schedule is set for the next several months.

Membership: Suzanne – Absent

(see Exec Board, page 6...
Calendar of Special Events:

June 2015

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Job line: David Ferguson – 9 current job openings on job line.

New Agenda Items: Open

Next Board Meeting: June 2, 2015 - Board Meeting – Phone Meeting

Next Breakfast Meeting: June 9, 2015 Admiral Baker Club, 7:30am

(...Exec Board, continued from page 5)

Public Affairs: Isaac Szmuilowicz – Another smoke detector installation for the Red Cross, date TBD.

Governmental Affairs: Tom – Absent

Newsletter: Gary – Still working on newsletter, about ½ way done.

Website: Cathi – Updating as we go!

(Happy Father’s Day)
MONTHLY BREAKFAST MEETING, MAY 12

The American Red Cross of San Diego/Imperial Counties & SD ASSE Strategic Community Partnership

Bill Earley, Regional Chief Executive Officer American Red Cross San Diego/Imperial

At this month’s session, American Red Cross of San Diego/Imperial Counties CEO Bill Earley will discuss the organization’s key initiative, Prepare San Diego. Launched in Sept. 2013, Prepare San Diego brings together key business and community leaders from the region to facilitate a cultural shift to increase individual, organizational, and business preparedness. And with that, people in San Diego County will take one million actions towards getting prepared by Sept. 2017.

The three actions include building a disaster kit, making an emergency plan or getting trained to effectively respond. Bill will also touch on important tactics under the Prepare San Diego umbrella, including the organization’s Home Fire Campaign.

Bill Earley is the Regional Chief Executive Officer for the San Diego/Imperial Counties Chapter of the American Red Cross. Appointed in July 2014, Bill furthers the organization’s mission in the community through leading the chapter’s disaster preparedness initiatives, emergency relief efforts, services to members of the armed forces and their families, and more. Bill also provides key directional oversight for Prepare San Diego, a four-year regional resiliency initiative driven by the Red Cross to help prepare the San Diego region for human emergencies and disasters. Prior to joining the Red Cross, Bill spent over 24 years at McKenna Long & Aldridge (formerly Luce, Forward, Hamilton & Scripps) holding various titles, including Executive Committee member, Practice Group Leader, Strategic Planning Chair and partner. In early 2014, he established his own law and management consulting firm, The Earley Group, while pursuing other community projects. He holds a Juris Doctorate from Georgetown University Law Center.

Admiral Baker Clubhouse

3604 Admiral Baker Road, San Diego, CA 92120

Registration and Breakfast begins at 7:15 a.m.
Welcome and Speaker begins at 7:30 a.m.

$15 Members* with RSVP by 5/8/15 by 5:00 P.M.
$20 No RSVP by 5/8/2015 and for Non-Members/Guests

*Members include: ASSE, ACWJPIA, AHMP, AIHA, IHPM, RNCN, RIMS, PARMA, CPCU, PWI, WUSMA

RSVP: Please RSVP to Allison Long, Secretary: allison@deccocastings.com OR via credit card on the San Diego ASSE Chapter website events page: http://sandiegoasse.org/events/?ee=52

Directions: Interstate 15 to Friars Road East; left onto Santo Road (traffic light); immediate right on Admiral Baker Road; go STRAIGHT at STOP sign; pass the recreation area and part of the golf course; road curves to right the driving range; keep going all the way to the club-house parking lot—a total of .9 miles from Santo Road.
ASSE is excited to announce the formation of a new Regional Vice President position, designed to represent and service our Global Chapters and their members. This Regional Vice President is the first of its kind for ASSE and will bring a first-hand global perspective to the Council of Region Affairs (CoRA).

We are now accepting nominations from qualified Professional Members who would like to be considered for the Global Regional Vice President position. Nominations will be accepted through June 30, 2015.

What will be the Role of this Regional Vice President (RVP)?

This individual will be an elected RVP, by members of ASSE Global Chapters & Sections, and will be tasked with supporting the Global Chapters and their Officers. This person will spend their first year working very closely with the Global Chapter Officers and Members to develop an infrastructure to position Global Chapters for success and maximizes the value these Chapters can bring back to their members. This RVP will serve on the Council of Region Affairs (CoRA), along with the eight other elected RVP’s, who represent Chapters in their Regions, and the Vice President of CoRA.

Time Commitment

This RVP will be expected to participate on monthly CoRA Teleconferences and two face-to-face meetings a year (Travel expenses provided). There will also be an estimated 2 – 4 hours a week spent on the research and development of the Global Region and region operations.

What are the qualifications for this position?

• This person must reside, or be employed, and must hold their primary ASSE chapter membership in a chapter within the Region the RVP represents. The Global Region represents all ASSE Global Chapters.

• Professional member of ASSE is required.

What members will be a part of the Global Region?

Members of ASSE Global Chapters & Sections will make-up the Global Region. These members will be the voting members who elect the Global Regional Vice President.

ASSE Global Chapters & Sections:

• Andhra Pradesh Chapter
• Egypt Chapter
• Ecuador Section
• India Chapter
• Kuwait Chapter
• Maharashtra Chapter
• Mexico Section
• Middle East Chapter
• Nigeria Chapter
• Philippines
• Telangana Chapter
• UAE Chapter
OSHA’s revised Hazard Communication Standard (HCS) compliance deadline of Monday, June 1, 2015, has arrived. The revised standard went into effect on May 25, 2012, but various portions of the regulation are to be phased in over the years.

OSHA’s Hazard Communication Standard was revised to align with the internationally accepted Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Any employer that uses hazardous chemicals in its workplace is subject to the communication and training requirements of the HCS. OSHA estimates that this revised standard will affect more than five million workplaces across the country employing more than 43 million workers.

Employers were required to train their employees on the new labeling elements as well as the new standardized safety data sheets by Dec. 1, 2013. The deadline for chemical manufacturers, importers and distributors to comply with new hazard classifications and the classifications of chemical mixtures on their labels is June 1, 2015. However, distributors may still ship chemicals labeled by manufacturers under the old systems until Dec. 1, 2015.

Hazard Communication has been one of the most frequently cited standards by OSHA for years. In fact, in fiscal year 2014, it was the most frequently cited standard for general industry. Given this fact, employers should consider consulting legal counsel regarding compliance with the revised regulations.
Washington – The Department of Labor on May 27 issued proposed guidance to help contracting agencies and employers comply with an Executive Order that will require federal contractors to disclose labor law violations.

President Barack Obama signed the Fair Pay and Safe Workplaces Executive Order last summer.

Under the order, which the White House has said it expects to be implemented in 2016, all employers seeking a federal contract valued at more than $500,000 will have to make known any violations cited by a DOL agency, such as OSHA.

The proposed guidance is aimed at educating contractors and subcontractors on what information must be reported, and helping contracting officers and Labor Compliance Advisors assess reported violations. In most cases, federal contractors will have to attest only that they comply with workplace protection laws, DOL stated in a press release. If contractors have violations, Labor Compliance Advisors will work with them to bring them into compliance.

Stakeholders have 60 days to comment on the proposal once it is published in the Federal Register, which is expected May 28.

Also set to be published May 28 is a Federal Acquisition Regulatory Council proposed regulation that would integrate the order’s requirements and DOL’s guidance into current procurement rules. Stakeholders likewise will have a 60-day comment period once the rule is published.

The Executive Order was issued to help ensure employers who win federal contracts are complying with federal labor laws and providing safe worksites for their employees.
**NEWS from CPSC**

U.S. Consumer Product Safety Commission
Office of Communications
4330 East West Highway, Bethesda, MD 20814, [www.cpsc.gov](http://www.cpsc.gov)

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**PRODUCT SAFETY RECALLS:**

HELPFUL LINKS AND OTHER INFORMATION

American Industrial Hygiene Association: http://www.aiha.org/
American Red Cross: http://www.redcross.org/
American Society of Safety Engineers Main Website: http://www.asse.org/
ASSE Body of Knowledge: http://www.safetybok.org/
ASSE Risk Assessment Institute http://www.oshrisk.org/
ASSE Center for Safety and Health Sustainability http://www.centershs.org/
California Division of Occupational Safety and Health (DOSH), (Cal/OSHA): http://www.dir.ca.gov/dosh/
Center for Disease Control and Prevention (CDC): http://www.cdc.gov/
Environmental Protection Agency (EPA): http://www.epa.gov/
FEMA “Be Ready” Website: http://www.ready.gov/
Mine Safety and Health Administration (MSHA): http://www.msha.gov/
National Institute of Health Sciences (NIH): http://www.niehs.nih.gov/
National Institute of Occupational Safety and Health (NIOSH): http://www.cdc.gov/niosh/
Occupational Safety and Health Administration (OSHA) Main Website: https://www.osha.gov/
San Diego ASSE Website: http://sandiegoasse.org/
US Chemical Safety Board (CSB): http://www.csb.gov/