Occupational Safety and Health Administration Deregulatory/Clean-Up Initiatives: American Industrial Hygiene Association Comments

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The American Industrial Hygiene Association ("AIHA") submitted November 1st comments styled:

Consolidated Comments of the American Industrial Hygiene Association (AIHA) on OSHA's Deregulatory and Clean-Up Actions ("Comments").

The Comments address several OSHA open rulemakings and interpretive proposals.

AIHA describes the organization as representing industrial hygienists, environmental health and safety professionals, and the broader occupational and safety health community.

By way of introduction, AIHA states that it generally supports efforts to simplify regulations if they maintain or enhance worker protections, reduce ambiguity, and eliminate redundant language without weakening science-based safeguards. However, the organization states that simplification must not compromise safety or shift interpretive burdens onto employers and consultants.

AIHA comments address:

- Interpretation of the General Duty Clause (OSHA-2025-0041).
- Limit the use of "inherent and inseparable" strictly to non-repeatable artistic or athletic performances where implementing feasible controls would fundamentally alter the nature of the performance.
- Include a savings clause to clarify that this interpretation does not change existing obligations under current OSHA standards or diminish OSHA's authority to address recognized hazards through standards or the General Duty Clause (GDC) when feasible controls are available; e.g., that nothing in this interpretation alters employers' obligations under existing specific standards, nor does it constrain OSHA's authority to cite recognized hazards where feasible controls exist; State Plans should be required to maintain at least equivalent authority.
- Provide clear examples of scenarios where the interpretation does and does not apply, and affirm that State Plans must maintain at least equivalent enforcement authority.
- Medical Evaluations for Respirator Use (OSHA-2025-0006).
- Maintain PLHCP screening for all required respirator use.
- Restrict any exemptions to truly voluntary, low-exposure scenarios, and clearly define specific triggers for PLHCP referral.
- Issue a compliance guide providing certain clarifications.

- Substance-Specific Respiratory Protection Provisions (OSHA-2025-0023).
- Retain HEPA/N100-equivalent filtration requirements for asbestos, lead, cadmium, and inorganic arsenic.
- Do not authorize filtering facepiece respirators (FFRs) for asbestos exposures.
- Opposes removing the requirement to provide respirators upon employee request for lead.
- Does not support removing §1910.1048(g)(2)(ii) change-out schedules for formaldehyde.
- Opposes half-mask atmosphere-supplying respirators (APF 50) with separate goggles in lieu of full-face atmosphere-supplying respirators for methylene chloride.
- Publish an equivalency crosswalk and agent-specific notes.
- Construction Illumination Rescission (OSHA-2025-0040).
- Adopt a performance-based requirement.
- If the numeric benchmarks are rescinded, issue a directive or FAQ that provides reference values for minimum lighting levels by task type and work setting.
- Safety Color Code & Related Deletions (OSHA-2025-0009).
- Replace deleted provisions with a normative reference to widely recognized consensus standards or relevant OSHA guidance.
- COVID-19 Healthcare Rule Clean-Up (OSHA-2020-0004).
- Affirm that existing standards remain fully enforceable and that the GDC continues to apply o recognized infectious disease hazards in the workplace where feasible controls are available.
- Cross-reference updated guidance.
- Department of Labor Coordinated Enforcement Rescission (ETA-2025-0003).
- Replace the rescinded provisions with an inter-agency Memorandum of Understanding (MOU) that preserves practical coordination and data-sharing.
- Musculoskeletal Disorder Column Withdrawal (OSHA-2009-0044).
- Publish a voluntary data specification.

A copy of the Comments can be downloaded here.