Brief Overview of Nail Salon Policy in the US

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Overview of the talk

• Key federal legislations
• Selected state/local policy and voluntary programs (with a focus on ventilation requirement)
  • New York
  • Massachusetts
  • Washington State
  • California
• Current work
In the last May Board meeting, we discussed:

- Exposure assessment studies found levels of several chemicals of concern were far below the occupational exposure limits.
- A study of nail salons in Boston found indoor air quality in many salons exceeded a level corresponding to a ventilation rate recommended for beauty salons.
  - CO₂ in 15 out of 21 salons exceeded 800 ppm (25cfm/person).
  - Median Total VOCs = 4,800 ppb (61 - 38,000 ppb) (typical VOCs for homes is about 337 ppb).
- High prevalence of work-related health symptoms among nail technicians (e.g., musculoskeletal symptoms, dermatitis, respiratory irritations).
### Key federal legislation affecting nail salon workers

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<th>Federal Agency</th>
<th>Scope of Authority</th>
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<tr>
<td><strong>Food &amp; Drug Administration</strong></td>
<td><strong>CAN</strong>&lt;br&gt;• Regulate cosmetics labeling and branding <strong>ONLY AFTER</strong> product introduced onto market&lt;br&gt;• All cosmetics <strong>are not subject to FDA</strong> review and approval of safety or efficacy prior to being placed into commerce.&lt;br&gt;<strong>CANNOT</strong>&lt;br&gt;• Subject cosmetics to FDA pre-market approval, mandatory establishment registration, ingredient reporting&lt;br&gt;• Establish whether the chemicals used in cosmetics are safe</td>
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<td><strong>Environmental Protection Agency</strong></td>
<td><strong>CAN</strong>&lt;br&gt;• Regulate toxic chemicals under the Toxic Substances Control Act but cosmetics are excluded&lt;br&gt;<strong>CANNOT</strong>&lt;br&gt;• Restrict companies from using chemicals of concerns in cosmetics</td>
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<td><strong>Occupational Safety and Health Administration</strong></td>
<td><strong>CAN</strong>&lt;br&gt;• Ensure safe working environment by setting standards&lt;br&gt;• Require hazard communication&lt;br&gt;• Restrict chemical exposures below the PELs&lt;br&gt;<strong>CANNOT</strong>&lt;br&gt;• Provide full workers right protection for people who are self-employed or independent contractors which many salon workers are. Nail salons are on low priority list. Establishments with less than 10 employees not regulated very well.</td>
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*table from a report by the NAPAWF*
Policy for Health Nail Salons in Other States

- Each state has a Board of Cosmologists that issues permits and licenses to nail technicians and salons. The Board also establishes health and safety standards (e.g., ventilation, sanitation practices) for the operation of beauty salons and trade schools.

- Rules relating to ventilation requirement are often unclear (e.g., “ventilate the area well”)

- Additional policy implementation in selected states:
  - New York
  - California
  - Massachusetts
  - Washington

- In this talk, I will focus on policy relating to ventilation requirements.
New York

• In October 2016, new regulation requires all nail salons to improve their ventilation; this includes the use of a local exhaust system to capture and exhaust harmful contaminants, fumes, and particles at each table.

• Must meet the standards set by the 2015 International Mechanical Code

• Salons have five years to implement the change
Massachusetts

• In 2011, the City of Boston’s Board of Health enacted a proposal that enabled the Boston Public Health Commission (BPHC) to regulate nail salons in the city.
• This grants BPHC the authority to require nail salons to apply for permits, subject salons to regular health inspections, and shut down any salon that doesn’t meet the inspection criteria
• Ventilation requirement used the standards set by the International Mechanical Code
• New salons applying for first permit after Oct 2013 must comply immediately
• Salons have five years to implement the change
Washington State

• Since July 2007, local exhaust ventilation was required at each manicure table.

• Ventilation requirement used the standards set by the International Mechanical Code
What are the requirements set by the IMC?

- Exhausts fumes and dust directly to the exterior
- Make-up air and exhaust air ducts are separate (no mixing, recirculating, or partial-make up)
- Mechanical ventilation system exhausts fumes and dust directly to the exterior of the building at a rate is 0.6 CFM/FT²
- Make-up air is present throughout the system at a rate of 0.12 CFM/FT² + 20 CFM/occupant.
- A minimum ventilation rate of **50 cubic feet per minute** (cfm) per manicuring station shall be provided to protect the health of the employees and patrons
What does it look like?

Image courtesy of Boston Safe Shops Program

Image courtesy of LHWMP in King County, Washington
California

• Established the voluntary Healthy Nail Salon Recognition Program to recognize salons that follow safe practices

• With the implementation of the Healthy Nail Salon Act in 2016, more counties and cities will establish Healthy Nail Salon Recognition Programs.

https://cahealthynailsalons.org/what-is-a-healthy-salon-1/
Criteria for being in the Healthy Nail Salon Recognition Program

1. Uses nail polishes without the toxic-trio: dibutyl phthalate (DBP), toluene, and formaldehyde
2. Uses safer nail polish removers without ethyl or butyl acetate
3. Avoids using nail polish thinners, but if necessary, uses those without toluene and methyl ethyl ketone
4. Ensures that all nail salon staff wear nitrile gloves when using nail products
5. Ventilates the salon. Designates a specific area for artificial nail services
6. Installs a mechanical ventilation unit within one year of entering the program
7. Trains all nail salon staff on best health and safety practices
8. Commits to adopting safer nail products
9. Does not allow customers to bring in products unless the product meet program criteria
Allowable mobile ventilation unit

Image courtesy of LHWMP in King County, Washington

Filter must be replaced every 6 – 12 months depending on use
## Comparison of built-in vs mobile unit

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<th>Pros</th>
<th>Cons</th>
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| **Built-in local exhaust** | • Capture chemicals at source  
                         • No recirculating air | • High upfront cost  
                         • High maintenance and energy usage cost |
| **Mobile local exhaust**     | • Capture chemicals at source  
                         • Relatively cheaper than built-in unit  
                         • Can be easily shared and moved around as needed | • If filter not changed, it is ineffective as it is hard to tell when filter is saturated  
                         • Air recirculated |
The EPA’s Environmental Justice Collaborative Problem-Solving Cooperative Agreement program funded the California Healthy Nail Salon Collaborative grant to establish a **microloan program**

- The program helps salons become recognized as “healthy nail salons” in part through the purchase of indoor air ventilation equipment.

- The Collaborative is also working in partnership with its county partners, Asian Health Services, the Federal Reserve Bank, and two microlending partners (Opportunity Fund and Working Solutions)
Current work at Drexel

• Developing a series of comprehensive intervention materials to encourage **organizational changes** by the **owners** and also to increase knowledge and awareness among nail technicians in the areas of **chemical protection, infectious diseases, ergonomics, and worker rights**.

• Pilot study and evaluation plan to start sometime next year.
Acknowledgements

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References

• Please email Dr. Huynh at tbh38@Drexel.edu for references and resources relating to nail salon