

DEPARTMENT OF HEALTH AND HUMAN SERVICES

84-249

FEB 10 1988

The Honorable Larry J. Hopkins
House of Representatives
Washington, D.C. 20515

Dear Mr. Hopkins:

Thank you for your letter of January 26 to Secretary Bowen regarding the proposed regulations governing the certification of respirators.

The current regulations under which the Mine Health and Safety Administration and the National Institute for Occupational Safety and Health test and certify respirators (30 CFR Part 11) were originally promulgated in 1972. During the last several years, there has been a growing consensus among the respirator manufacturers and user community that these requirements need revision to reflect the technical advances in the field and the increased knowledge regarding environmental factors in the workplace. Some of the steps taken to develop the proposed rule are outlined in the enclosed preamble (52 FR 32402).

We are, of course, anxious to receive comments on both the technical and policy elements of this proposed rule. Toward that end, in October we extended our original comment period and announced two public hearings (52 FR 37639). The first took place in San Francisco on January 20, 1988, and the second was in Washington, D.C., on January 27-28, 1988.

We look forward to hearing from all parties concerned, and I assure you that all comments received will be placed into the record and will be carefully considered in any final rulemaking decision.

Sincerely yours,

/s/ Robert E. Windom
Robert E. Windom, M.D.
Assistant Secretary for Health

Enclosure

FILE

T 91380

CDC

OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE
CDC/MS	R. Windom	2/15/88						

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cc:

OD

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CDC Official File (Return to CDC, Atlanta)

OS No. 8801280012

CDC:JOMason;KL 02/02/88 FTS 236-3291 (H/02/02)

Tracer 91380; CDC ID D41256; Doc 3508B

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CDC/US	R. Windom	2/8/88						

Page 2 - The Honorable Larry J. Hopkins

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LARRY J. HOPKINS

6TH DISTRICT, KENTUCKY

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Congress of the United States
House of Representatives

January 26, 1988

Honorable Otis R. Bowen
Secretary
Department of Health and
Human Services
200 Independence Ave., SW
Washington, D.C. 20201

Dear Secretary Bowen:

I am writing to urge the withdrawal of the National Institute of Occupational Safety and Health (NIOSH) proposal to change the certification process for respirators (42 CFR 84, Federal Register).

My concern with this proposal is that it appears to be precipitous and counterproductive over-regulation. In addition, the industry believes that the new regulations, if enacted, will dramatically increase the costs of developing, testing, and certifying respirators, without a clear-cut improvement to worker respiratory protection.

Thank you for your consideration on this matter and I look forward to hearing from you in the very near future.

Sincerely,

LARRY J. HOPKINS
Member of Congress

LJH:av

CDC ID: D 41256
DATE: FEB 02 1988
Correspondence Unit, OD
Ext. 3322

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