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United States Senate

WASHINGTON, DC 20510

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U.S. SENATE
OFFICE OF THE CLERK
WASHINGTON, D.C. 20510

Dr. Otis R. Bowen, Secretary
Department of Health and Human Services
Hubert Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Mr. Secretary:

This letter is in reference to proposed regulations published by the National Institute for Occupational Health and Safety (NIOSH) regarding certification requirements for respirators.

I have been contacted by both industry and labor groups which have expressed serious concern with these regulations. The major concerns include 1) the economic impact of these regulations could amount to \$700 million, and; therefore, the proposed regulations should come under the "major" rulemaking process; 2) the testing requirements called for in the regulations are unreasonable, because the protocols for the prescribed "workplace" testing are not currently available; and 3) these regulations could make the actual design of respirators so bulky and uncomfortable that the use of respirators in "borderline" occupations may actually decline.

While I am committed to improving safety in the workplace, I believe that the very vocal opposition to these regulations have received from not only manufacturers but also labor unions reveals that the proposed regulations certainly must be gravely flawed. It is my understanding that NIOSH has scheduled a public meeting to entertain comments from interested parties. I urge you to assign the highest level officials in NIOSH to attend this meeting to ensure that the hearing is as productive as possible.

I think there is general agreement that the existing regulations need to be changed, but it seems that the new regulations proposed by NIOSH may worsen rather than improve the certification of respirators. Therefore, I hope you will carefully consider this matter to either withdraw or significantly amend the proposed regulations.

Thank you for your careful consideration of this matter, and I look forward to hearing from you.

With kindest regards and Greetings of the Season,

Sincerely,

Strom Thurmond

Strom Thurmond

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