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September 5, 19

Mr. Ray Reed  
Acting Chairman  
Committee on Respiratory Protection  
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Mr. Richard M. Duffy  
Director  
Department of Occupational Health and Safety  
International Association of Fire Fighters  
1750 New York Avenue, N.W.  
Washington, D.C. 20006

Dear Mr. Reed and Mr. Duffy:

Your letter of August 10, 1996, to Dr. Linda Rosenstock, has been forwarded to my office for reply. As the NFPA Technical Committee on Respiratory Protection and Personal Alarm Equipment recognized, your proposed new self-contained breathing apparatus (SCBA) weight provisions are in conflict with National Institute for Occupational Safety and Health (NIOSH) regulations. You inquired if the current NIOSH regulations could be changed to accommodate the proposed weight provisions.

The NIOSH regulation allows an SCBA to weigh as much as 40 pounds if integrated equipment contributes materially to the wearer's comfort. Historically, NIOSH has allowed only a cooling system to be included under this provision. Reconsideration of this policy could allow the incorporation of other types of comfort-enhancing equipment with a 40-pound weight limit for the SCBA assembly. However, the regulation cannot be interpreted to extend the 40-pound weight allowance to cover integration of other elements of protective clothing, as proposed for NFPA 1981, Standard on Open Circuit Self-Contained Breathing Apparatus for Fire Fighters.

NIOSH has recently published a notice in the Federal Register (61 FR 24740) to request public comments in preparation of rulemaking to revise current NIOSH procedures for certifying respirators. With that notice, NIOSH sought comments on possible administrative changes and priorities for future rulemaking in the respirator certification program. A copy of your letter and this response have been submitted to the Docket Office for

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inclusion in the record. A change to the weight limit for an SCBA, as you requested, could be included in an overall SCBA module, or it could be proposed as the sole regulatory change.

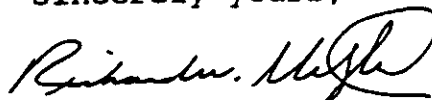
Please submit to the NIOSH Docket Office, all information available related to the need and feasibility of the requested change. Additional information is needed in order to properly assess the priority to be assigned to this potential revision to the regulations. This information should relate to standard public health criteria such as the number of persons (workers) affected, the seriousness of hazards or problems that would be addressed, and the extent to which changes would improve protection. Other criteria that also may have an important influence on worker protection include, opportunity for cost savings (reducing costs for manufacturers and purchasers of respirators) and the expediency by which a change can be implemented (e.g., the existence of adoptable consensus standards). All submitted information will be considered in establishing the priority of future rulemaking.

As mentioned above, the policy interpretation that only allows a cooling system under the 40-pound weight allowance can be reconsidered. Reconsideration of that policy could allow the incorporation of other types of comfort-enhancing equipment with a 40-pound weight limit for the SCBA assembly. The subjectivity of the regulatory provision would need to be interpreted objectively in any adopted criteria. I would like your input on a criteria that NIOSH could use to determine that incorporated equipment contributes materially to the wearer's comfort.

On a related note, it appears that there is not a NIOSH member on your NFPA Technical Committee on Respiratory Protection and Personal Alarm Equipment. I believe that active participation by a NIOSH representative on your committee could help in the resolution of this issue, as well as others that may be identified. I would like to take this opportunity to recommend Sam Terry as the NIOSH representative, and Tim Merinar as an alternate, for this committee. They and I can be reached at (304) 285-5907. Please let me know if this arrangement is acceptable.

I hope this letter answers your concerns about the possibility of changing the NIOSH requirements pertaining to the maximum weight of an SCBA. I am looking forward to hearing from you.

Sincerely yours,



Richard W. Metzler, Chief  
Certification and Quality  
Assurance Branch  
Division of Safety Research

bcc:  
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