

NIOSH/NPPTL

Public Meeting on PAPRs

Arlington, VA

April 10, 2003

Comments by Joseph LaMonica, consultant to BCOA.

Thank you for the opportunity to make a few comments for your consideration as you go about the task of writing new standards for PAPR's. My comments are limited to the PAPR's used in coal mining. Since the 1969 Coal Mine Act, we have been dealing with the issue of protecting our nations coal miners from exposure to respirable coal mine dust. The primary means of doing this has been through engineering controls, principally ventilation. There are times however, when these engineering controls do not protect the miner adequately. During these times, the use of approved filter respirators was adequate but not comfortable for the miner. The introduction of a PAPR device, which was designed for mining, eliminated some of the problems that filter devices caused.

So we had something that we could use during those times that engineering controls were not adequate. Some of the features of these PAPRs led to miners wearing the devices full time at the face area where the coal is mined. The government showed that these devices did provide improved protection for the miner.

Several years ago, a change was made in the regulations that required the filters used in these PAPRs to be the high efficiency particulate air filter. Unfortunately, we in the mining community were asleep at the switch, so to speak, because we were not aware that this change was happening. As a result of this change, a device that was getting the job done could not longer serve that purpose. In making something better by improving

the efficiency, we made it worst in its performance. A performance that was already adequate. To accommodate the HEPA filter, we had to increase the airflow that required us to enlarge the air mover that consumed more energy that required a larger battery. Bottom line, more weight for the miner to carry.

MSHA has proposed a dust regulation that will require NIOSH approval of not only the filter, but also the PAPR itself. What we must be careful of, and the reason for my comments, is that we do not create a situation where the PAPRs cannot be used, or used in a non-compliance mode. For example, the manufacturer of the PAPR is trying to obtain approval and maximize the product's ability to protect the wearer. One such device uses a neck shroud for this purpose. However, the miner is not comfortable using the shroud and removes it. Under MSHA's proposed rule this would be a violation and the operator would be cited as he should be, But what if the shroud only provides added protection above what is already adequate without it? We need to be careful that we can have approved devices that provide the protection needed and are comfortable enough to wear.

My second comment is related to the first. And that is the issue of the NIOSH regulation requiring the HEPA filter. That regulation does not have a provision that would allow a user to petition the agency for a variance if, in the case in point, it could be demonstrated that there would be adequate protection for a given situation. The agency might want to consider this type of provision in future regulations.

And my last point deals with the process of a direct final rule. To promulgate a regulation takes a long, long time. The use of PAPRs in mining has an immediate need now. We are talking about a device that provides better head and neck protection, face

protection, hearing protection, pre HEPA filter respirable coal mine dust protection and communications ability. I would suggest that, if the mining community is in agreement to a pre-Hepa filter device that would only apply to mining, the agency consider a limited direct final rule that could be in place much sooner, mesh with the MSHA proposed dust rule and be in place only until NIOSH publishes the new PAPR rule.