

Page 2 - The Honorable Robert K. Dornan

cc:

OD

NIOSH

FMO

CDCW

ES/PHS

ASL/OS

CLO/OS

H Official File

CDC Official File (Return to CDC, Atlanta)

OS No. 8801110020

PHS Tracer No. T90899

CDC ID #D41002; NIOSH #3125; Doc 3459B

Prepared by Larry Sparks, CDC, FTS 236-3061, 12/29/87

Contact Karen Lindauer, CDC, FTS 236-3322

ROBERT K. DORNAN
38TH DISTRICT, CALIFORNIA

SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL

VETERANS AFFAIRS

FOREIGN AFFAIRS

SUBCOMMITTEES
WESTERN HEMISPHERE
AFRICA

INTERNATIONAL ECONOMIC POLICY
AND TRADE



Congress of the United States
House of Representatives

January 7, 1988

PERMANENT OBSERVER TO
GENEVA ARMS TALKS

TASK FORCES:

AMERICANS MISSING IN ACTION

BUDGET REFORM

REGULATORY REFORM

INTERNATIONAL NARCOTICS CONTROL

HISPANIC CAUCUS

GRACE COMMISSION CAUCUS

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

Dear Dr. Bowen,

I am disturbed by regulations (42 CFR part 84, Federal Register) proposed by the National Institute for Occupational Health and Safety (NIOSH) on August 27, 1987 that concern the certification of respirators for use in general industry, mining and construction. I believe such regulations may have a disastrous impact on worker safety and the respirator industry.

The proposed regulations limit the certification activities of NIOSH to respirators used in mining, thereby requiring manufacturers of respirators used in general industry and construction to "self-certify" their products. Manufacturers will be required to test their own respirators in the workplace or simulated environment. However, the proposed "workplace" stipulation requires that all testing be conducted in mining operations. Moreover, all respirators now in use will have to be re-certified under the new process and manufacturers will have to re-test any respirators which are modified even slightly.

It is my understanding that 90 percent of respirators in the U.S. are for non-mining use. By limiting respirator testing to mining, it seems NIOSH may be ignoring the needs of the vast majority of respirator users. Furthermore the costs of developing new standards, re-certifying existing respirators, and workplace testing may have a devastating economic impact on both manufacturers and end users. I have been informed that it may cost manufacturers up to \$700 million annually to make the proposed changes.

I would therefore urge your office to consider alternatives that would allow for certification of respirators used in all industrial applications. Please let me know your views on this subject.

Best regards,

Robert K. Dornan
Member of Congress

8801110020

790899
TRACER