DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

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Page 2 - The Honorable Larry J. Hopkins

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II Official File
CDC Official File (Return to CDC, Atlanta)
OS No. 8801280012
CDC:JOMason;FL 02/02/88 FTS 236-3291 (W/02/02)
Tracer 91380; CDC ID D41256; Doc 3508B
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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,

[Signature]

LARRY J. HOPKINS
Member of Congress

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