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From: Laura.H.Weems@uscg.mil on behalf of Weems, Laura CDR [Laura.H.Weems@uscg.mil]
Sent: Thursday, April 09, 2009 2:33 PM
To: NIOSH Docket Office (CDC)
Cc: Holland, Leslie H; Ignacio, Joselito CDR; Onye, Carolyn
Subject: RIN: 0920-AA10; 42 CFR PT.84

Attachments: USCG Comments re CCER-KH comments1.doc



USCG Comments re
CCER-KH comme...

Attached are the USCG comments.

Very Respectfully,
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UNITED STATES COAST GUARD (USCG) COMMENTS ON NIOSH DOCKET # 005,

RIN: 0920-AA10

APRIL 9, 2009

Reference: Federal Register Vol. 73, Number 238, pages 75208 – 75045. 42 CFR Part 84. Approval Tests and Standards for Closed Circuit Escape Respirators; Notice of Proposed Rulemaking

Section 84.301; pages 75209 – 75030... NIOSH invites comments on an alternative to the proposed closed circuit escape respirator (CCER) phase-in that would allow a specific exemption for the Department of Defense (DoD) to “permit DoD to use the full service life of device, which were approved under the current requirements, based on the DoD deployment plan where CCERs are retained in conditions of storage.”

Concur with Comments: We concur with the DoD exemption and request a longer phase-in timeline for CCER’s for marine use or expand the DoD exemption to include United States Coast Guard (USCG).

Justification: USCG’s mission is very similar to the Navy’s mission. We have hundreds of approved CCER with a 15-year service life and have performed extensive inspections and drills to ensure that the CCER performs according to specification. To date, there is no indication that the CCER has failed before the expiration of the service life. USCG will continue to perform these tests and any failed or expired CCER will be replaced. USCG feels that a blanket replacement of currently approved CCER at the end of six years vice remaining service life of up to 15 years will not be a judicious use of resources.

Additionally, the new requirements being phased in are intended to address problems in mines, not on ships. We are not aware of any problems with this equipment on ships which would warrant the considerable expense to the marine industry of developing new equipment for marine use, and replacing existing equipment still within its established service life in marine use.

We also note that application of the proposed new requirements to respirators in marine use would introduce conflicts with existing international standard ISO 23269-1 *Ships and marine technology — Breathing apparatus for ships — Part 1: Emergency escape breathing devices (EEBD) for shipboard use*, and related international treaty requirements under development at the International Maritime Organization (IMO).