

DEPARTMENT OF HEALTH AND HUMAN SERVICES

84-259

MAR 4 1988

The Honorable William J. Coyne  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Coyne:

Thank you for your letter of January 27 to Secretary Bowen on behalf of Mine Safety Appliances Company of Pittsburgh 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

91609

FILE

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H Official File

CDC Official File (Return to CDC, Atlanta)

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WILLIAM J. COYNE  
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14TH DISTRICT

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January 27, 1988

The Honorable Otis R. Bowen  
Secretary of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

Dear Secretary Bowen:

I am writing on behalf of the Mine Safety Appliances Company of Pittsburgh, Pennsylvania, regarding a proposal by the National Institute of Occupational Safety and Health (NIOSH) to change the certification process of respirators.

NIOSH currently certifies respirators for use in general industry, mining, and construction. On August 27, 1987, NIOSH proposed regulations (42 CFR, part 84 Federal Register) which I am informed could have serious implications both for worker safety and for the safety equipment industry. Moreover, officials at Mine Safety Appliances inform me that the proposal contains insufficient information regarding the new protocol and testing requirements, which in effect prevents the safety equipment industry from commenting meaningfully on the proposed regulations.

I am enclosing a copy of a letter from the Mine Safety Appliances Company which details further these concerns. I would appreciate your consideration and response to the questions raised by these concerns. Thank you very much for your attention to this matter.

Sincerely,

*William J. Coyne*

William J. Coyne  
Member of Congress

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