



# ADHESIVES MANUFACTURERS ASSOCIATION

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December 23, 1987

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Mr. John Moran  
Director,  
Division of Safety Research  
NIOSH  
944 Chestnut Ridge Road  
Morgantown, WV 26505

Dear Mr. Moran:

These comments are submitted by the Adhesives Manufacturer Association ("AMA") in response to an August 27, 1987 Federal Register notice of proposed rulemaking (52 FR 32402 - 32443). The August 27 notice proposes revisions to current tests and requirements for certification of permissibility of respiratory protective devices used in mines and mining.

AMA is a national organization comprised of US companies engaged in the manufacture and sales of adhesives and adhesive coatings used in paper converting, packaging and foil laminating. A wide variety of respiratory protective devices ("respirators") are used in the industry to protect the health of employees, thereby giving AMA and its members a direct interest in the outcome of this rulemaking.

At the outset, AMA would like to be put on record as endorsing the September 21, 1987 comments of the Respiratory Protection Group of the Industrial Safety Equipment Association, Inc. (ISEA). AMA believes that ISEA's arguments are well-founded and its concerns legitimate, and recommend them for careful consideration by the Division of Safety Research.

I. Certification Testing Should Reflect The Workplace Environment Of The Industry Using The Respirator

Respirators currently in use in the adhesives manufacturing sector are adequate, appropriate and suitable for that particular workplace environment. Under the proposed rule, however, a respirator submitted to NIOSH for an original certification or for renewal of an expired certification must be tested first in a

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mine or simulated mining operation environment. Ambient concentrations of a given substance of concern in a mine or mining operation bear no relationship to concentrations in general industrial workplaces. Certification to levels protective of miners could significantly overprotect for workers in general industry, thereby imposing additional and unnecessary costs on those respirator users.

## II. Impact On Existing Respirator Inventories

AMA shares the respirator manufacturers' concerns that currently available devices could not pass the certification and would have to be replaced by products that, should they be certified, would be so generally uncomfortable to wear--bulky, hot, heavy, difficult to breathe through and restrictive to vision--that workers would balk at wearing them, a clearly counterproductive result. Existing inventories in use by general industry, although highly protective of workers, could be made artificially obsolete if the proposed rule were made final. This would require the purchase of the new, as yet unproven devices, at prices that will certainly be greatly increased. An additional cost will be new rounds of worker training to use respirators that they do not need and which provide probably no more protection than those that were replaced.

## III. Economic Impact Analysis

The preamble to the proposed rule, at page 32404, states that NIOSH is in compliance with Executive Order 12291, and therefore is not required to prepare a regulatory flexibility analysis, because the rule, if adopted, will not have a significant impact on small businesses. AMA believes that NIOSH should more closely examine the proposal's impact on small businesses, such as AMA members, that are required to provide respirators to their workers to determine what new costs would be imposed if existing respirators had to be replaced with new, certainly more expensive substitutes. While AMA is unable to determine with any precision what the cost of the new respirators might be, it is clear that the development and certification costs associated with the proposal could be extensive.

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IV. Conclusion

The Adhesives Manufacturers Association appreciates this opportunity to comment on the proposed rule, and trusts that NIOSH will give careful consideration to our concerns and those of other members of the interested public.

Sincerely,

*William Ahrens/mmg*

William Ahrens  
Chairman,  
Government Relations Committee