DEPARTMENT OF HEALTH AND HUMAN SERVICES

MAR 4 1988

84-258

The Honorable Ernest F. Hollings United States Senate Washington, D.C. 20510

Dear Senator Hollings:

Thank you for your letter of February 8 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. Enclosed is a copy of the opening statement from those hearings which clarifies many of the misunderstandings about this regulation.

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

Enclosures

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cc: OD NIOSH FMO CDCW ES/PHS CCU/OS ASL/OS CLO/OS H Official File

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United States Senate

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February 8, 1988

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NATIONAL OCEAN POLICY STUDY

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

RE: Proposed 42 CFR 84, Federal Register: Respirators

Dear Mr. Secretary:

The proposed revision of the regulations governing the respirator certification process was recently brought to my attention. These NIOSH proposals are a major departure from past regulations and it is important that affected industries have an opportunity for substantial input concerning the proposed revisions. The apparently enormous cost of impleplementing these new regulations and the shock it would cause to this important industry warrant a complete review of the need for such far reaching changes. I expect you to balance the needs of all the concerned parties so that their legitimate concerns are addressed.

Thank you for your time.

With kindest regards, I am

Singerely

Ennest F. Holling

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