

## **Dragon, Karen E. (CDC/NIOSH/EID)**

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**From:** thurd@cavtel.net  
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**To:** NIOSH Docket Office (CDC)  
**Cc:** Chen, Jihong (Jane) (CDC/NIOSH/EID) (CTR)  
**Subject:** 221 - NIOSH Regulatory Agenda for updating 42 CFR Part 84 Comments

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### Comments

I believe that NIOSH should immediately modify 42 CFR Part 84 to allow for separate, stand-alone approval of cylinders. Maintaining the current packaged standard adds excessive user costs and does not demonstrate any added value or safety measures to users.

So when a fire department needs to purchase replacement cylinders, it stands to reason that the purchase should be able to be made from any manufacturer of cylinders whose products carry DOT approval - saving taxpayer dollars - rather than buying the same cylinder from a respirator manufacturer at a huge markup, with zero value added.

It's a vicious circle; the NIOSH approval process simply responds to an OSHA requirement that the respirator is tested and approved by NIOSH. NIOSH will only approve full systems, not individual components. And respirator manufacturers tell customers that if they don't purchase certified systems, they are not in compliance with OSHA and therefore subject to penalties and the weight of OSHA - plus the customers have effectively voided their respirator warranties.