



Page 2 - The Honorable Andy Jacobs Jr.

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NIOSH

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OS No. 8801190039

PHS Tracer No. T91086

CDC ID #D41088; NIOSH #3125; Doc 3474B

Prepared by Larry Sparks, CDC, FTS 236-3061, 12/29/87

Contact Karen Lindauer, CDC, FTS 236-3322

CONGRESS  
of the  
United States of America

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Andy Jacobs, Jr.

January 13, 1988

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

Dear Mr. Secretary:

Enclosed are comments by my  
constituent, Timothy McNamara, concerning  
(42 CFR part 84, Federal Register 10-8-87).

I would be grateful if you and  
your staff would give due consideration  
to Mr. McNamara's views.

Warm best wishes,

*Andy Jacobs*  
ANDY JACOBS, JR. *dbw*

AJ/pc

Enclosure

Dictated by Congressman Jacobs. Signed in  
his absence.

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CDC ID: D 41088  
DATE: JAN 22 1988  
Correspondence Unit  
Ext. 3522

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TRACER

THE ROAD TO PEACE IS PAVED WITH JUSTICE.

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9230 Haverstick Road  
Indianapolis, IN 64240  
December 21, 1987

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The Honorable Andrew Jacobs, Jr.  
House Office Building  
Washington, DC 20515

DEC 23 1987

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Dear Congressman Jacobs:

I am writing to express my concern and seek your help with regard to proposed changes in certifying respirators for use in general industry, mining and construction by the National Institute for Occupational Safety and Health (NIOSH).

I am employed by the Safety Products Division of American Optical Corporation and take pride in the safety and protection provided to workers in industry through the manufacture and distribution of our products.

It has come to my attention that the new proposals issued in August by NIOSH (42 CFR part 84, Federal Register) will severely limit its certification of respirators to a "mining workplace" environment only. This proposal would require manufacturers of respirators used in general industry and construction, such as American Optical, to essentially do their own certifying. All respirators currently in use will have to be re-certified under the new process and manufacturers will be required to re-test any respirators which are modified in the most minor way.

It is my understanding that 90% of the respirators in use today are used for non-mining purposes, and this proposal requires that manufacturers test all respirators under mining conditions. This would ignore the safety interests of the majority of workers who use respirators in industry and construction.

The costs, the modifications, the requirements for workplace testing will place a tremendous burden, some \$700,000,000 upon manufacturers and will threaten worker safety.

May I count on you to contact Dr. Otis Bowen, Health and Human Services Secretary, to request withdrawal of this proposed ruling? Please let me know as soon as you have contacted Secretary Bowen as to his response.

Sincerely,

*Timothy K. McNamara*  
Timothy K. McNamara