

Miller, Diane M. (CDC/NIOSH/EID)

From: Bill Kojola [Bkojola@afcio.org]
Sent: Thursday, December 17, 2009 4:05 PM
To: NIOSH Docket Office (CDC)
Subject: RIN 0920-AA33, 42 CFR Part 84
Attachments: AFL-CIO Comments NIOSH TIL Proposal.pdf

To NIOSH Docket,

Attached find the comments of the AFL-CIO on the NIOSH proposed rule regarding *Total Inward Leakage Requirements for Respirators*, RIN 0920-AA33, 42 CFR Part 84.

Thanks you,

Bill Kojola

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December 17, 2009

NIOSH Docket Office
Robert A. Taft Laboratories
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4676 Columbia Parkway
Cincinnati, OH 45226

RE: Total Inward Leakage Requirement for Respirators, Proposed Rule. RIN 0920-AA33

Dear Sir or Madam:

We appreciate the opportunity to comment on NIOSH's proposed rule regarding total inward leakage (TIL) requirements for half-mask air-purifying particulate respirators. We are pleased that NIOSH has finally initiated this proposed rulemaking on a critically important class of commonly used respirators and we offer our full support for this new rule.

Since 1995, this class of respirators has been required to perform to certain minimum particulate capturing efficiencies that the filtering materials are expected to achieve in order to be certified for use by NIOSH. However, there has been no certification requirement to assess the ability of the facepiece of these respirators to seal adequately with a wearers face. This performance measurement is important because it assesses the degree to which a wearer is inhaling air that is unfiltered by the filtering material due primarily to leakage in the facepiece seal. We believe that establishing some criteria, in the form of TIL, to assess the ability of a respirator to provide adequate fit with wearers is a necessary step to add to the NIOSH certification process.

As part of the respirator certification process, we believe it is essential to identify and exclude poorly fitting respirators before they reach the market. Doing so, as the proposed TIL requirement would accomplish, increases the likelihood that

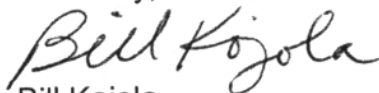
respirators available for purchase by employers will fit on the faces of workers in the process of conducting individual fit tests. Increasing the likelihood that TIL-assessed respirators fit will also decrease the time and effort that employers must devote to conducting individual fit testing required by OSHA to identify respirators that fit properly. Such decreases in time and effort will benefit employers as well as workers.

In our view, adopting a TIL certification requirement will play an important role for workers who wear respirators where the employer fails to conduct fit testing as required by the OSHA respiratory protection standard (29 CFR 1910.134). By eliminating poorly fitting respirators as a result of including a TIL requirement in the NIOSH certification process, workers who are not fit tested will at least have an increased likelihood that the respirator they are wearing will provide them with better levels of protection. We think all employers need to comply with the OSHA fit testing requirements. However, adoption of the TIL requirement will assist workers when employers do not fit test them.

We are pleased to see that the proposed rule includes provisions to allow for the approval of a respirator designed to fit a specific segment of the worker population, such as women. This new provision will assist in developing and identifying certified respirators for important worker population subsets and helps to address a need to provide PPE that is designed specifically to fit women.

In conclusion, we support the NIOSH proposal and urge its adoption as a final rule. It is not sufficient to merely certify the filtering efficiency of the filtration materials in half-mask air purifying particulate respirators as has been the case since 1995. It is also essential that NIOSH establish certification requirements that provide some assurance that the respirators in this class have a high degree of likelihood that they will seal adequately on the faces of the intended wearers. The proposed TIL rule will accomplish this objective.

Sincerely,



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