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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
The Problem:
1. Respirator manufacturers are issued NIOSH approvals for Cylinders they donâ€™t manufacturer

Some respirators are also capable of tethered operations, by tethering they utilize connections to Bulk tanks on platforms of aerial devices and other specialized devices. These bulk tanks are not manufactured by the SCBA manufacturers yet they do not contect their usage and in fact many SCBA manufacturers consult with fire apparatus builders on their installation of systems. Many SCBA manufacturers do not contest the usage of these bulk cylinders what so ever, yet they contest the standard 30, 45, and 60 minute cylindars. Since there are only a handfull of Aerial devices sold equipped with this type of option there is no volume in the sales of this type of arrangement, However, for each SCBA in the Field there is at least 2 30, 45,or 60 minute cylindars purchased on a 15 year rotation, this is a captive market meaning larger profit margins. By maintaining this standard of approving the entire Ensamble NIOSH is allowing Monopolies on cylendars while even the manufacturers have used multiple sources for manufacturing the cylindars. I have seen first hand in the SCBA factories the only thing done to the cylendars when they arrive from the various cylendar manufacturers if re-box the cylendars in smaller packaging and then re-ship them to the end users or distributors.

2. NIOSH provides approvals for â€œentire SCBA ensembles onlyâ€, limiting competition for replacement cylinders 3. Current approval system unnecessarily drives up the price end users pay for replacement cylinders 4. NIOSH approval process is redundant; cylinders are already federally regulated by the USDOT & Transport Canada 5. NIOSH approval process provides NO additional liability protection to users Financial impacts:
 Fire Departments pay excessively high prices for spare & replacement SCBA cylinders from respirator manufacturers â€“ yet receive no added benefits Current system negatively impacts Fire Departments & End User budgets Municipalities and other governments budgets are negatively affected Product impacts:
 Approval holders do not manufacturer cylinders; as a result, they serve as a barrier between cylinder manufacturers and end users limiting cylinder innovation & improvements Safety impacts:

 NIOSH approval process does not improve or ensure the safety of cylinders NIOSH approval already requires cylinders be DOT approved, inclusion of the cylinder into the ensemble approval ads no additional measure of safety

How can these issues be resolved?
1. NIOSH should provide a â€œSeparate Cylinder Approvalâ€ which would allow end users to choose cylinders from more than a single source 2. Elimination of the cylinder from the ensemble approval would save Fire departments millions of dollars annually which could be better used for adequate staffing and other department needs

By allowing free competition for the cylendars, this will allow many cash strapped communities to spend the money on other equipment or staffing providing a greater degree of firefighter safety. Currently NIOSH guidelines are actually creating a more dangerous situation by allowing cylindar manufacturers to gouge the Taxpayers of this country and increase their profit margins.