

**Paymaster Oil Mill Co.**

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OD, DSR, NIOSH



Anderson Clayton

Mr. John Moran  
Director, Division of Safety Research  
National Institute for Occupational  
Safety and Health  
944 Chestnut Ridge Road  
Morgantown, West Virginia 26505

Re: Request for recall of Proposed 42 CFR Part 84

Dear Mr. Moran,

The proposed new regulation for respirator certification (42 CFR, Part 84, federal register of August 27, 1987) will, if adopted, have a disastrous impact on the cottonseed processing industry.

Prior to the adoption of any new regulation it is essential that the problem being addressed be:

- 1) clearly identified;
- 2) the desired goals to be achieved be clearly defined, reasonable and measureable, and
- 3) utilizing the expertise of industry, manufacturers, and governmental agencies involved develop a reasonable, practical and cost effective method to achieve the desired goals.

I do not believe the regulation as proposed meets any of the above criteria as it effects our industry.

Major areas of concern are:

- 1) The workplace tests required for respirators may not be technically possible to conduct.
- 2) Workplace tests for respirator certification would be conducted solely in mines, rather than in the actual industrial environment in which the respirator is used.
- 3) Protocols and details of the workplace testing are not included in the proposed standards making timely and reasonable comments impossible from those of us who will have to live with the standard as finally adopted.

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- 4) The costs associated with workplace tests for certification would add hundreds of thousands of dollars to development costs - costs which must be passed on to us the end user by the manufacturer.
- 5) The net result of a respirator designed to meet your proposed criteria would be a cumbersome, hot, uncomfortable and hard to breath-through mask that our workers would justifiably refuse to wear. Such an unwieldly devise could lead to workers intentionally and covertly failing to comply with regulations, rules, and policies dictating its use, thereby reducing the effectiveness and increasing the hazardous exposure. Worker health and safety, the only reason for which respirators are created, would be compromised immediately.

I urge you to recall this proposed rule and allow a practical and workable standard to be developed for use in all industrial applications.

Sincerely,



Tom Phillips  
General Superintendent  
Paymaster Oil Mill Co.

TP:kd