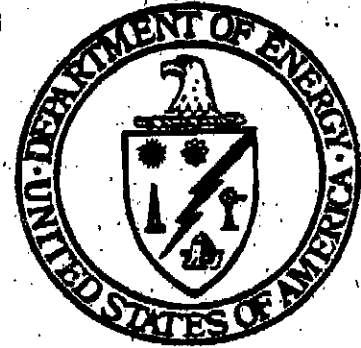


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U.S. Department of Energy Office of Occupational Safety and Health Policy (EH-51)

19901 Germantown Road
Germantown, MD 20874



Date: 3/20 1997

Fax: (301) 903-2239

To: Diane M. Manning

NIOSH

Organization

Phone: _____

Fax: 513-533-8285

From: Jacqueline D. Rogers
EH-51/52

Phone: (301) 903 - 5684

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The Department of Energy Recommendation to Amend 42 CFR Part 84

The Department of Energy (DOE) requests that the National Institute for Occupational Safety and Health (NIOSH) amend 42 CFR Part 84 to recognize the DOE air-supplied suit acceptance program as an acceptable alternative to NIOSH testing and certification.

In 1973, the Atomic Energy Commission (AEC) held a meeting in Germantown, Maryland to discuss respiratory protection devices used by its contractors that were not eligible for testing and certification by NIOSH. Attending this meeting were representatives from NIOSH, Bureau of Mines, and Occupational Safety and Health Administration (OSHA). All representatives agreed the air-supplied suits used at AEC sites were not eligible for NIOSH testing and certification. The NIOSH representative stated that because of the devices limited use, NIOSH would probably not develop a separate testing schedule. The AEC proposed developing a program to evaluate and accept the devices for use only at its sites. All representatives agreed that this was acceptable as long as the program did not compete or interfere with NIOSH's testing and certification program.

The AEC subsequently established an evaluation and acceptance program at the Los Alamos National Laboratory (LANL) for air-supplied suits and other respiratory protection devices that were not eligible for NIOSH testing and certification at used its sites. This program involved site-specific acceptance based on a review of standard operating procedures, training for use of the devices, on site review of use, laboratory performance testing equivalent to NIOSH, review of test results by an independent committee, and final acceptance or rejection by AEC. The program was continued by the Energy Research and Development Administration and the DOE. Acceptance testing procedures were developed by LANL, approved by AEC, later re-approved by DOE, and published as Los Alamos report "Acceptance-Testing Procedures for Air-Line Supplied-Air Suits", LA-10156-MS, June 1984.

DOE's acceptance program has evolved into a formal, well documented set of procedures that ensures only the best air-supplied suits are used. As part of the program LANL provides continuous technical support and assistance to DOE sites in solving operational and design problems, and determining if modifications require retesting. DOE is currently evaluating the program to determine a schedule for retesting previously accepted air-supplied suits.

This program has been in place for twenty three years and has successfully ensured the quality and performance of air-supplied suits used throughout the DOE and was acknowledged as acceptable to NIOSH prior to OSHA's rewrite of 29 CFR 1910.134. Rather than establish a new program to test and certify air-supplied suits at NIOSH, the DOE recommends that NIOSH and OSHA recognize its acceptance program as an acceptable alternative to NIOSH's testing and certification program.