

17-6



June 3, 1994

USDOL/OSHA
Docket Officer
Docket No. H-054A
Room N-2625
200 Constitution Ave. NW
Washington DC 20210

Re: **An issue regarding the TSI PORTACOUNT and the proposed standard for Hexavalent Chromium, docket H-054A.**

To whom it may concern:

I would like to take this opportunity to ask OSHA to consider using different language in the preamble for Hexavalent Chromium than was used in the preamble for Cadmium 29 CFR 1910.1027.

The Cadmium Preamble (F.R. Vol 57, No. 178, Monday 9/14/92, p. 42348) contains a paragraph regarding the PORTACOUNT Respirator Fit Tester manufactured by my company. We are grateful that OSHA saw fit to address the issue in the preamble because it circumvented a great deal of confusion that would have otherwise occurred. While we acknowledge that OSHA's policy regarding the PORTACOUNT is clearly stated, the last two sentences of the paragraph have caused confusion to the public.

"...As part of the respirator standard revision (29CFR 1910.134), the manufacturer of the PORTACOUNT has the opportunity to submit validation testing of its fit testing method and instrumentation to show that it is capable of determining fit factors as accurately as the corn oil and sodium chloride systems currently recognized, in order to become a validated fit test method. If the Portacount becomes a validated fit test method, the appendix C fit test methods will be revised to reflect this."

We receive inquiries from our customers asking if TSI is taking advantage of this invitation by OSHA. Our reply is to say that TSI has submitted at least four

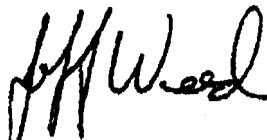
independent studies of *the* PORTACOUNT to OSHA showing very good accuracy compared to conventional corn oil systems. These documents were submitted to the 29 CFR 1910.134 docket (H-049) prior to the promulgation of the Cadmium Standard and we don't know what else we can do.

My company is eager to provide any other documentation that OSHA ~~my~~ require in order to officially validate the fit test method used by the PORTACOUNT. (We realize that OSHA cannot mention the instrument by name in a standard.) When we ask what additional documentation OSHA would like to see, we do not get a drat answer.

If the same verbiage were to appear again in another preamble, it would promote the undeserved impression that TSI has been unresponsive in pursuing official validation. OSHA was wise to include the paragraph about *the* PORTACOUNT in the Cadmium Preamble, however, to avoid public misconception, I would like to suggest that the following text be used in future preambles in place of the two sentences referenced above:

"... Official validation of alternate fit testing methods is beyond the scope of this standard. OSHA is addressing the acceptance of new fit test methods as part of the next revision to the respirator standard 29 CFR 1910.134. Fit testing requirements in the future version of 29 CFR 1910.134 are expected to supersede all other fit testing requirements contained in the various substance-specific OSHA standards, including this one."

Sincerely,



Jeff Weed
Product Manager