

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

From: Jeff Whidby [jeffwhidby@georgiafirerescue.com]
Sent: Thursday, March 10, 2011 1:47 PM
To: NIOSH Docket Office (CDC)
Subject: NIOSH, DOCKET # 221
Attachments: SGFRS11031014331.pdf

Please see the attached letter for Docket # 221 in regard to NIOSH SCBA approvals for cylinders and valves used on self contained breathing apparatus.

Thanks,

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NIOSH should take immediate steps that allow for NIOSH SCBA approvals to remain in effect when First Responders purchase Cylinders & Valves that meet CFR 42 part 84 subparts 84.81 and 84.82.

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

Dear NIOSH Docket officer,

I am the Vice President of Georgia Fire & Rescue Supply and have served as a firefighter within the state of Georgia for 29 years serving in all ranks up Deputy Chief of Field Operations in a Metro Atlanta, Georgia Fire Department. I'm writing to express my support for making changes immediate changes to the National Institute for Occupational Safety & Health (NIOSH) Standard Application Process (SAP) & CFR 42 part 84 allowing SCBA cylinders and valves to be approved separately from the SCBA ensemble. Further, I request that the utilization of CFR 42 part 84, subpart H84.81 & H84.84 be sufficient when making purchases of spare & replacement cylinders. In doing so, the SCBA ensemble will remain in a configuration that is NIOSH approved. Allowance in no way would change the fit form or function of the self contained breathing apparatus.

One reason I ask for this is for economic relief for the end users. It is our opinion that the current rules allow for SCBA manufacturers to operate a monopoly of price gouging for cylinders that they do not even manufacture at all. During these hard economic times fire departments are financially struggling to provide services to the citizens that are also hurting and this is wrong when it is well known that price gouging is occurring and SCBA cylinder prices would go down immediately if NIOSH will change its rules. I estimate that changes to this standard, allowing cylinders and valves to be approved independent of the SCBA ensemble, could save North American first responders \$50 to \$100 million annually. This direct savings would allow Emergency Service Organizations to more adequately fund their initiatives in an environment of escalating costs & regulations. Additionally, it would spur the development of newer technology & improved safety in areas such as cylinder durability and accountability. NIOSH should better serve their constituents by providing guidance that allows for this initiative to become a reality.

Cylinders used by North American first responders' are manufactured by one of three US companies. SCBA manufacturers purchase 100% of the composite cylinders used in North America from one or more of these three companies. All of these cylinders have Department of Transportation (DOT) approvals and are rigorously regulated by the DOT. NIOSH's only technical standard for SCBA cylinders is that they be DOT approved (§84.81a). With that said I see no point in keeping the current rules the same. They must be changed for the good of America's citizens who are footing the bill.

I support guidelines that provide for first responder safety; however current guidelines prohibit fair and open competition for replacement cylinders benefiting a few SCBA manufacturers at a significant cost to First Responders, without improving safety. NIOSH should take immediate steps that allow for NIOSH approvals to remain in effect when First Responders purchase Cylinders & Valves that meet CFR 42 part 84 subpart 84.81 & 84.82. Again I repeat, the changes I am asking for will not change the fit, form, or function of the SCBA.

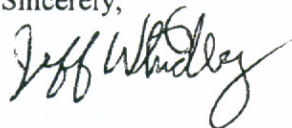
NIOSH should adopt a program like that of the Federal Aviation Administration (FAA). The FAA has adopted a Parts Manufacturing Approval (PMA) process which has resulted in improved safety, newer technology & reduced costs to the world's airline carriers. The FAA's PMA is a standardized approval for replacement cylinders that allows airlines to save hundreds of millions of dollars on replacement cylinders. NIOSH should follow the FAA in this regard and provide a similar "PMA type process" for SCBA spare & replacement cylinders and valves.

I believe the current NIOSH guidelines pertaining to SCBA cylinders are outdated. We strongly urge NIOSH to take immediate steps to develop updated and more appropriate standards in this area.

Remember this, when a fire department purchases a new fire engine to protect their citizens they are not required to use certain tires, certain motor oil, certain seats, equip it with certain hose and nozzles. All they are required is for it to meet the standards. The cylinders need to meet D.O.T. test requirements and that I see as fair. It is not fair at all for all cylinders to be purchased only from an SCBA manufacturer that did not even manufacture the cylinder at all and is just marking it up for huge profits!

Please make these changes immediately for the benefit of AMERICA!

Sincerely,



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