

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

From: rnickels@hydrostat.com
Sent: Saturday, October 17, 2009 11:41 AM
To: NIOSH Docket Office (CDC)
Cc: Chen, Jihong (Jane) (CDC/NIOSH/EID) (CTR)
Subject: 083-B - Supplied Air Respirators (SAR) Comments

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Comments
To whom it may concern,

As the Docket proposal 083-B has just come to my attention, I would respectfully request an extension of time to discuss with colleagues the ramifications of this proposal.

At first glance the suggestion that an air source is anything other than an air source seems ridiculous. I work with many industrial users of SAR as the business I am involved with provides NFPA quality air to many of these users, and the wide variations of cylinders supplying these SARs shows me that without a doubt they all work. To force this wide variety of users, many of whom are small business enterprises in a constant struggle to stay afloat, and many of whom are municipal, county or state entities spending hard earned taxpayer dollars, in lean budget times, to spend hundreds or thousands of more dollars by making a ruling that essentially, will eliminate their ability to comply with safety standards and save money for themselves or the public taxpayer, is wrong.

Secondarily, the appearance that a powerful all present entity, such as NIOSH, could restrict competition and fair trade by the practice of favoring one manufacturer over another in providing an 'approval' that suggests a particular product, manufactured to the same qualifying criteria, in this case DOT standard, is superior or performs better, gives the impression of collusion or unfair trade practice. I am sure that this is an impression that a board that requires the public trust to be effective does not want to give.

I am sure that given additional time for comment, the board will find that this opinion is widely shared.

Thank you,
Richard Nickels
Director of Operations
Hydro-Stat Inc.