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April 12, 1995

OSHA
DOCKET OFFICER
DATE APR 12 1995
TIME _____

The Docket Office, Docket H-049
U.S. Department of Labor
Occupational Safety and Health Administration
200 Constitution Avenue, NW, Room N2625
Washington, DC 20210

RE: Notice of Proposed Rulemaking on Respiratory Protection
Federal Register, November 15, 1994

Dear Sir:

Marathon Oil Company is a fully integrated oil company with operations in the exploration, production, pipeline, refining and marketing sectors. This letter is being submitted to provide comments on the Notice of Proposed Rulemaking on Respiratory Protection published in the Federal Register November 15, 1994.

Marathon Oil Company generally agrees with OSHA's efforts to develop a more clear and concise respiratory protection standard. We hope the following comments are helpful.

OSHA is seeking comment on the appropriateness of the scope of the respirator standard, and on whether the scope of the standard should go beyond required respirator use to include voluntary respirator use (p-588960).

COMMENT: Marathon believes the scope of the standard should be limited to required respirator use.

OSHA requests comments on whether there are certain low risk respirator use situations which could justify the reduction or elimination of certain provisions in the mandatory respirator program in order to provide additional compliance flexibility (pg-58896).

COMMENT: There are situations where an employer may require respirator use to reduce unnecessary exposure, such as a disposable dust respirator, where the respirator is not needed to meet an OSHA exposure limit. If the type respirator worn does not subject the employee to a substantially increased physiological burden, fit-testing and medical surveillance provision should be relaxed.

OSHA's definition of "Adequate Warning Properties."

COMMENT: Marathon suggests that this definition be replaced with the definition of "Poor Warning Properties" used in ANSI Z88.2-1992 and change sections (d)(8) and (d)(9). Using existing definitions that industry is familiar with will lessen confusion in compliance with the standard.

OSHA requests comments on the definition of Immediately Dangerous to Life and Health, IDLH, and on its appropriateness.

COMMENT: OSHA should adopt the current definition for IDLH that is found in ANSI Z88.2-1992. We feel that it is appropriate to incorporate this definition in the respiratory protection standard.

OSHA requests comments on specific minimum training requirements for program administrators.

COMMENT: Marathon feels this requirement should be performance-based and that the level of training should be commensurate with the complexity of the employers respiratory protection program.

OSHA's requirement, which specifies where elastomeric facepiece respirators are used, the employer shall provide a selection of at least three sizes for each facepiece type, and from at least two different manufacturers.

COMMENT: In some cases, the facepiece is part of a system and no substitutions are permitted. Marathon feels that fit and comfort should be on a performance-based criteria. At a small site with only a few employees, it is possible for one size respirator to fit all employees. In cases where SCBA's are used, the cost of purchasing and maintaining an appropriate number of respirators would be excessive. We suggest this requirement be deleted or be rewritten to be performance oriented. The goal is for the employee to have an acceptable fit.

OSHA's requirement in paragraph (d)(8) states that air purifying respirators shall not be used for hazardous chemicals with poor or inadequate warning properties.

COMMENT: We feel there is a great variation in ability to smell and sensitivity to olfactory fatigue. Also, the majority of air purifying respirators are used to protect against a mixture of vapors where warning properties do not apply. Marathon suggests that a change schedule or end of service life indicators will provide the needed protection.

OSHA requests comments on medical surveillance requirements for respirator wearers.

COMMENT: Marathon supports alternative three. Employees who are in the respiratory protection program should be required to complete a health screening questionnaire which should be administered under the direction of a licensed health care professional. The employer shall provide further

medical evaluation as warranted by the answers on the health screening questionnaire. Marathon believes the employee's medical status should be formally reviewed periodically by use of the screening questionnaire.

OSHA requests comments on the five hours per week threshold (p-58896).

COMMENT: Marathon does not support the use of a "five hour trigger" to determine the need for individual medical surveillance for the wearing of respiratory protection. There is no medical justification for this breakpoint. We feel medical surveillance should be risk-based.

OSHA requests comments on the appropriateness of the exercise stress tests (p-58909).

COMMENT: Marathon does not feel that the exercise stress tests should be part of the health screening process. An exercise stress test is a confirmatory test and should be left to the discretion of the attending physician. We feel this is more of a job duty question. Labor issues, such as an individual's physical ability, should not be included in this rulemaking.

OSHA requests comments on recommendations for Appendix C (p-58909).

COMMENT: We do not agree with specific tests in mandatory requirements of the standard. This should be performance-based and left to the discretion of the attending physician. Marathon would support Appendix C as a non-mandatory appendix.

OSHA requests comments as to the appropriateness of the provision for annual review of medical status (p-58910).

COMMENT: Marathon agrees that periodic review of employee medical status is warranted; however, OSHA should not require this review to be conducted annually. We believe the frequency and content of the exams should be left to the discretion of the attending physician. The program administrator and attending physician should confer on the physiological and psychological hazards for the work environment the employee typically encounters during respirator use, then the proper time frame for review of medical status can be determined.

OSHA's requirement in (f)(2) requiring annual fit testing (p-58940).

COMMENT: Marathon believes that fit testing should be required *periodically* for tight fitting air-purifying respirators. These requirements should be performance-based. Employees are trained in factors that may cause loss of an adequate seal. Fit testing should be done when a different make respirator is introduced in the workplace or when the employee has experienced a significant physical change (e.g., weight loss/gain) that may interfere with obtaining an adequate seal.

OSHA's requirement (f)(3) requires the employer to fit test tight fitting atmosphere supplying respirators (p-58940).

COMMENT: OSHA should delete this requirement. Atmosphere supplying respirators are designed to keep a positive pressure within the respirator to ensure that any leaks will be outward versus inward therefore protecting the employee.

OSHA requests comments on the requirement to conduct three quantitative fit tests (p-58920).

COMMENT: Marathon believes that only one quantitative fit test should be required. Once the employee has achieved proper respirator fit, the goal of obtaining a proper fit has been met. To require more fit tests would be redundant.

OSHA request for comment on the use of contact lenses with respirators.

COMMENT: Marathon supports the position that there be no restriction on the use of contact lenses with respirators. We believe the use of contact lenses enhances the employees vision as compared to corrective lenses. There is no evidence that the use of contact lenses with respirators creates a hazard for employees.

OSHA's requirement dealing with the limited use of disposable respirators in (g)(9).

COMMENT: Certain types of disposable respirators can be safely re-used. This requirement should be performance-based and left to the employer to determine.

Sincerely,



W. J. Doyle