



Interim Cal/OSHA Guidance for Obtaining Approval of Non-NIOSH Certified Respirators for Compliance with Cal/OSHA's Emergency Temporary Standard for Wildfire Smoke (8 CCR Section 5141.1) when N-95 or Equivalent NIOSH-Approved Respirators Are Unavailable

September 28, 2020

Cal/OSHA has recently released guidance on strategies for optimizing the availability of respirators for wildfire smoke events, including the use of certain non-NIOSH approved respirators for situations where the Air Quality Index for PM 2.5 is at or below 175. In addition to this limited permitted use of non-NIOSH respirators, Cal/OSHA, when NIOSH approved respirators are not available for compliance with section **5141.1** during wildfire smoke events due to severe shortages, certain non-NIOSH approved respirators will be acceptable for compliance with the respirator requirements of 5141.1 without limitation if they meet all the criteria listed below.

- 1.0 Non-NIOSH certified respirators must be certified to a published regulatory standard, such as but not limited to the following:
 - 1.1 P2 or P3 respirators certified to AZ/NZS 1716:2012 (Australia and New Zealand)
 - 1.2 PFF2 or PFF3 respirators certified to ABNT/NBR 13698:2011 (Brazil)
 - 1.3 KN95, KP95, KN100, or KP100 respirators certified to GB2626-2019 (China)
 - 1.4 FFP2 or FFP3 respirators certified to EN 149-2001 (Europe)
 - 1.5 DS/DL2 or DS/DL3 respirators certified to JMHL W-2000 (Japan)
 - 1.6 Korea 1st class respirators certified to KMOEL-2017-64 (Korea)
 - 1.7 N95, N99, N100, P95, P99, P100 respirators certified to NOM-116-2009 (Mexico)
- 2.0 Non-NIOSH certified respirators must be tested and listed by **NIOSH** as having a minimum filtration efficiency of 95 percent or greater.
- 3.0 Non-NIOSH certified respirator cannot appear on **NIOSH's International Assessment Results** list of "Respirator Assessment Results Considered as Counterfeit and/or Misuse of Company Name."
- 4.0 To be Cal/OSHA approved in accordance with title 8 Section 3206, the non-NIOSH respirator must have been tested and demonstrate that it meets at least one of the following standards:
 - 4.1 NIOSH procedures **RCT-APR-STP-0068** Total Inward Leakage Test for Half-mask Air-purifying Particulate Respirators with a minimum 80 percent pass rate, or
 - 4.2 GB 2626-2019 Respiratory protection - Non-powered air-purifying particle respirator, or
 - 4.3 ISO 16900-1:2019 Determination of inward leakage and ISO 17420-2 Requirements for filtering respiratory protective devices, or
 - 4.4 ASTM F23.65 **Standard Test Method for Respirator Fit Capability for Negative Pressure Half-Facepiece Particulate Respirators** (publication expected later in 2020).

Upon verification and completion parts 1 through 4 above, send the following information to Cal/OSHA (EBerg@dir.ca.gov).

- Contact information for submitter and affiliate organization, if applicable.
- Identity of the respirator including the make, model, size, and classification (KN95, etc.).
- Documentation of successful completion of the testing required in part 4.



Also, send a sample of 10 respirators in each size available with contact information of the submitter to the following address for confirmation testing. Cal/OSHA will conduct quantitative fit testing to verify the data.

Cal/OSHA Calico Laboratory
1555 Doolittle Drive, Suite #140
San Leandro, CA 94577

Any individual, employer, groups of employers, unions, distributors, or others can submit data and respirators to Cal/OSHA.

Once all information and testing is confirmed, Cal/OSHA will post the non-NIOSH certified respirator as acceptable for use during severe shortage for compliance with section 5141.1 on the [Cal/OSHA wildfire webpage](#) where Cal/OSHA will maintain a list of all acceptable makes and models of non-NIOSH certified respirators. Once listed on the Cal/OSHA webpage, any employer may use such respirators in lieu of an N95 respirator for compliance with 5141.1 during severe shortages.