

employers take positive action to inform them of their option to upgrade to a more protective respirator than the one that they would normally receive for use when exposed to asbestos.

- While the paragraphs described in the previous section require employers to upgrade employee respirators, every substance-specific standard has a provision, usually as a footnote to its APF table, that gives employers discretion to select respirators that provide employees with more protection from atmospheric contaminants than the required respirator. Under this proposal, the Agency would consolidate this discretionary alternative into a generic provision in proposed paragraph (d)(3)(i)(A) of the Respiratory Protection Standard (*i.e.*, “[employees must * * * select a respirator that meets or *exceeds* the required level of employee protection” [emphasis added]). The Agency concludes that relocating this provision in proposed paragraph (d)(3)(i)(A) of the Respiratory Protection Standard will highlight this alternative to employers, and will encourage more of them to select more protective respirators for their employees than is now the case.

4. Substantive Revisions to the Respirator-Selection Requirements in Substance-Specific Standards

OSHA is proposing to revise respirator-selection requirements in several substance-specific standards that regulate employee exposure to organic-vapor substances. The following sections describe these proposed revisions.

- Paragraphs (g)(2) of 29 CFR 1910.1017 (Vinyl Chloride Standard), (g)(2)(i) of 29 CFR 1910.1028 (Benzene Standard), (h)(2)(i) of 29 CFR 1910.1045 (Acrylonitrile Standard), and (g)(2)(i) of 29 CFR 1910.1048 (Formaldehyde Standard). These paragraphs exempt employers from paragraphs (d)(3)(iii)(B)(1) and (B)(2) of OSHA’s Respiratory Protection Standard; the exempted paragraphs consist of respirator-selection provisions that protect employees against gases and vapors. Because OSHA would be removing the existing change schedules from these substance-specific standards under this proposed rulemaking, it becomes necessary to identify requirements that it believes would provide employees with at least the same level of protection as the existing provisions. These requirements are paragraphs (d)(3)(iii)(B)(1) and (B)(2) of its Respiratory Protection Standard; by removing the current exemptions, employers would apply paragraphs

(d)(3)(iii)(B)(1) and (B)(2) of the Respiratory Protection Standard to select respirators that protect employees against the gases and vapors regulated by these substance-specific standards. In addition, this revision would provide employers with increased flexibility in selecting respirators without adding to their compliance burden (*i.e.*, their existing respirator-selection procedures would be acceptable under this revision). (Note that the exemption would still remain for the 1,3-Butadiene Standard because, as noted above, the Agency is retaining the existing respirator-selection provisions of that standard.)

- Paragraph (g)(2)(ii) of 29 CFR 1910.1048 (Formaldehyde Standard). This paragraph specifies a change schedule for chemical cartridges and canisters used for formaldehyde exposures that do not have an end-of-service life indicator (ESLI) approved by NIOSH. OSHA is proposing that employers select respirators according to paragraphs (d)(3)(iii)(B)(1) and (B)(2) of its Respiratory Protection Standard instead of these requirements.

The paragraphs proposed for removal require employers who use a change schedule to select a cartridge or canister that has a NIOSH-approved ESLI, or to use a change schedule for which they must provide “objective information or data that will ensure that canisters and cartridges are changed before the end of their service life” (*see* paragraph (d)(3) of OSHA’s Respiratory Protection Standard). When they choose the latter option, this revision would limit the change schedule to one work shift because of possible vapor migration in the cartridges and canisters during storage. The Agency believes that this revision would: Provide employers with flexibility to use other change schedules when a NIOSH-approved ESLI is not available; not increase the regulatory burden of employers because the existing change schedule would remain valid; and ensure that employees receive at least the same level of protection as they receive with the existing change schedule, because employers must use a change schedule that they can demonstrate is safe for this purpose.

5. Use of Plain Language for Proposed Revisions

Whenever possible, OSHA is using plain language in revising the regulatory text of the substance-specific standards identified in this proposal. The Agency believes that this approach improves the comprehensibility and uniformity of the proposed revisions. OSHA believes that these improvements would enhance

employer compliance with the provisions, thereby increasing the level of protection afforded to employees.

6. Summary of Superseding Actions

The following table summarizes OSHA’s proposed revisions to existing substance-specific standards. This table lists only those provisions for which the Agency is proposing substantive revisions (*e.g.*, proposing to replace existing requirements with new requirements); it does not list provisions that OSHA is proposing to retain in their present form (although the Agency is rewriting them in plain language).

SUMMARY OF SUPERSEDING ACTIONS FOR SPECIFIC STANDARDS

Existing section (29 CFR 1910)	Proposed action (29 CFR 1910)
1001(g)(2)(ii)	Revise.
1001(g)(3)	Remove Table 1 and revise.
1001(l)(3)(ii)	Redesignate Table 2 as Table 1.
1017(g)(3)(i)	Remove table and revise.
1017(g)(3)(iii)	Remove.
1018 Tables I and II ..	Remove.
1018(h)(3)(i)	Revise.
1018(h)(3)(ii)	Remove.
1018(h)(3)(iii)	1018(h)(3)(ii).
1025(f)(2)(ii)	Remove Table II.
1025(f)(3)(i)	Revise.
1027(g)(3)(i)	Remove Table 2 and revise.
1028(g)(3)(ii)	Remove Table 1.
1028(g)(2)(i)	Revise.
1028(g)(3)(i)	Revise.
1029(g)(3)	Remove Table I and revise.
1043(f)(3)(i)	Remove Table I and revise.
1043(f)(3)(ii)	Revise.
1044(h)(3)	Remove Table I and revise.
1045(h)(2)(i)	Revise.
1045(h)(3)	Remove Table I and revise.
1047(g)(3)	Remove Table I and revise.
1048(g)(2)	Revise.
1048(g)(3)	Remove Table 1 and revise.
1050(h)(3)(i)	Remove Table 1 and revise.
1052(g)(3)	Remove Table 2 and revise.

Existing section (29 CFR 1915)	Proposed action (29 CFR 1915)
1001(h)(2)(i) through (h)(2)(v).	Remove Table 1 and revise.