

**§ 84.257**

(iv) Carbon tetrachloride number; and

(v) Mesh size.

(2) The tests in paragraph (c)(1) of this section shall be performed in a quantity necessary to assure continued satisfactory conformance of the canisters and cartridges to the requirements of this subpart.

(d) Final performance quality control tests on the complete canisters and cartridges shall be accomplished using the bench tests and procedures prescribed in §§84.252, 84.253, 84.254, and 84.255.

**§ 84.257 Labeling requirements.**

(a) A warning shall be placed on the label of each gas mask, chemical-cartridge respirator, and powered air-purifying respirator, and on the label of each canister and cartridge, alerting the wearer to the need for a fitting test in accordance with the manufacturer's facepiece fitting instructions, providing service life information, providing specific instructions for disposal, and advising that the wearer may communicate to NIOSH any difficulties that may be experienced in the design and performance of any gas mask, chemical-cartridge respirator, or powered air-purifying respirator approved under the requirements of this subpart. The service lives of respirators meeting the test requirements of this subpart shall be specified as follows:

Chemical-cartridge respirator .....	1 hour.
Gas mask .....	4 hours.
Powered air-purifying respirator .....	4 hours.

(b) Where the service life of a respirator is approved for more than four hours, the service life for which the respirator has been approved will be specified.

**§ 84.258 Fees.**

The following fees shall be charged for the examination, inspection, and testing of complete assemblies and components of respirators described in §§ 84.250 and 84.251:

Complete gas mask .....	\$1,100
Complete chemical-cartridge respirator .....	1,150
Complete powered air-purifying respirator .....	1,500
Canister or cartridge only .....	750

**Subparts O-JJ [Reserved]**

**Subpart KK—Dust, Fume, and Mist; Pesticide; Paint Spray; Powered Air-Purifying High Efficiency Respirators and Combination Gas Masks**

**§ 84.1100 Scope and effective dates.**

The purpose of this subpart KK is to establish procedures and requirements for issuing extensions of approval of particulate respirators certified prior to July 10, 1995 under the provisions of 30 CFR part 11 (See 30 CFR part 11 edition, as revised July 1, 1994.), new approvals and extensions of approval of particulate respirators for applications that are in NIOSH receipt on July 10, 1995, and approval of powered air-purifying respirators.

(a) Air-purifying respirators with particulate filters approved under the provisions of this subpart after July 10, 1995 will have a 30 CFR part 11 approval label.

(b) Only changes or modifications of non-powered air-purifying respirators with particulate filters approved under the provisions of subparts I, K, L, or M of 30 CFR part 11 or paragraph (a) of this section and deemed necessary by NIOSH to ensure the health and safety of the wearer will be approved until July 10, 1998 and will have a 30 CFR part 11 approval label.

(c) Only changes or modifications of powered air-purifying respirators with particulate filters approved under the provisions of subparts I, K, L, or M of 30 CFR part 11 or paragraph (a) of this section and deemed necessary by NIOSH to ensure the health and safety of the wearer will be approved under this subpart until July 10, 1998 and will have a 30 CFR part 11 label.

(d) Approval of powered air-purifying respirators will be issued under this subpart. Particulate filters for powered air-purifying respirators approved under the provisions of this subpart shall be only high-efficiency (HEPA) as described in §84.1130(a)(4) and will carry a 42 CFR part 84 approval label. In addition, changes or modifications of powered HEPA air-purifying respirators approved under the provisions of this subpart KK will be approved

under this subpart and will have a 42 CFR part 84 approval label.

**§ 84.1101 Definitions.**

As used in this subpart

(a) *Air Contamination Level* means the standards of contaminant levels prescribed by the Secretary of Labor in accordance with the provisions of the Occupational Safety and Health Act of 1970 (Pub. L. 91-596; 84 Stat. 1590).

(b) *DOP* means a homogenous liquid aerosol, having a particle diameter of 0.3 micrometer, which is generated by vaporization and condensation of dioctyl phthalate.

(c) *Pesticide* means:

(1) Any substance or mixture of substances (including solvents and impurities) intended to prevent, destroy, repel, or mitigate any insect, rodent, nematode, fungus, weed, or other form of plant or animal life or virus; and

(2) Any substance or mixture of substances (including solvents and impurities) intended for use as a plant regulator, defoliant, or desiccant, as defined in the Federal Insecticide, Fungicide, and Rodenticide Act of 1947, as amended (7 U.S.C. 135-135k), excluding fumigants which are applied as gases or vapors or in a solid or liquid form as pellets or poured liquids for subsequent release as gases or vapors.

(d) *Radionuclide* means an atom identified by the constitution of its nucleus (specified by the number of protons  $Z$ , number of neutrons  $N$ , and energy, or, alternatively, by the atomic number  $Z$ , mass number  $A=(N+Z)$ , and atomic mass) which exists for a measurable time; decays or disintegrates spontaneously, emits radiation, and results in the formation of new nuclides.

(e) *Smoke* means the products of incomplete combustion of organic substances in the form of solid and liquid particles and gaseous products in air, usually of sufficient concentration to perceptibility obscure vision.

**§ 84.1102 Examination, inspection and testing of complete respirator assemblies; fees.**

The following fees shall be charged by the Institute for the examination, inspection and testing of complete respirator assemblies approved under this subpart:

(a) Gas masks with particulate filter, including pesticide gas masks—

(1) Single hazard—\$1,100.

(2) Type N—\$4,100.

(b) Dust, fume and mist respirators—

(1) Single particulate hazard having an Air Contamination Level more than 0.05 mg./m.<sup>3</sup> or 2 million particles per cubic foot—\$500.

(2) Combination particulate hazards having an Air Contamination Level more than 0.05 mg./m.<sup>3</sup> or 2 million particles per cubic foot—\$750.

(3) Particulate hazards having an Air Contamination Level less than 0.05 mg./m.<sup>3</sup> or 2 million particles per cubic foot, radon daughters —\$1,250.

(4) All dusts, fumes and mists—\$2,000.

(c) Paint spray respirators—\$1,600.

(d) Pesticide respirators—\$1,600.

(e) Chemical cartridge respirators with particulate filter—\$1,150.

**§ 84.1103 Approval labels and markings; approval of contents; use.**

(a) Full-scale reproductions of approval labels and markings, and a sketch or description of the method of application and position on the harness, container, canister, cartridge, filter, or other component, together with instructions for the use and maintenance of the respirator shall be submitted to MSHA and the Institute for approval.

(b) Approval labels for non-powered and powered air-purifying dust, fume, mist respirators approved prior to July 10, 1995 under the provisions of subpart K of 30 CFR part 11 (See 30 CFR Part 11 edition, revised as of July 1, 1994.) shall bear the emblem of the Mine Safety and Health Administration and the seal of the Department of Health and Human Services, the applicant's name and address, an approval number assigned by the Institute, a statement that the respirator was tested and approved under subpart K of 30 CFR part 11 and, where appropriate, restrictions or limitations placed upon the use of the respirator by the Institute. The approval number assigned by the Institute shall be designated by the prefix TC and a serial number.

(c) Approval labels for powered air-purifying respirators approved under the provisions of this subpart shall