State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LABOR
PO BOX 386
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MEL GELADE
Commissioner

PUBLIC EMPLOYEE SAFETY ALERT #9

ADOPTION OF REVISED OSHA STANDARDS

RESPIRATORY PROTECTION

August 1998

This alert is to notify all public employers that the New Jersey Department of Labor, by authority of the Public Employees' Occupational Safety and Health Act, specifically 34:6A-30 (Adoption of Standards) requires that the Commissioner of Labor adopt all applicable federal occupational health and safety standards, amendments or changes adopted or recognized by the Secretary of Labor (federal) under the authority of the "Occupational Safety and Health Act of 1970".

In accordance with this requirement, the New Jersey Department of Labor is planning to adopt by reference the revised federal Occupational Safety and Health Standard on respiratory protection 29 CFR 1910.134.

The revised standard requires that interior fire fighting procedures provide for at least two firefighters inside the structure. The two firefighters inside the structure must have direct visual or voice contact between each other and direct, voice or radio contact with the firefighters outside the structure. A minimum of two firefighters must be on standby outside the structure to provide assistance or perform rescue. This section is referred to as the "two in/two out" regulation.

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Public employers are also required to provide a medical evaluation to determine the employees' ability to use a respirator, before the employee is fit tested or required to use a respirator in the workplace.

Please note that when adopting federal standards by reference the standard must be published in the New Jersey Register and will be duly adopted upon publication. In addition, the adopted federal standards are not subject to the formal rulemaking of N.J.S.A. 52:14B-5. This means that the standards are adopted without formal comment or public hearing.

We are, however, interested in hearing from you on how adoption of the standard will impact your organization. Your response will assist us in developing our enforcement procedures.

Please direct your concerns and/or questions to: Louis J. Lento, Director, New Jersey Department of Labor, Division of Public Safety and Occupational Safety & Health, 225 East State Street, 8th Floor West, P.O. Box 953, Trenton, New Jersey 08625-0953.

In addition, we will be holding an informational meeting, concerning the standards. If you are interested in attending please call (609) 292-3923 to register. Below you will find the date, time and location of the meeting.

Thursday, October 1, 1998
9:00 A.M. to 12 Noon
Monmouth County Library
125 Symmes Drive
Manalapan, NJ 07726

Friday, October 9, 1998
1:30 P.M. to 5:00 P.M.
Bergen County Community
Services Building
327 East Ridgewood Avenue
Paramus, NJ 07652

Friday, October 23, 1998
9:00 A.M. to 12 Noon
Atlantic County Library
Galloway Twp. Branch
306 E. Jimmie Leeds Rd
Absecon, NJ 08201

Thank you.

PLEASE NOTE: You may access the revised Respiratory Protection Standard 29 CFR 1910.134 via the OSHA Home page: http://www.osha.gov. The revised Respiratory Protection standard was published in the January 8th and April 23rd, 1998 editions of the Federal Register.