

the allowable time for the filter to remain within the container until tested.

The final rule has been modified to require only N-series filters be taken out of their packaging and humidity preconditioned prior to filter efficiency level testing at 85±5 percent relative humidity at 38±2.5 °C for 25±1 hours. The final rule states that following the preconditioning, the filters shall be sealed in a gas-tight container and tested within 10 hours. R- and P-series filters do not have to be preconditioned because they are tested against DOP which is much more severe than humidity in regard to reducing filter efficiency. The preconditioning requirement is retained for the N-series filters to address the effect of humidity on the filter's efficiency because the sodium chloride aerosol is less severe than DOP in reducing filter efficiency. The 10-hour limitation on storage of the filters before efficiency testing will eliminate the variability concerns.

The final rule has been modified to specify a scanning mobility particle sizer (SMPS) or equivalent, as recommended by commenters, to be consistent with the latest technology. One commenter suggested a flame photometer be allowed for measurement of sodium chloride. The same commenter also stated that other sizing devices such as the Tyndall Owl have been used for years and should be an acceptable measuring instrument. NIOSH is aware that other instrumentation can provide sizing information that can equate to the values specified in the rule. In specifying the particle size, it is important to identify the technology used in its determination. The differential mobility particle sizer (DMPS) was specified in the proposed rule because this is the technology traditionally used by NIOSH to determine the particle sizes of this test. The use of these other instruments is acceptable and all other such equipment does not have to be specified in the final rule. To make size verification measurements manufacturers may use any particle sizing instrument that provides particle sizing information consistent with an SPMS.

Subpart L—Chemical Cartridge Respirators

Section 84.203 Breathing Resistance Tests; Minimum Requirements

This section is redesignated from existing § 11.162–1. This section is unmodified from the proposal.

It is modified only to delete reference to various classifications, such as paints and pneumoconiosis and fibrous

producing dusts, that are no longer appropriate with the introduction of the particulates classification with the new instantaneous-penetration test.

Section 84.206 Particulate Tests; Respirators With Filters; Minimum Requirements; General

This section is redesignated from existing § 11.162–7. This section is unmodified from the proposal. It is modified only to delete reference to various classifications, such as paints and pneumoconiosis and fibrous producing dusts, that are no longer appropriate with the introduction of the particulates classification with the new instantaneous-penetration test.

Subpart KK—Dust, Fume, and Mist; Pesticide; Paint Spray Respirators and Combination Gas Masks

This subpart has been added to continue the part 11 requirements for the existing dust, fume, and mist; pesticide; paint spray respirators and combination gas masks during the transition period to part 84.

These sections are derived from existing 30 CFR part 11, subpart K. They are modified to update them to part 84 section numbers.

This subpart also included the upgraded requirements for PAPRs to include only high efficiency filters (HEPA).

Derivation Table

The following derivation table lists (1) each section number of the final rule (New Section); and (2) the section number of the existing standard from which the proposed standard is derived (Old Section).

DERIVATION TABLE

New section	Old section
42 CFR	30 CFR
84.1	11.1
84.2	11.3
84.3	11.4
84.4	New.
84.10	11.10
84.11	11.11
84.12	11.12
84.20	11.20
84.21	11.21
84.22	11.22
84.30	11.30
84.31	11.31
84.32	11.32
84.33	11.33
84.34	11.34
84.35	11.35
84.36	11.36
84.40	11.40
84.41	11.41
84.42	11.42
84.43	11.43

DERIVATION TABLE—Continued

New section	Old section
84.50	11.50
84.51	11.51
84.52	11.52
84.53	11.53
84.60	11.60
84.61	11.61
84.62	11.62
84.63	11.63
84.64	11.64
84.65	11.65
84.66	11.66
84.70	11.70
84.71	11.71
84.72	11.72
84.73	11.73
84.74	11.74
84.75	11.75
84.76	11.76
84.77	11.77
84.78	11.78
84.79	11.79
84.80	11.79–1
84.81	11.80
84.82	11.81
84.83	11.82
84.84	11.83
84.85	11.84
84.86	11.85–1
84.87	11.85–2
84.88	11.85–3
84.89	11.85–4
84.90	11.85–5
84.91	11.85–6
84.92	11.85–7
84.93	11.85–8
84.94	11.85–9
84.95	11.85–10
84.96	11.85–11
84.97	11.85–12
84.98	11.85–13
84.99	11.85–14
84.100	11.85–15
84.101	11.85–16
84.102	11.85–17
84.103	11.85–18
84.104	11.85–19
84.110	11.90
84.111	11.91
84.112	11.92
84.113	11.93
84.114	11.94
84.115	11.95
84.116	11.96
84.117	11.97
84.118	11.98
84.119	11.99
84.120	11.100
84.121	11.101
84.122	11.102–1
84.123	11.102–2
84.124	11.102–3
84.125	11.102–4
84.126	11.102–5
84.130	11.110
84.131	11.111
84.132	11.112
84.133	11.113
84.134	11.114
84.135	11.115
84.136	11.116
84.137	11.117
84.138	11.118