Respiratory Protection in the COVID19 World

OSHA released a memo on April 3rd addressing the short inventory supply of N95 respirators. Additionally, OSHA released a memo on April 8th addressing the ability to get employees fit tested for any respirator use.

**Relaxation of N95 regulations (April 3rd)**

In the year’s past, N95 respirators were a disposable filtering face piece and should be disposed of immediately after use and never reused. One of the memos released relaxed this standard for the time being. In other words, OSHA is ok with the extended use, reuse, and even the use of respirators that are past expiration of N95 respirators.

Prior to each time the employee is donning any respirator [especially reused] that employee should be performing a self-check to ensure that the device is not defective. In the case of N95 respirators, this means that they should be ensuring that the device is able to form a successful seal to the face. Employers should have documented training on how to inspect respirators and what to do with the respirators that fail inspection. Additionally, documented training should be given to employees on how to properly don and doff the N95 devices. [see below for recommended user seal check procedures]

**Fit Test Regulations**

OSHA has decided to extend the relaxed fit test regulations from only health care workers to all essential and covered employees.

According to the April 8 press release, the agency is directing its field offices to exercise “enforcement discretion” on fit-testing regulations during the COVID-19 pandemic. This is indefinite guidance and will remain in effect until further notice.

This guidance was released as OSHA recognizes the burden that employers are faced with due to the shortage of fit testing kids, the current burden on health care workers, and also to contend with a supply shortage of N95 FFPs.

The relaxed enforcement will only apply to employers who can successfully demonstrate that they have:

* Make good-faith efforts to comply with regulations.
* Use only NIOSH-certified respirators.
* Perform initial fit tests for each of their health care providers with the same model, style and size of respirator that the worker will need to protect against COVID-19. “Initial fit testing is essential to determine if the respirator properly fits the worker and is capable of providing the expected level of protection.”
* Explain to workers the importance of performing a seal check (i.e., a fit check) each time they put on a respirator to ensure the respirator is providing an adequate seal, in accordance with 1910.134, Appendix B-1.
* Conduct a fit test when observing visible changes in an employee’s physical condition, such as facial scarring, dental changes or changes in body weight. “Explain to workers that, if their face shape has changed since their last fit test, they may no longer be getting a good facial seal with the respirator and, thus, are not being adequately protected.”
* Remind workers they should inform their supervisors or respirator program administrators if the integrity or fit of their N95 respirator is compromised.
* Implement strategies from OSHA and the Centers for Disease Control and Prevention for optimizing the supply of N95 filtering facepiece respirators and prioritizing their use.

**Appendix B-1 to § 1910.134: User Seal Check Procedures (Mandatory)**

The individual who uses a tight-fitting respirator is to perform a user seal check to ensure that an adequate seal is achieved each time the respirator is put on. Either the positive and negative pressure checks listed in this appendix, or the respirator manufacturer's recommended user seal check method shall be used. User seal checks are not substituting for qualitative or quantitative fit tests.

Facepiece Positive and/or Negative Pressure Checks

*Positive pressure check.* Close off the exhalation valve and exhale gently into the facepiece. The face fit is considered satisfactory if a slight positive pressure can be built up inside the facepiece without any evidence of outward leakage of air at the seal. For most respirators this method of leak testing requires the wearer to first remove the exhalation valve cover before closing off the exhalation valve and then carefully replacing it after the test.

*Negative pressure check.* Close off the inlet opening of the canister or cartridge(s) by covering with the palm of the hand(s) or by replacing the filter seal(s), inhale gently so that the facepiece collapses slightly, and hold the breath for ten seconds. The design of the inlet opening of some cartridges cannot be effectively covered with the palm of the hand. The test can be performed by covering the inlet opening of the cartridge with a thin latex or nitrile glove. If the facepiece remains in its slightly collapsed condition and no inward leakage of air is detected, the tightness of the respirator is considered satisfactory.

The respirator manufacturer's recommended procedures for performing a user seal check may be used instead of the positive and/or negative pressure check procedures provided that the employer demonstrates that the manufacturer's procedures are equally effective.

**OSHA Fit Test Memo Released April 8th**

This memorandum expands temporary enforcement guidance provided in OSHA’s March 14, 2020, memorandum to Compliance Safety and Health Officers for enforcing annual fit-testing requirements of the Respiratory Protection standard, 29 CFR § 1910.134(f)(2), with regard to supply shortages of N95s or other filtering facepiece respirators (FFRs) due to the coronavirus disease 2019 (COVID-19) pandemic.[1] The March 14 guidance, which applied to healthcare, now applies to all workplaces covered by OSHA where there is required use of respirators. This memorandum will take effect immediately and remain in effect until further notice. This guidance is intended to be time-limited to the current public health crisis. Please frequently check OSHA’s webpage at www.osha.gov/coronavirus for updates.

OSHA field offices will exercise enforcement discretion concerning the annual fit-testing requirements, as long as employers have made good-faith efforts to comply with the requirements of the Respiratory Protection standard and to follow the steps outlined in the March 14, 2020 memorandum. Employers should also assess their engineering controls, work practices, and administrative controls on an ongoing basis to identify any changes they can make to decrease the need for N95s or other FFRs. When reassessing these types of controls and practices, employers should, for example, consider whether it is possible to increase the use of wet methods or portable local exhaust systems or to move operations outdoors. In some instances, an employer may also consider taking steps to temporarily suspend certain non-essential operations.

Further, given additional concerns regarding a shortage of fit-testing kits and test solutions (e.g., Bitrex™, isoamyl acetate), employers are further encouraged to take necessary steps to prioritize use of fit-testing equipment to protect employees who must use respirators for high-hazard procedures.

In the absence of quantitative or qualitative fit-testing capabilities required under mandatory Appendix A to 29 CFR § 1910.134 Appendix A, the following additional guidance is provided to assist with decision-making with respect to use of N95s or other FFRs. Most respirator manufacturers produce multiple models that use the same basic head form for size/fit. Manufacturers may have a crosswalk (i.e., a list of their respirators with equivalent fit). Therefore, if a user’s respirator model (e.g., model x) is out of stock, employers should consult the manufacturer to see if it recommends a different model (e.g., model y or z) that fits similarly to the model (x) used previously by employees.

During this COVID-19 pandemic, OSHA field offices should exercise additional enforcement discretion regarding compliance with 29 CFR § 1910.134(f) when an employer switches to an equivalent-fitting make/model/size/style N95 or other filtering facepiece respirator without first performing an initial quantitative or qualitative fit test. Where the use of respiratory protection is required and an employer fails to comply with any other requirements, such as initial fit testing, maintenance, care, and training in the Respiratory Protection standard, cite the applicable section(s) of 29 CFR § 1910.134.