

Division of Fire Safety

MEMORANDUM



TO: Fire Chief's
FROM: William Kramer, Jr.
Acting Director/State Fire Marshal
DATE: October, 2011
SUBJECT: Self-Contained Breathing Apparatus Air Cylinders

The Division of Fire Safety has recently been contacted by a number of fire departments who have purchased self-contained breathing apparatus (SCBA) air cylinders and have subsequently been cited by the New Jersey Department of Labor. The citation was issued because these cylinder not meeting the PEOSHA Respiratory Protection Standard, 29CFR 1910.134(d)(1)(ii) because they were not tested with the SCBA assembly and therefore void the SCBA National Institute of Occupational Safety and Health (NIOSH) certification.

Attached is a bulletin from the New Jersey Department of Labor dated August, 2010 and a memorandum from the NIOSH regarding this issue. In addition the following link will take you to a memorandum from the United States Department of Labor regarding this matter:
[http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=23479,](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=23479)

If your department purchased such cylinders we urge you to advise your municipal or fire district solicitor to determine what options you have with respect to returning these cylinders to the manufacturer or distributor.

The Division of Fire Safety and the Departments of Labor and Health and Senior Services advise you that prior to purchasing SCBA cylinders that you ensure that the cylinders will not void PEOSH or NIOSH standards and or certifications. As a rule if the air cylinder has not been tested with the entire SCBA apparatus the NIOSH certification of the SCBA will be invalidated.

If you have any questions, please contact the Public Employees Occupational Safety and Health programs of the New Jersey Department of Labor or the New Jersey Department of Health and Senior Services at the numbers provided on the bulletin.