of approval, the applicant shall conduct, or cause to be conducted, examinations, inspections, and tests of respirator performance which are equal to or exceed the severity of those prescribed in this part.

(b) With the application, the applicant shall provide a statement to the Institute showing the types and results of the examinations, inspections, and tests required under paragraph (a) of this section and state that the respirator meets the minimum requirements of subparts H through KK of this part, as applicable. Complete examination, inspection, and test data shall be retained on file by the applicant and be submitted, upon request, to the Institute.

(c) The Institute may, upon written request by the applicant, provide drawings and descriptions of its test equipment and otherwise assist the applicant in establishing a test laboratory or securing the services of a testing agency.

(d) No approval will be issued until the Institute has validated the applicant’s test results.

§ 84.66 Withdrawal of applications; refund of fees.

(a) Any applicant may, upon a written request submitted to the Institute, withdraw any application for approval of any respirator.

(b) Upon receipt of a written request for the withdrawal of an application, the Institute shall determine the total man-days expended and the amount due for services already performed during the course of any examinations, inspections, or tests conducted pursuant to such application. The total amount due shall be determined in accordance with the provisions of §84.22 and assessed against the fees submitted by the applicant. If the total amount assessed is less than the fees submitted, the Institute shall refund the balance together with a statement of the charges made for services rendered.

Subpart H—Self-Contained Breathing Apparatus

§ 84.70 Self-contained breathing apparatus; description.

(a) Limitation on scope. None of the provisions of Subpart H apply to closed-circuit escape respirators to be approved specifically for escape only from hazardous atmospheres, except as provided for under §84.304(a)(5). Such respirators are covered under the provisions of subpart O of this part.

(b) Self-contained breathing apparatus, including all completely assembled, portable, self-contained devices
designed for use as respiratory protection during entry into and escape from or escape only from hazardous atmospheres, are described as follows:

(1) Closed-circuit apparatus. An apparatus of the type in which the exhalation is rebreathed by the wearer after the carbon dioxide has been effectively removed and a suitable oxygen concentration restored from sources composed of:
   (i) Compressed oxygen; or
   (ii) Chemical oxygen; or
   (iii) Liquid-oxygen.

(2) Open-circuit apparatus. An apparatus of the following types from which exhalation is vented to the atmosphere and not rebreathed:
   (i) Demand-type apparatus. An apparatus in which the pressure inside the facepiece in relation to the immediate environment is positive during exhalation and negative during inhalation; or
   (ii) Pressure-demand-type apparatus. An apparatus in which the pressure inside the facepiece in relation to the immediate environment is positive during both inhalation and exhalation.

(c) The following respirators may be classified as designed and approved for use during emergency entry into a hazardous atmosphere:
   (1) A combination respirator which includes a self-contained breathing apparatus; and
   (2) A Type “C” or Type “CE” supplied air respirator, where—
      (i) The self-contained breathing apparatus is classified for 3-, 5-, or 10-minute service time and the air line supply is used during entry; or
      (ii) The self-contained breathing apparatus is classified for 15 minutes or longer service time and not more than 20 percent of the rated capacity of the air supply is used during entry.

(d) Self-contained breathing apparatus classified for less than 1 hour service time will not be approved for use during underground mine rescue operations.

§84.72 Breathing tubes; minimum requirements.

Flexible breathing tubes used in conjunction with breathing apparatus shall be designed and constructed to prevent:
   (a) Restriction of free head movement;
   (b) Disturbance of the fit of facepieces and mouthpieces;
   (c) Interference with the wearer’s activities; and
   (d) Shutoff of airflow due to kinking, or from chin or arm pressure.

§84.73 Harnesses; installation and construction; minimum requirements.

(a) Each apparatus shall, where necessary, be equipped with a suitable harness designed and constructed to hold the components of the apparatus in position against the wearer’s body.

(b) Harnesses shall be designed and constructed to permit easy removal and replacement of apparatus parts.