



OSHA – EPA – NIOSH
Congress

Public Policy Issues Update

**American Industrial Hygiene Association
Government Affairs Department**

Aaron K. Trippler, Director
703-846-0730 atrippler@AIHA.org

April 1, 2009

AIHA government affairs is responsible for facilitating AIHA comments on public policy issues. This update is provided on a regular basis to volunteer group officers, working groups, local section officers and others to keep them informed of issues that may be of concern to AIHA and the IH profession. If a committee, local section or working group, in addition to those already contacted, would like to provide comments they are asked to immediately contact scientific and technical initiatives or government affairs staff at AIHA. Once an issue is deemed closed by AIHA government affairs, the association will no longer accept comments.

Questions, please contact AIHA director of government affairs Aaron Trippler at atrippler@aiha.org or call 703-846-0730.

- **Centers for Disease Control and Prevention – Notice of Proposed Rulemaking – Quality Assurance Requirements for Respirators**

<http://edocket.access.gpo.gov/2009/E9-4621.htm>

Federal Register Notice: March 4, 2009
Comment period for proposed rule from December 10 is reopened.
Request for Comment Deadline: April 10, 2009
Public Meetings Scheduled: March 23 and 30

RESULTS:

Issue Remains Open

- **OSHA Advisory Committee on Construction Safety and Health – Meeting Notice**

<http://edocket.access.gpo.gov/2009/E9-6824.htm>

Federal Register Notice: March 27, 2009
Meeting: April 16-17, 2009, 2009

RESULTS:

AIHA Scientific and Technical Initiatives Notified

- **EPA – Notice of Planning Documents for Public Review and Comment – National Ambient Air Quality Standards for Particulate Matter**

<http://edocket.access.gpo.gov/2009/E9-5843.htm>

Federal Register Notice: March 18, 2009
Request for Comment Deadline: May 18, 2009

RESULTS:

AIHA Scientific and Technical Initiatives Notified

- **EPA – National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances (AEGGL) – Meeting Notice**

<http://edocket.access.gpo.gov/2009/E9-6761.htm>

Federal Register Notice:

March 26, 2009

Meeting:

April 14-16, 2009

RESULTS:

AIHA Scientific and Technical Initiatives Notified

- **EPA – Notice of Availability for EPA Strategic Plan for Evaluating the Toxicity of Chemicals**

<http://edocket.access.gpo.gov/2009/E9-6683.htm>

Federal Register Notice:

March 25, 2009

RESULTS:

AIHA Scientific and Technical Initiatives Notified

- **EPA – FINAL RULE – Lead, Fees for Accreditation of Training Programs and Certification of Lead-Based Paint Activities and Renovation Contractors**

<http://edocket.access.gpo.gov/2009/E9-6167.htm>

Federal Register Notice:

March 20, 2009

RESULTS:

FYI

INFORMATION COLLECTION REQUESTS

As part of continuing efforts to reduce paperwork and respondent burden, the public is provided with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995. This program ensures that information is in the desired format, reporting burden (time and

costs) is minimal, collection instruments are clearly understood, and estimate of the information collection burden is accurate.

The request for comments on the following issues is strictly limited to the paperwork reduction act and usually does not apply to the technical merits of the proposal.

None to Report

MISCELLANEOUS ISSUES

From NIOSHeNews - April

Have NIOSH WorkLife Updates Sent Straight to Your InboxThe NIOSH WorkLife Initiative has launched its first electronic WorkLife newsletter. The newsletter provides information about new developments in research and practice, includes updates from our Centers for Excellence, and serves as a focal point for the many other activities taking place in connection with the WorkLife Initiative. To view the newsletter and/or to subscribe, go to <http://www.cdc.gov/niosh/worklife/newsletter/>

WorkLife at NIOSH refers to the NIOSH WorkLife Initiative. This Initiative kicked off in 2004 and seeks to better understand and promote the kinds of work environments, programs, and policies that result in healthier, more productive workers with reduced disease and injury and lower healthcare needs and costs. It is based on a foundational commitment to workplaces free of recognized hazards and the idea that better work-based health policies and programs can help to sustain and improve the health and well-being of workers.

NIOSH Seeks Comments for Draft Personal Protective Technology Implementation Plan

Public comment on this plan will help ensure that NIOSH has identified stakeholder needs for new research on respirators and other types of personal protective equipment in the 21st century workplace and has designed an effective research plan to meet those needs. Deadline for comments is April 20, 2009. <http://www.cdc.gov/niosh/review/public/146/>

Meetings

EPA Environmental Laboratory Advisory Board (ELAB) – Teleconference – April 15, 2009; May 20, 2009; June 17, 2009; July 15, 2009.

Details at:

<http://edocket.access.gpo.gov/2009/E9-6612.htm>

CONGRESSIONAL ISSUES

▪ Federal Legislative (Major Issues Monitored by AIHA)

Private file: L

US H 34	<p>SPONSOR: Nadler (D) TITLE: Implementation of Agency Rules DISPOSITION: Pending LOCATION: House Judiciary Committee SUMMARY: Delays the implementation of agency rules adopted within the final 90 days of the final term a President serves. STATUS: 01/06/2009 INTRODUCED. 01/06/2009 To HOUSE Committee on JUDICIARY.</p>
US H 242	<p>SPONSOR: Green G (D) TITLE: Occupational Injuries DISPOSITION: Pending LOCATION: House Education and Labor Committee SUMMARY: Directs the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970. STATUS: 01/07/2009 INTRODUCED. 01/07/2009 To HOUSE Committee on EDUCATION AND LABOR.</p>
US H 554	<p>SPONSOR: Gordon (D) TITLE: Nanotechnology Research DISPOSITION: Pending LOCATION: Senate Commerce, Science & Transportation Committee SUMMARY: To authorize activities for support of nanotechnology research and development; provides for amendments to the National Nanotechnology Program provisions; requires a triennial external review of the program by the National Research Council and the National Academy of Sciences; requires the development of nanoscale materials standards; provides for Nanotechnology Education Partnerships to recruit students to pursue higher education nanotechnology courses and to consider careers in the field. STATUS: 01/15/2009 INTRODUCED. 01/15/2009 To HOUSE Committee on SCIENCE AND TECHNOLOGY. 02/11/2009 In HOUSE. Discharged from HOUSE Committee on SCIENCE AND TECHNOLOGY. 02/11/2009 In HOUSE. Passed HOUSE. *****To SENATE. 02/12/2009 In SENATE. Read second time. 02/12/2009 To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.</p>
US H 672	<p>SPONSOR: Filner (D) TITLE: Defense Compliance With Environmental Laws DISPOSITION: Pending LOCATION: Multiple Committees SUMMARY: Amends title 10, United States Code; requires the Department of Defense and all other defense-related agencies of the United States to fully comply with Federal and State environmental laws, including certain laws relating to public health and worker safety, that are designed to protect the environment and the health and safety of the public, particularly those persons most vulnerable to the hazards incident to military operations and installations. STATUS: 01/26/2009 INTRODUCED. 01/26/2009 To HOUSE Committee on ARMED SERVICES. 01/26/2009 Additionally referred to HOUSE Committee on ENERGY AND COMMERCE. 01/26/2009 Additionally referred to HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE. 01/26/2009 Additionally referred to HOUSE Committee on NATURAL RESOURCES.</p>

01/26/2009

Additionally referred to HOUSE Committee on EDUCATION AND LABOR.

US H 849	SPONSOR:	Miller Ge (D)
	TITLE:	Combustible Dust Exposure Health Standards
	DISPOSITION:	Pending
	LOCATION:	House Education and Labor Committee
	SUMMARY:	Requires the Secretary of Labor to issue interim and final occupational safety and health standards regarding worker exposure to combustible dust.
	STATUS:	
	02/04/2009	INTRODUCED.
	02/04/2009	To HOUSE Committee on EDUCATION AND LABOR.
	03/23/2009	In HOUSE Committee on EDUCATION AND LABOR: Referred to Subcommittee on WORKFORCE PROTECTIONS.

US H 1174	SPONSOR:	Oberstar (DFL)
	TITLE:	Federal Emergency Management Agency
	DISPOSITION:	Pending
	LOCATION:	Multiple Committees
	SUMMARY:	Establishes the Federal Emergency Management Agency as a cabinet-level independent agency in the executive branch.
	STATUS:	
	02/25/2009	INTRODUCED.
	02/25/2009	To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
	02/25/2009	Additionally referred to HOUSE Committee on HOMELAND SECURITY.
	03/02/2009	In HOUSE Committee on HOMELAND SECURITY: Referred to Subcmt. on EMERGENCY COMMUNICATIONS, PREPAREDNESS AND RESPONSE.

US S 8	SPONSOR:	Reid (D)
	TITLE:	Midnight Regulations
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	Returns the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush Administration.
	STATUS:	
	01/06/2009	INTRODUCED.
	01/06/2009	In SENATE. Placed on SENATE Legislative Calendar.
	01/07/2009	In SENATE. Read second time.
	01/07/2009	In SENATE. Placed on SENATE Legislative Calendar.

ISSUES COMPLETED

- **OSHA Public Hearing on Proposed Rule – Cranes and Derricks in Construction**

<http://edocket.access.gpo.gov/2009/E9-1128.htm>

Federal Register Notice:	January 26, 2009
Meeting:	Begins March 17, 2009
Request to Appear Deadline:	February 13, 2009
Testimony Submitted Deadline:	March 3, 2009
Volunteer Groups Contacted:	Construction Committee

RESULTS:

AIHA Submitted Comments from AIHA Construction

Committee.

- **OSHA Notice of Proposed Rulemaking – Additional Quantitative Fit-Testing Protocols for the Respiratory Protection Standard**

<http://edocket.access.gpo.gov/2009/E9-922.htm>

Federal Register Notice:	January 21, 2009
Request for Comment Deadline:	<u>March 23, 2009</u>
Hearing Request Deadline:	N/A
Volunteer Groups Contacted:	Respiratory Protection

RESULTS:

**No Request for Input from AIHA Volunteer Groups.
Issue Closed.**

- **OSHA Proposed Rule – Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl – WITHDRAWAL OF ADVANCE NOTICE OF PROPOSED RULEMAKING**

<http://edocket.access.gpo.gov/2009/E9-5689.htm>

Federal Register Notice:	March 17, 2009
--------------------------	----------------

RESULTS:

Issue Closed

For information on any of the items in this report, please contact Aaron Tripler.