

January 30, 2004

Mr. Robert E. Burt
Small Business Advocacy Chair
Occupational Safety and Health Administration
U. S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

**Subject: Occupational Exposure to Hexavalent Chromium; Formal
Notification of a Small Business Advocacy Review Panel**

Dear Mr. Burt:

Thank you for your letter of January 5, 2004, officially notifying the Office of Advocacy that the Occupational Safety and Health Administration (OSHA) will convene a small business advocacy review panel for the above-captioned rule under section 609(b) of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). We welcome the opportunity to work with OSHA and the Office of Management and Budget on this important panel.

In preparation, the Office of Advocacy will be working with you to develop the list of small entity representatives (SERs) who will provide input to the panel. We concur in the list of potential sources of SERs which you have provided. It is my understanding that OSHA will review the potential SERs to ensure that only regulated small entities are selected to participate and address issues of importance to small entities.

Pursuant to section 609(b)(4) of the RFA, you have provided supporting materials, a draft regulatory analysis, and draft rule for review by the panel members. I understand that several pre-panel meetings will be held in accordance with the current OSHA SBREFA guidance to assure the adequacy and timeliness of the information and data provided to the small entity representatives and the panel members.

My office has reviewed the list of small entity representatives (SERs) and associations and we suggest the following individuals as possible SERs or sources of additional SERs:

Roger Valdez, President
Valco Manufacturing
1005 South Second St.
Duncan, OK 73533
PH: 580-255-4300
FAX: 580-255-5512
email: roger@valcomfg.com

Robert Grah, VP
Central Region
LMI Aerospace, Inc.
3600 Mueller Rd.
St. Charles, MO 63301
PH: 636-949-1574
FAX: 636-949-1576
email: bgrah@lmiaerospace.com

Thomas V. (Tom) Harman, M.S., CSP
National Ready Mixed Concrete Association
900 Spring St.
Silver Spring, MD 20910
PH: 240-485-1155
Email: tharman@nrmca.org

Thank you for your continued support and advocacy for small business issues. Please contact Charles Maresca of my staff at (202) 205-6978 if you have any questions.

Sincerely,

Thomas M. Sullivan
Chief Counsel for Advocacy

cc: Dr. John D. Graham
Administrator, Office of Information and Regulatory Affairs

Mr. John Henshaw
Assistant Secretary of Labor for Occupational Safety and Health