

October 17, 2006

Mr. Edwin G. Foulke, Jr.
Assistant Secretary for Occupational Safety and Health
U.S. Department of Labor
Occupational Safety and Health Administration
200 Constitution Avenue, NW
Washington, DC 20210

Dear Mr. Foulke:

The Small Business Advocacy Review Panel (Panel), established in accordance with the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), is transmitting to you this report on the Occupational Safety and Health Administration's draft proposal for Cranes and Derricks.

The Panel consisted of representatives of the Occupational Safety and Health Administration (OSHA), the Office of Information and Regulatory Affairs (OIRA), of the Office of Management and Budget (OMB), and the Office of Advocacy (OA) within the U.S. Small Business Administration (SBA), Department of Labor, Office of the Solicitor (SOL), and was chaired by Robert Burt, Director of the Office of Regulatory Analysis within OSHA. The Panel members and staff representatives included Robert Burt (OSHA/Chair), Noah Connell (OSHA/Directorate of Construction (DOC)), Bradford Hammock (DOL/SOL), Charles Gordan (DOL/SOL), Charles Marasca (SBA/OA), Bruce Lundegren (SBA/OA), Radwan Saade (SBA/OA), Dominic Mancini (OMB/OIRA), Brenda Augilar (OMB/OIRA), John Kraemer (OMB/OIRA), Adrian Corsey (OSHA/ORR), Audrey Roller (OSHA/DOC), Tressi Cordaro (OSHA/DOC), Kathleen Martinez (OSHA/ORR/SBREFA Coordinator).

On August 18th, the Panel was officially convened. On August 29th and 30th the Panel members, along with the Small Entity Representative (SERs), participated in conference calls providing the opportunity for an open discussion regarding the draft proposal. In addition to the conference calls, the SERs provided the Panel with their written comments.

The complete Panel Report is attached, including major findings and recommendations of the Panel, a listing of participating SERs, and copies of their written comments. SBREFA requires that this Panel Report and its attachments become part of the rulemaking record and be made available to the public through the OSHA docket office.

In closing, the Panel wishes to thank the SERs for their participation in the early stages of the rulemaking process. The Panel particularly appreciates that the SERs took time from their

busy schedules to provide the Panel with comments. Subsequent steps in the rulemaking process will afford additional opportunities for public participation and input.

Sincerely,

/s/

Robert E. Burt
Chairperson
Small Business Advocacy Review Panel
Occupational Safety and Health Administration
U.S. Department of Labor

/s/

Thomas M. Sullivan
Chief Counsel for Advocacy
Office of Advocacy
U.S. Small Business Administration

/s/

Steven D. Aitken
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

/s/

Noah Connell
Acting Director
Directorate of Construction
Occupational Safety and Health Administration

/s/

Bradford Hammock
Counsel for Safety Standards
Office of the Solicitor
U.S. Department of Labor