



August 25, 2006

BY ELECTRONIC MAIL

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: Formal Notification of a Small Business Advocacy Review Panel for Forthcoming Cranes and Derricks in Construction Proposal**

Dear Mr. Burt:

Thank you for your letter on August 16, 2006, 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 (RFA), 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 has already worked with you to develop the list of small entity representatives (SERs) who will provide input to the panel. We concur with the list of SERs that we have jointly developed. It is my understanding that OSHA has reviewed the SERs to ensure that only regulated small entities have been selected to participate and address issues of importance to small entities.

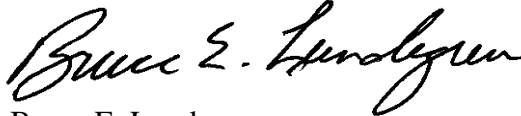
Pursuant to section 609(b)(4) of the RFA, you have provided a copy of the draft rule, draft preliminary initial regulatory flexibility analysis, and supporting materials for review by the panel members. The Office of Advocacy has been in close communication with OSHA and participated in several pre-panel meetings 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.

Thank you for your continued support and advocacy for small business issues. Please contact Bruce Lundegren of this office at (202) 205-6144 if you have any questions or require additional information.

Sincerely,



Thomas M. Sullivan  
Chief Counsel for Advocacy



Bruce E. Lundegren  
Assistant Chief Counsel for Advocacy

cc: The Honorable Edwin G. Foulke, Jr.  
Assistant Secretary of Labor for Occupational Safety and Health

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