

## U.S. Department of Labor

Assistant Secretary for Policy  
Washington, D.C. 20210**SEP 25 2008**Rena I. Steinzor  
Professor  
University of Maryland Law School  
500 W. Baltimore Street  
Baltimore, MD 21201

Dear Ms. Steinzor:

Thank you for your recent letter requesting an extension of the comment period for the Department of Labor's Notice of Proposed Rulemaking (NPRM) entitled "Requirements for DOL Agencies' Assessment of Occupational Health Risks." The NPRM was published on August 29, 2008 with a 30-day comment period.

As you know, the NPRM relates to the Department of Labor's internal regulatory process for health standard rulemakings involving occupational exposure to a toxic substance. The proposal would not change existing health standards, nor impose any new requirements or compliance burdens on any regulated entity. In fact, the proposal, which consists of only a few pages of regulatory text, seeks public comment on the addition of just two items relating to the Department's current practice: 1) the inclusion of an Advance Notice of Proposed Rulemaking; and 2) the electronic posting of all documents underlying the rulemaking involving a risk assessment.

The Department has carefully considered your request to extend the public comment period beyond the originally announced 30 days. Based upon the small number of issues subject to comment in the NPRM, we believe 30 days provides sufficient time for the public to provide the Department with comment. In addition, you also requested a public hearing on the NPRM pursuant to the Mine Safety and Health Act and/or the Occupational Safety and Health Act. Because the NPRM is not a health standard, is not proposed pursuant to either of those statutes and involves a relatively simple proposal, we do not believe a public hearing is necessary or likely to result in public input that cannot be provided just as effectively in written form.

We look forward to receiving any comments you may wish to submit by the deadline of September 29, 2008.

Sincerely,

A handwritten signature in cursive script that reads "Leon R. Sequeira".

Leon R. Sequeira  
Assistant Secretary for Policy