

**DECLARATION OF PARTY STATUS to the SETTLEMENT AGREEMENT BETWEEN SFIC, OSHA, HRG, and the STEELWORKERS dated October 25, 2006 (29 C.F.R. § 1910.1026(n)(4))**

On October 25, 2006, the Surface Finishing Industry Council (SFIC), the Occupational Safety and Health Administration (OSHA), Public Citizen Health Research Group (HRG), and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (Steelworkers) settled SFIC's challenge to OSHA's standard for occupational exposure to hexavalent chromium. Under the resulting settlement ("Agreement"), facilities that become parties to the Agreement must implement engineering controls on an expedited schedule (by December, 31, 2008), but will have relief from certain respirator requirements in the interim. Employers may make eligible facilities parties to the Agreement by completing and submitting the declaration below. Parties to the Agreement agree to comply with all of the provisions therein, including those requiring the maintenance of a written compliance plan, periodic monitoring, and employee training. The Agreement is included and explained in a Federal Register notice dated October, 30, 2006. The Agreement and the Federal Register notice are available at [http://www.osha.gov/SLTC/hexavalentchromium/hexchrom\\_settlement.html](http://www.osha.gov/SLTC/hexavalentchromium/hexchrom_settlement.html).

**Instructions:** Please review the eligibility criteria below before completing this declaration. A separate declaration must be completed for each facility that an employer intends to make a party to the Agreement. Completed declarations must be mailed or sent by facsimile to: **Richard Fairfax, Director of Enforcement Programs, OSHA, 200 Constitution Ave., NW, Room N3119, Washington, DC 20210, Fax: (202) 693-1681.**

**Deadline:** Declarations must be received by OSHA or be postmarked on or before **November 30, 2006.**

**Eligibility Criteria:** An employer's facility is eligible to become a party to the Agreement if: (1) the employer is a member of SFIC or the facility is a surface-finishing or metal-finishing job shop that sells plating or anodizing services to other companies; and (2) the facility is within the jurisdiction of federal OSHA. (Questions about eligibility and other inquiries about this form can be directed to OSHA's Office of Health Enforcement at (202) 693-2190.)

**Required Information:** Employer / Company Name: \_\_\_\_\_

Facility Address: Street \_\_\_\_\_ ; City \_\_\_\_\_

State \_\_\_\_\_ ; Zip \_\_\_\_\_ ; Phone Number \_\_\_\_\_

Facility Contact Person: Name \_\_\_\_\_ ; Title \_\_\_\_\_

I, \_\_\_\_\_ (name), am an authorized representative and agent of the employer named above, and by signing below I represent that:

- (1) the employer's facility named above satisfies the eligibility criteria for becoming a party to the Agreement;
- (2) I have read and understand the terms of the Agreement, and agree that the facility named above will comply with those terms;
- (3) the facility named above will be subject to 29 C.F.R. § 1910.1026(n)(4), as explained in the Federal Register notice dated October, 30, 2006 and I understand that failure to comply may result in enforcement action under the Occupational Safety and Health Act; and
- (4) the facility named above hereby agrees to become a party to the Agreement, subject to all of the duties, obligations, and rights specified therein.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date