**THE OSHA RULEMAKING PROCESS**

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**Stage 1: Making the Decision: Conducting Preliminary Rulemaking Activities**
- Identify health or safety hazard
- Conduct research and gather data to determine scope of problem; identify and obtain information needed for health effects analysis, risk assessment, technological feasibility analysis, and economic analysis
- Meet with internal and external stakeholders
- Identify regulatory and nonregulatory approaches
- Prepare timeline, identify resources needed including need for advisory committees
- Prepare decision papers to obtain executive approval to proceed
- List Regulatory Action on Unified Agenda/Regulatory Plan
- Establish public rulemaking docket
- Develop and publish RFI or ANPR if needed

**Stage 2: Developing the Proposed Rule**
- Obtain approval to publish
- Plan for public hearings
- Submit to Federal Register for publication
- Submit preliminary Information Collection Request to OMB
- Send the proposed rule to SBA
- Update and finalize health effects analysis
- Update and finalize risk assessment
- Update and finalize technological feasibility analysis
- Draft final regulatory text and preamble
- Complete Federalism and Unfunded Mandates analysis and make final determination of impact on State, local, and tribal governments
- Obtain all Agency and Departmental clearances
- Submit to OMB for review and clearance

**Stage 3: Publishing the Proposed Rule**
- Receive public comments; prepare for and hold public hearings; close the public record
- Review and analyze all written comments, exhibits, and testimony
- Prepare record summary and analysis
- Obtain approval to publish
- Submit to Federal Register for publication
- Submit Information Collection Request to OMB
- Send the final rule to SBA
- Submit the final rule and to Congress and GAO
- Develop and publish small entity compliance guide and other outreach and training materials, compliance directives, and letters of interpretation
- Respond to legal action

**Stage 4: Developing and Analyzing the Rulemaking Record**
- Update and finalize information collection analysis
- Prepare rollout materials
- Obtain approval to publish
- Submit to Federal Register for publication
- Submit Information Collection Request to OMB
- Send the final rule to SBA
- Submit the final rule and to Congress and GAO

**Stage 5: Developing the Final Rule**
- Update and finalize health effects analysis
- Conduct preliminary risk assessment
- Develop preliminary technological feasibility analysis
- Develop preliminary economic and regulatory flexibility analysis
- Draft proposed regulatory text and preamble
- Initiate Federalism and Unfunded Mandates analysis and make preliminary determination of impact on State, local, and tribal governments
- Prepare preliminary information collection analysis
- Continue discussion with stakeholders
- Consult with ACCSH if rule affects the construction industry
- Conduct review process required by SBREFA
- Conduct peer reviews of health effects analysis, preliminary risk assessment, and preliminary economic analysis
- Obtain all Agency and Departmental clearances
- Submit to OMB for review and clearance

**Stage 6: Publishing the Final Rule**
- Update and finalize health effects analysis
- Conduct preliminary risk assessment
- Develop preliminary technological feasibility analysis
- Develop preliminary economic and regulatory flexibility analysis
- Draft proposed regulatory text and preamble
- Initiate Federalism and Unfunded Mandates analysis and make preliminary determination of impact on State, local, and tribal governments
- Prepare preliminary information collection analysis
- Continue discussion with stakeholders
- Consult with MACOSH if rule affects maritime industry
- Conduct review process required by SBREFA
- Conduct peer reviews of health effects analysis, preliminary risk assessment, and preliminary economic analysis
- Obtain all Agency and Departmental clearances
- Submit to OMB for review and clearance

**Stage 7: Post-Promulgation Activities**
- Update and finalize information collection analysis
- Prepare rollout materials
- Obtain approval to publish
- Submit to Federal Register for publication
- Submit Information Collection Request to OMB
- Send the final rule to SBA
- Submit the final rule and to Congress and GAO
- Develop and publish small entity compliance guide and other outreach and training materials, compliance directives, and letters of interpretation
- Respond to legal action

**Acronym Definition**
- ACCSH Advisory Committee on Construction Safety and Health
- ANPR Advance Notice of Proposed Rulemaking
- GAO Government Accountability Office
- MACOSH Maritime Advisory Committee for Occupational Safety and Health
- OMB Office of Management and Budget
- RFI Request for Information
- SBA Small Business Administration
- SBREFA Small Business Regulatory Enforcement Fairness Act