

Dear Small Entity Representative,

Thank you for agreeing to participate as a Small Entity Representative (SER), as part of the Small Business Advocacy Review (SBAR) Panel process, to examine the Occupational Safety and Health Administration's (OSHA) possible Emergency Response standard. I am the Chair of this SBAR Panel, which is composed of government officials from OSHA, the Office of Advocacy within the U.S. Small Business Administration (SBA Office of Advocacy), and the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB). We very much appreciate your willingness to take the time to help us in this important work.

This SBAR Panel is being formed in accordance with the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). Congress enacted this portion of SBREFA to ensure that small businesses potentially affected by an OSHA standard have the opportunity to provide input on OSHA's proposed rules before they are published in the Federal Register for public comment. We would like you, as a SER, to provide comments and recommendations on the potential Emergency Response standard that OSHA is considering, including comments on the potential impacts of the elements of the draft standard on your community or business.

Enclosed are several documents for your review. There is the SER Issues Document that provides an overview of the issues on which the Panel is particularly interested in receiving your input. However, the Panel welcomes comment on any aspect of this potential rulemaking. Then there is the longer and more in depth Preliminary Initial Regulatory Flexibility Analysis (PIRFA) document that further explains the draft standard as well as provides cost information and regulatory alternatives for consideration. A complete list of enclosed materials is provided at the end of this letter; the materials have also been placed in the public docket of this rulemaking (Docket No. OSHA-2007-0073, available at <https://www.regulations.gov/docket?D=OSHA-2007-0073>), the Federal eRulemaking portal. You are free to share these materials with other individuals and organizations, or you may direct them to the Federal eRulemaking portal to view and download the materials.

About a month after this letter is mailed, each SER will have the opportunity to provide comments to the SBAR Panel during a video/teleconference call. The SBAR Panel will schedule several calls and you will be invited to take part in one of the calls. Each call will be open to the public for listening, but only the SERs and the members of the SBAR Panel will be permitted to participate in the discussion. We will notify you shortly of the exact date and time of your video/teleconference. Following the video/teleconference, you will have an opportunity to provide written comments if you wish. The SBAR Panel will prepare a report, based on your and the other SERs' comments, to present to the Assistant Secretary of Labor for Occupational Safety and Health or their designated acting official. The report, including your written comments, will then become part of the public record of this rulemaking.

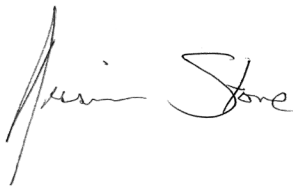
In order to include the substance of your written comments in the SBAR Panel's report, we request that you provide them within two weeks after your call (or earlier, if possible). This deadline is necessary so that the Panel can complete its report within the time limits specified by SBREFA. Your written comments may address any of the issues or concerns you have with the

draft standard or any of the materials provided. Your written comments can be sent by email to Anissa Harmon at Harmon.Anissa@dol.gov. Ms. Harmon is organizing much of the work of the SBAR Panel, including the video/teleconference calls, so please direct any administrative questions to her at (202) 693-1713. She can also assure that any technical questions you may have are directed to the correct person.

Please feel free to telephone or email us before the video/teleconference calls with any questions regarding this process or the enclosed materials. You may also contact Bruce Lundegren from the SBA Office of Advocacy, whose office represents the views of small business in the SBREFA process. Mr. Lundegren's telephone number is (202) 205-6144 and his email address is Bruce.Lundegren@sba.gov. At OSHA, you may contact Ms. Harmon, at the above phone number or email address, or me at (202) 693-1847 (email address, Stone.Jessica@dol.gov).

Thank you again for agreeing to participate in this important review. We appreciate your efforts and look forward to working with you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jessica Stone". The signature is fluid and cursive, with the first name "Jessica" written in a larger, more prominent script than the last name "Stone".

Jessica Stone
Chair, Small Business Advocacy Review Panel

Enclosure(s):

- Tab 1 List of SERs and government staff, including OSHA, SBA Advocacy, and OMB OIRA
- Tab 2 SER Issues Document
- Tab 3 Preliminary Initial Regulatory Flexibility Analysis
- Tab 4 Draft Regulatory Language

cc: Bruce Lundegren, SBA Office of Advocacy
Stephanie Tatham, OMB OIRA