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Air mail*

March 14, 1977

TO: All Members of the Lead Industries Association
Members, LIA Environmental Health Committee

FROM: D.R. Lynam, Ph.D.

SUBJECT: Additional Locations for OSHA Hearings for the Proposed
Lead Standard

Enclosed is an announcement from the March 8 issue of the Federal Register (vol 42, no 45, pp 13025-6) indicating that two regional hearings on the proposed OSHA standard for lead have been scheduled at the following times and locations:

April 26, 1977: 9:30 a.m. -- Bel Air Hilton, 333 Washington Ave.,
St. Louis, Missouri 63102

May 3, 1977: 9:30 a.m. -- The Holiday Inn, Golden Gate Way,
Van Ness Avenue at California Street, San Francisco,
California 94109

Notice of intent to appear at either of these hearings must be filed by April 11, 1977, with:

Clarence Page, OSHA Office of Committee Management
Docket No. H-004
Room N-3633
U.S. Department of Labor
Third and Constitution Avenue, N.W.
Washington, D.C. 20210

(202 523-8024)

The purpose of the informal hearings is to provide interested persons who are unable to attend the Washington hearing the opportunity to make brief oral presentations on the issues. These hearings are particularly designed to provide an opportunity to participate to small businesses and employees who may not have the resources to appear at the Washington hearing.

LIA03655

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DEPARTMENT OF LABOR

Occupational Safety and Health
Administration

[29 CFR Part 1910]

[Docket No. H-1004]

EXPOSURE TO LEAD

Proposed Standard: Additional Locations
for Informal Public Hearings

AGENCY: Occupational Safety and
Health Administration, Department of
Labor.

ACTION: Notice of additional locations
for informal hearings.

SUMMARY: This notice schedules two
regional hearings concerning the pro-
posed standard for occupational exposure
to lead, in addition to the previously an-
nounced Washington hearing which will
begin on March 15, 1977.

The purpose of holding these regional
hearings is to permit persons who are
unable to attend the Washington hear-
ing, particularly small businesses and in-
dividual employees, the opportunity to
orally present their views to the Agency.

All persons who want to make a pres-
entation at either of the regional hear-
ings should file a notice of intention to
appear no later than April 11, 1977, in
accordance with the requirements set
forth below.

DATES: All notices of intention to ap-
pear at these two hearings must be filed
by April 11, 1977.

Dates on which regional hearings will
begin, locations and times are as follows:

April 26, 1977: 9:30 a.m.—Bel Air Hotel, 233
Washington Avenue, St. Louis, Missouri
63102.

May 3, 1977: 9:30 a.m.—The Holiday Inn,
Golden Gate Way, Van Ness Avenue at
California St., San Francisco, California
94109.

Notices of intention to appear and re-
quests for further information should be
addressed to:

Clarence Page, OSHA Office of Commit-
tee Management, Docket No. H-1004,
Room N-3633, U.S. Department of
Labor, 3rd and Constitution Avenue,
NW., Washington, D.C. 20210. (202-
523-8024.)

SUPPLEMENTARY INFORMATION:
On October 3, 1975, OSHA published in
the *Federal Register* (40 FR 45834) a
proposed standard for occupational ex-
posure to lead. On January 4, 1977, OSHA
scheduled an informal rulemaking hear-
ing on all relevant issues relating to the
lead proposal (42 FR 808). The hearing
will begin on March 15, 1977, at 9:30
a.m. in the Departmental Auditorium on
Constitution Avenue between 12th and
14th Streets, NW., Washington, D.C. On
February 18, 1977, the availability of the
Economic Impact Study for lead was an-
nounced (42 FR 9190). The requirements
for filing proper notices of intention to
appear at the Washington hearing are
set forth in the January 4 and February
18, 1977, notices. The notice of proposed
rulemaking and the January 4 and Feb-
ruary 18 notices discuss the issues that
are involved in these proceedings.

PUBLIC PARTICIPATION AT REGIONAL HEARINGS

OSHA is scheduling two regional hear-
ings on the lead proposal, at the times
and places stated above, to provide in-
terested persons who are unable to at-
tend the Washington hearing the oppor-
tunity to make brief oral presentations
to the Agency on any of the issues in-
volved in these proceedings. These hear-
ings are particularly designed to provide
an opportunity for small businesses and
employees who may not have the re-
sources to appear at the hearing in
Washington to more fully participate in
the lead rulemaking proceeding. In order
to allow as many people as possible to
participate in these informal hearings,
presentations will generally be limited to
15 minutes. We will attempt, however,
within the time available to accommo-
date any requests for additional time
which are made necessary by special cir-
cumstances.

In view of the brief duration of these
regional hearings, OSHA requests inter-
ested persons who are able to attend the
Washington hearing to present their tes-
timony in Washington. OSHA will make
its presentation and will be available for
questioning only at the beginning of the
hearing in Washington. In addition, the
expert witnesses who have been asked by
OSHA to testify are scheduled to appear
only in Washington.

All persons who want to participate
in either of these informal regional hear-
ings should file a notice of intention to
appear, postmarked on or before April 11,
1977, with Clarence Page at the above
address. The notice must contain the
following information:

(1) The hearing location—St. Louis or
San Francisco—at which you wish to
testify;

(2) The name, address, and telephone
number of each person to appear;

(3) The organization, if any, which the
person represents;

(4) The issues that will be addressed
and a brief statement of your views; and

(5) Complete copies of any studies,
scientific or economic data, or any other
documentary materials which you will
be presenting for the record or discussing
at the hearing.

All persons giving advance notice as
above will have time reserved for oral
presentation. Persons wishing to testify
who have not submitted advance notice
will be allowed to make oral presenta-
tions if time permits; however, priority
will be given to those who have sub-
mitted notices of appearance.

All written submissions will become
part of the record of this proceeding and
will be available for inspection and copy-
ing at the above address.

Any person who has already filed a
notice of intention to appear, or who
intends to file a timely notice of inten-
tion, to appear at any of the hearing
locations may ask appropriate questions
of any other participant at any of the
hearing locations. In addition, any per-
son who has filed a notice of intention
to appear at the Washington hearing,
but now wishes to make a brief presenta-
tion of the type permitted at one of the
regional hearings, rather than Washing-
ton, may do so by notifying Clarence
Page at the above address as soon as
possible.

CONDUCT OF HEARING

The hearing will be conducted in ac-
cordance with 29 CFR Part 1911, and will
commence with the resolution of any
procedural matters. It will be presided
over by an Administrative Law Judge
who will have all the powers necessary
or appropriate to conduct a full and fair
informal hearing, including the powers:

(1) To regulate the course of the pro-
ceedings;

(2) To dispose of procedural requests,
objections, and comparable matters;

(3) To confine the presentations to
matters pertinent to the proposed stand-
ard;

(4) To regulate the conduct of those
present at the hearing by appropriate
means;

(5) In the judge's discretion, to ques-
tion and permit questioning of any wit-
ness; and

(6) In the judge's discretion, to keep
the record open for a reasonable, stated
time to receive written information and
additional data, views and arguments
from any person who has participated in
the oral proceedings.

Following the close of the hearing, the
presiding Administrative Law Judge will
certify the record thereof to the Assis-
tant Secretary of Labor for Occupational
Safety and Health. The proposal will be
reviewed in light of all oral and written
submissions received as part of the rec-
ord, and a final standard will be issued
based on the entire record in this pro-
ceeding.

(Sec. 6, 84 Stat. 1593 (29 U.S.C. 655), 29 CFR
Part 1911.)

Signed at Washington, D.C., this 3d
day of March 1977.

JOSEPH KIRK,
Acting Deputy Assistant
Secretary of Labor

[PR Doc. 77-0023 Filed 3-7-77; 8:45 am]

LIA03656