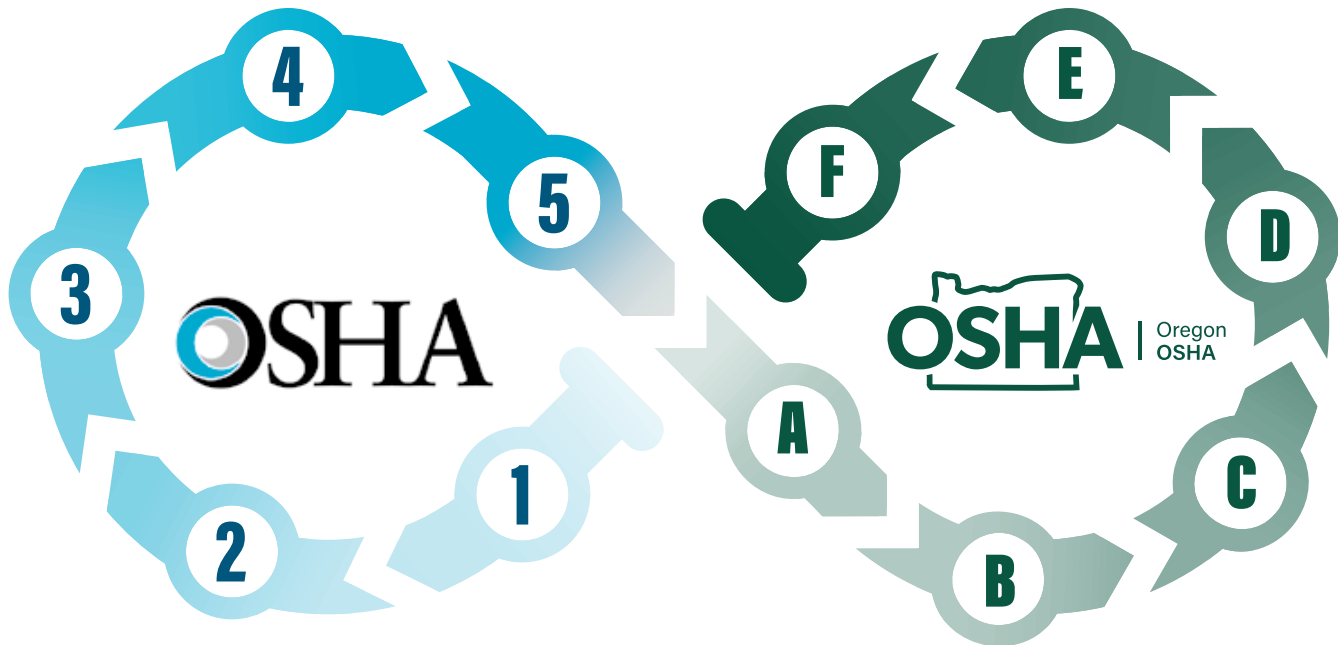


Federal and Oregon OSHA Rulemaking Processes



Federal Process

1. Rulemaking Initiation:

- New technologies or practices or injuries/illness affecting workers
- Congressional or federal advisory committees or direction from the President
- Petitions or lawsuits
- Staff indicates need or other agencies' requests

Publish a Request for Information (RFI) or Advanced Notice of Proposed Rulemaking (ANPR) in the Federal Register, take in public comments to help develop proposed rule

2. Publish the Notice of Proposed Rulemaking in the Federal Register

3. Opportunity for Public Comments

4. Publish the Final Rule in the Federal Register

5. Final Rule

State plans have six months to adopt the rules "as-is" or "at least as effective as"

State Process

A. Rulemaking Initiation — which may come from any one of the following:

- Adopt federal rules
- Oregon Legislative directive or Governor's order
- Response to Oregon stakeholder group or petition
- Oregon OSHA staff indicates need
- Other Oregon state agencies' requests

B. Technical Section

- Staff review
- Form Advisory Group to involve public in drafting rule(s)
- Conduct research and discuss options
- Develop the fiscal impact

C. Opportunity for Oregon OSHA Staff Comments

D. Notice of Proposed Rulemaking

- File with the Secretary of State (SOS) by month's end for publication in the next Oregon Bulletin
- Provide notice to staff, interested persons, and legislators
- Notice includes the proposed rule(s) text, hearing and commenting details, fiscal impact, and other statements

E. Opportunity for Public Comments

F. Adoption

- After considering all comments, the agency may adopt
- File final rule(s) with the SOS and give notice to staff and interested persons
- After adoption, update training, program directives, and publications