

U.S. Department of Labor

Assistant Secretary for  
Occupational Safety and Health  
Washington, D.C. 20210



OCT 22 2008

The Honorable Charles A. Gonzalez  
Chairman  
Committee on Small Business  
Subcommittee on Regulations,  
Healthcare, and Trade  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

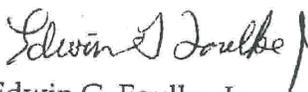
Thank you for your letter dated September 18, 2008, requesting that OSHA review its Bloodborne Pathogens Standard, particularly its requirement for a worksite exposure control plan. According to your request, the Standard's requirements should be "tiered" based on the amount of blood and bodily fluids present at a facility, in order to be more flexible.

OSHA has taken under consideration whether to conduct a review of the Bloodborne Pathogens Standard under Section 610 of the Regulatory Flexibility Act (called a "lookback review"). However, any final decision on initiating a lookback review necessarily will depend on balancing the Agency's priorities with other important projects.

In the interim, your concerns are well noted and will be forwarded to OSHA's Directorate of Standards and Guidance (DSG). DSG would be responsible for any changes made to the Bloodborne Pathogens Standard.

Thank you for your interest in occupational safety and health.

Sincerely,

  
Edwin G. Foulke, Jr.

cc: The Honorable Lynn Westmoreland