

## Union Calendar No. 420

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2873

[Report No. 105-732]

To amend the Occupational Safety and Health Act of 1970.

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### IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER of Colorado, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, and Mr. BOEHNER) introduced the following bill; which was referred to the Committee on Education and the Workforce

SEPTEMBER 18, 1998

Additional sponsors: Mr. GOODLING, Mr. PETERSON of Pennsylvania, Mr. HAYWORTH, Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mr. WICKER, Mr. BONILLA, Mr. MCINTOSH, Mr. TALENT, and Mr. KNOLLENBERG

SEPTEMBER 18, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

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## A BILL

To amend the Occupational Safety and Health Act of 1970.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. STANDARDS.**

2 Section 6(b)(2) of the Occupational Safety and  
3 Health Act of 1970 (29 U.S.C 655(b)(2)) is amended by  
4 inserting after the first sentence the following: “The notice  
5 in the Federal Register shall include identification of the  
6 specific industry or industries to which the standard, to  
7 be promulgated under the rule, will apply. In promulgat-  
8 ing a standard, the Secretary shall ensure that the stand-  
9 ard, as applicable to each such industry, is based upon  
10 an assessment of the risks to workers in such industry  
11 from the hazard which is the subject of the standard, the  
12 range of estimates and the best estimate of the quantifi-  
13 able and nonquantifiable benefits of the standard in each  
14 such industry, and an analysis of the costs likely to occur  
15 in each such industry as a result of compliance with the  
16 standard.”.

17 **SECTION 1. STANDARDS.**

18 *Section 6(b)(2) of the Occupational Safety and Health*  
19 *Act of 1970 (29 U.S.C 655(b)(2)) is amended by inserting*  
20 *after the first sentence the following: “The notice in the Fed-*  
21 *eral Register shall include identification of the specific in-*  
22 *dustry or industries to which the standard, to be promul-*  
23 *gated under the rule, will apply. In promulgating a stand-*  
24 *ard, the Secretary shall ensure that the standard, as appli-*  
25 *cable to each such industry, is based upon an assessment*  
26 *of the risks to workers in such industry from the hazard*

1 *which is the subject of the standard, the range of estimates*  
2 *and the best estimate of the quantifiable and nonquantifi-*  
3 *able benefits of the standard in each such industry, and an*  
4 *analysis of the costs likely to occur in each such industry*  
5 *as a result of compliance with the standard. To the extent*  
6 *that information is not available on the specific risks to*  
7 *workers in any such industry, the Secretary may determine*  
8 *risks and benefits on information from similar industries,*  
9 *operations, or processes.”.*

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