



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Lead/Advance Notice of Proposed Rulemaking: Occupational Safety and Health Administration Considering Revising Standards for Occupational Exposure

07/22/2022

The Occupational Safety and Health Administration (“OSHA”) issued an Advance Notice of Proposed Rulemaking (“ANPRM”) in the June 28th Federal Register stating it was considering a rulemaking to revise its standards for occupational exposure to lead. See 87 Fed. Reg. 38343.

OSHA states the reason for considering revision of the standards is based on medical findings that adverse health effects can occur at Blood Lead Levels (“BLLS”):

- Lower than the medical removal level in general industry
- Lower than the medical removal level in construction
- Lower than the level required under current standards for an employee to return to their former job status

Note the OSHA standard for level in general industry expresses blood lead in units of  $\mu\text{g}/100\text{g}$  of whole blood. Its standard for blood lead in construction expresses blood lead in units of  $\mu\text{g}/\text{dL}$ . This latter designation is stated to be essentially equivalent to  $\mu\text{g}/100\text{g}$  of whole blood. See 29 CFR 1926.62 Appendix A II.B.3.

The ANPRM seeks input on reducing the current BLL triggers in the medical surveillance and medical removal protection provisions of the:

- General industry standards
- Construction standards

OSHA is also seeking input on employers’ current practices that address workplace lead exposure along with costs and other areas of interest.

The ANRPM preamble includes the following components:

- Background
- Events Leading to the Action
- Industry Profile Information
- Health Effects of Health Exposure
- Request for Input

- Blood Lead Triggers for Medical Removal Protection
- Medical Surveillance Provisions
- Permissible Exposure Limit
- Personal Protective Equipment, Hygiene, and Training
- Safe Harbor Compliance Protocols
- Environmental Effects
- Duplicative Overlapping or Conflicting Rules
- Questions for Employers on Current Practices

A copy of the Federal Register Notice can be downloaded [here](#).