



## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

#### **29 CFR Part 1910**

**[Docket No. OSHA-2025-0006]**

**RIN 1218-AD48**

### **Amending the Medical Evaluation Requirements in the Respiratory Protection Standard for Certain Types of Respirators**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Proposed rule; notice of reopening of the rulemaking record.

**SUMMARY:** OSHA is providing an additional comment period to allow interested persons to comment on OSHA's proposal to remove some medical evaluation requirements from the Respiratory Protection Rule, 29 CFR §1910.134, for certain types of respirators. This proposed change would only impact filtering facepiece respirators and loose-fitting powered air-purifying respirators. Following consideration of the rulemaking by OSHA's Advisory Committee on Construction Safety and Health (ACCSH), OSHA is re-opening the record for this rulemaking to provide an additional 30 days for public comment.

**DATES:** The comment period for the proposed rule published July 1, 2025 at 90 FR 28463 is reopened. Written comments must be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:**

*Written comments:* You may submit comments and attachments, identified by Docket No. OSHA–2025–0006, electronically at [www.regulations.gov](http://www.regulations.gov), which is the Federal e-Rulemaking Portal. Follow the instructions online for making electronic submissions.

*Instructions:* All submissions must include the agency’s name and the docket number for this rulemaking (Docket No. OSHA–2025–0006). When uploading multiple attachments to [www.regulations.gov](http://www.regulations.gov), please number all of your attachments because [www.regulations.gov](http://www.regulations.gov) will not automatically number the attachments. This will be very useful in identifying all attachments. For example, Attachment 1—title of your document, Attachment 2—title of your document, Attachment 3—title of your document. For assistance with commenting and uploading documents, please see the Frequently Asked Questions on [www.regulations.gov](http://www.regulations.gov).

All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov). Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security Numbers and birthdates.

*Docket:* The docket for this rulemaking (Docket No. OSHA– 2025–0006) is available at [www.regulations.gov](http://www.regulations.gov), the Federal eRulemaking Portal. Additional materials and information related to OSHA’s consultation with the Advisory Committee on Construction Safety and Health (ACCSH) will be available at <https://www.osha.gov/advisorycommittee/acssh/minutes>. All comments and submissions are listed in the [www.regulations.gov](http://www.regulations.gov) index; however, some information (e.g., copyrighted material) may not be publicly available to read or download through that website. All documents submitted to [www.regulations.gov](http://www.regulations.gov), including copyrighted

material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY number: (877) 889–5627) for assistance in locating docket submissions.

*Copies of this Federal Register Notice:* Electronic copies of this Federal Register document are available at <http://www.regulations.gov>. This Federal Register notice, as well as news releases and other relevant information, is available at OSHA's web page at <http://www.osha.gov>.

**FOR FURTHER INFORMATION CONTACT:** *For press inquiries:* Contact Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693–1999; email: [oshacomms@dol.gov](mailto:oshacomms@dol.gov).

*For general information and technical inquiries:* Contact Andrew Levinson, Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor; telephone: (202) 693–1950; email: [osha.dsg@dol.gov](mailto:osha.dsg@dol.gov).

**SUPPLEMENTARY INFORMATION:** On July 1, 2025, OSHA published a proposal to update the Respiratory Protection Standard, 29 CFR §1910.134, by amending the medical evaluation requirements specified in the medical evaluation paragraph (e) where an employee is required to wear either a filtering facepiece respirator (FFR) or loose-fitting powered air-purifying respirator (PAPR). The proposal and a full explanation of the proposed change are provided in the Notice of Proposed Rulemaking, 90 FR 28463. Using a respirator may place a physiological burden on employees that varies with the job and workplace conditions in which the respirator is used and the medical status of the employee. OSHA has preliminarily determined this burden differs based on the type of respirator worn and therefore proposes an amendment to the medical evaluation requirements of the standard for FFRs and loose-fitting PAPRs (90 FR 28463). The comment period was scheduled to end on September 2, 2025, but was subsequently

extended an additional 60 days to November 1, 2025, in response to requests from the public (90 FR 40541, 08/20/2025).

At the time of publication of the proposal, OSHA was in the process of appointing members to the Advisory Committee on Construction Safety and Health (ACCSH). OSHA stated in the proposal that it would present this proposed rule to ACCSH once that process was complete and would place the Committee's recommendations on the OSHA website and in the docket for this proposed rule to allow the public to provide comments on those recommendations. On March 31, 2026, OSHA consulted with ACCSH on this proposed rule.

On March 31 and April 1, 2026 the Committee members discussed differing views of the proposal, and on April 1 the Committee approved the following recommendation by a vote of five to four: "ACCSH recommends that OSHA not proceed with the proposal to remove the medical evaluation requirements and continue to look for best practices and provide those to employers." OSHA is now reopening the rulemaking record to allow for public comment for an additional 30 days. To read or download the ACCSH recommendations, comments, and other materials submitted in the docket, go to Docket No. OSHA-2025-0006 at *www.regulations.gov*. Additional materials and information related to OSHA's consultation with ACCSH will be available at *https://www.osha.gov/advisorycommittee/acsh/minutes*.

### **Authority and Signature**

This document was prepared under the direction of David Keeling, Assistant Secretary of Labor for Occupational Safety and Health. It is issued under the authority of sections 4 and 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653 and 655), section 41 of the Longshore and Harbor Worker's Compensation Act (section 107 of the Contract Work Hours and Safety Standards Act (the Construction Safety Act));

section 41 of the Longshore and Harbor Worker's Compensation Act (40 U.S.C. 3704);  
section 41 of the Longshore and Harbor Worker's Compensation Act (3 U.S.C. 941), 29  
CFR part 1911, and Secretary of Labor's Order No. 07-2025 (90 FR 27878).

*Dated:* May 21, 2026.

**David Keeling,**

*Assistant Secretary of Labor for Occupational Safety and Health*

[FR Doc. 2026-11093 Filed: 6/2/2026 8:45 am; Publication Date: 6/3/2026]