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July 6, 2026

Honorable David Keeling
Assistant Secretary of Labor
Occupational Health and Safety Administration
200 Constitution Avenue NW
Washington, D.C. 20210

Re: Amending the Medical Evaluation Requirements in the Respiratory Protection Standard for Certain Types of Respirators, Docket No. OSHA-2025-0006

Dear Mr. Keeling,

Thank you for the additional opportunity to submit comments in response to the Occupational Safety and Health Administration (OSHA)'s Notice of Proposed Rulemaking (NPRM) concerning *Amending the Medical Evaluation Requirements in the Respiratory Protection Standard for Certain Types of Respirators*. AGC has been working with our members since the closing of the first comment period and has refined our position.

AGC is the nation's leading construction trade association. It dates to 1918 and today represents more than 28,000 member firms including construction contractor firms both union and open-shop, suppliers, and service providers. Through a nationwide network of 87 chapters in all 50 states, D.C., and Puerto Rico, AGC contractors are engaged in the construction of the nation's highways, bridges, utilities, airports, transit systems, public and private buildings, water works facilities and multi-family housing units, among other projects critical to the economy.

We are writing today to recommend that OSHA not proceed with the proposed rule. Safety is a top priority for AGC and our members and we consider the use of medical questionnaires and evaluations for filtering facepiece respirators (FFRs) and loose-fitting powered air-purifying respirators (PAPRs) to be a critical component of an employer's respirator protection program. Furthermore, we believe that quality safety regulations save contractors money in the long run and any deregulatory benefits associated with the proposed rule will be outweighed by potential liability down the line.

Use of respiratory protection can cause a physiological burden on the employee. The existing medical questionnaire and a follow up medical evaluation are the best practice to identify any underlying medical condition that could result in adverse effects while wearing respiratory protection, including FFRs and PAPRs. In some instances, these evaluations have caught underlying conditions that require immediate medical attention and a re-evaluation of an individual's capability to safely wear respiratory protection, including FFRs and PAPRs.

The Advisory Committee on Construction Safety and Health has also recognized these evaluations as critical and recommended that OSHA not proceed with the proposed rule. We agree with the committee and urge OSHA to consider carefully the practical experience of the regulated public, for whom safety is not a matter of dollars and cents.

Thank you again for reopening the comment period and taking seriously the feedback you have received from our industry. We look forward to working with OSHA on finding opportunities for deregulation that don't impact safety or increase risk.

Very Respectfully,



Spencer Phillips
Counsel, Regulatory and Litigation Advocacy



Kevin Cannon
Senior Director, Safety, Health, and Risk
Management