

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS OF THE
POWERED PLATFORMS FOR BUILDING
MAINTENANCE STANDARD (29 CFR 1910.66)¹
OFFICE OF MANAGEMENT AND BUDGET (OMB)
CONTROL NO. 1218-0121 (December 2007)**

JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The main purpose of the Occupational Safety and Health Act (OSH Act) is to “assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” (29 U.S.C. 651). To achieve this objective, the OSH Act specifically authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C. 651). In addition, the OSH Act specifies that “[e]ach employer shall make, keep and preserve, and make available to the Secretary . . . such records . . . as the Secretary . . . may prescribe by regulation as necessary or appropriate for the enforcement of this Act . . .” (29 U.S.C. 657).

Under the authority granted by the OSH Act, the Occupational Safety and Health Administration (“OSHA” or “the Agency”) published the Powered Platform for Building Maintenance Standard (the “Standard;” 29 CFR 1910.66). The requirements of the Powered Platforms for Building Maintenance Standard include written emergency action plans and work plans for training; affixing load rating plates to each suspended unit, labeling emergency electric operating devices with instructions for their use, and attaching a tag to one of the fastenings holding a suspension wire rope; the inspection and testing of, and written certification for, building-support structures, components of powered platforms, powered platform facilities, and suspension wire ropes; and training employees and the preparation and maintenance of written training certification records. Items 2 and 12 below describe the specific information collection requirements of these paragraphs.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.

Paragraph (e)(9) of the Standard requires that employers develop and implement a written emergency action plan for each type of powered platform operation. The plan must explain the emergency procedures that employees are to follow if they encounter a disruption of the power supply, equipment failure, and other emergency. Prior to operating a powered platform, employers must notify employees how they can inform themselves about alarm systems and

¹The purpose of this Supporting Statement is to analyze and describe the burden hours and costs associated with provisions of this standard that contain paperwork requirements; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, the standard.

emergency escape routes, and emergency procedures that pertain to the building on which they will be working. Employers are to review with each employee those parts of the emergency-action plan that the employee must know to ensure their protection during an emergency; these reviews must occur when the employee receives an initial assignment involving a powered platform operation and after the employer revises the emergency action plan.

According to paragraph (f)(5)(i)(C), employers must affix a load rating plate to a conspicuous location on each suspended unit that states the unit's weight and its rated load capacity. Paragraph (f)(5)(ii)(N) requires employers to mount each emergency electric operating device in a secured compartment and label the device with instructions for its use. After installing a suspension wire rope, paragraphs (f)(7)(vi) and (f)(7)(vii) mandate that employers attach a corrosion-resistant tag with specified information to one of the wire rope fastenings if the rope is to remain at one location. In addition, paragraph (f)(7)(viii) requires employers who resocket a wire rope to either stamp specified information on the original tag or put that information on a supplemental tag and attach it to the fastening.

Paragraphs (g)(2)(i) and (g)(2)(ii) require that building owners, at least annually, have a competent person: inspect the supporting structures of their buildings; inspect and, if necessary, test the components of the powered platforms, including control systems; inspect/test components subject to wear (e.g., wire ropes, bearings, gears, and governors); and certify these inspections and tests. Under paragraph (g)(2)(iii), building owners must maintain and, on request, disclose to OSHA a written certification record of these inspections/tests; this record must include the date of the inspection/test, the signature of the competent person who performed it, and the number/identifier of the building support structure and equipment inspected/tested.

Paragraph (g)(3)(i) mandates that building owners use a competent person to inspect and, if necessary, test each powered platform facility according to the manufacturer's recommendations every 30 days, or prior to use if the work cycle is less than 30 days. Under paragraph (g)(3)(ii), building owners must maintain and, on request, disclose to the Agency a written certification record of these inspections/tests; this record is to include the date of the inspection/test, the signature of the competent person who performed it, and the number/identifier of the powered platform facility inspected/tested.

According to paragraph (g)(5)(iii), building owners must use a competent person to thoroughly inspect suspension wire ropes for a number of specified conditions once a month, or before placing the wire ropes into service if the ropes are inactive for 30 days or longer. Paragraph (g)(5)(v) requires building owners to maintain and, on request, disclose to OSHA a written certification record of these monthly inspections; this record must consist of the date of the inspection, the signature of the competent person who performed it, and the number/identifier of the wire rope inspected.

Paragraph (i)(1)(ii) requires that all employees who operate working platforms be trained in the following: (A) Recognition of, and preventive measures for, the safety hazards associated with their individual work tasks; (B) General recognition and prevention of safety hazards associated

with the use of working platforms; (C) Emergency action plan procedures required in paragraph (e)(9) of this section; (D) Work procedures required in paragraph (i)(1)(iv) of this section; (E) Personal fall arrest system inspection, care, use and system performance. Paragraph (1)(1)(iii) requires that training of employees in the operation and inspection of working platforms be performed by a competent person. Paragraph (i)(1)(iv) requires that written work procedures for the operation, safe use and inspection of working platforms be provided for employee training.

Upon completion of this training, paragraph (i)(1)(v) specifies that employers must prepare a written certification that includes the identity of the employee trained, the signature of the employer or the trainer, and the date the employee completed the training. In addition, the employer must maintain an employee's training certificate for the duration of their employment and, on request, make it available to OSHA.

Emergency action plans allow employers and employees to anticipate, and effectively respond to, emergencies that may arise during powered platform operations. Affixing load rating plates to suspended units, instructions to emergency electric operating devices, and tags to wire rope fasteners prevent workplace accidents by providing information to employers and employees regarding the conditions under which they can safely operate these system components. Requiring building owners to establish and maintain written certification of inspections and testing conducted on the supporting structures of buildings, powered platform systems, and suspension wire ropes provides employers and employees with assurance that they can operate safely from the buildings using equipment that is in safe operating condition.

The training requirements increase employee safety by allowing them to develop the skills and knowledge necessary to effectively operate, use, and inspect powered platforms, recognize and prevent safety hazards associated with platform operation, respond appropriately under emergency conditions, and maintain and use their fall protection arrest system. Training certification permits employers to review the training provided to their employees, thereby ensuring that the employees received the necessary training. In addition, the paperwork requirements specified by the Standard provide the most efficient means for an OSHA compliance officer to determine whether or not employers and building owners are providing the required notification, certification, and training.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Employers may use improved information technology as appropriate to establish and maintain the required records. OSHA wrote the paperwork requirements of the Standard in performance-oriented language, i.e., in terms of what data to record, not how to record the data.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information collection requirements in the Standard are specific to each employer and employee involved, and no other source or agency duplicates the requirements or can make the required information available to OSHA (i.e., the required information is available only from, or applies only to, the employers covered by the Standard).

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The information collection requirements specified by the Standard do not have a significant impact on a substantial number of small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Employers must attach tags and labels to specified equipment only once, and each employee must receive the required training only once; any reduction in this frequency would eliminate these requirements entirely. Consequently, employees would not obtain information about the hazards associated with powered platform operations (tags and labels) or develop the skills and knowledge necessary to effectively operate, use, and inspect powered platforms, recognize and prevent work-related safety hazards, respond effectively under emergency conditions, and maintain and use their fall protection arrest system (training). In addition, training certification allows employers to review the training provided to their employees, thereby, ensuring that the employees received the necessary training.

Building owners are to inspect building-support structures and inspect/test powered platforms (including control systems and specified components) at least once a year, inspect/test each powered platform facility every 30 days (or prior to use if the work cycle is less than 30 days), and inspect/test suspension wire ropes used in active service once a month. Reducing the inspection/testing frequency would delay identification of defects and deterioration in building-support structures and powered platform systems, causing employees to use equipment that is not in safe operating condition and increasing their risk of injury and death.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

No special circumstances exist that require employers to collect information in the manner or using the procedures specified by this item. The information collection requirements are consistent with the guidelines provided in 5 CFR 1320.5.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years, even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the *Federal Register* on October 5, 2007 (72 FR 57072) requesting public comment on its proposed extension of the information collection requirements contained in the Powered Platforms for Building Maintenance Standard (29 CFR 1910.66), (Docket No. OSHA-2007-0062). This notice was part of a preclearance consultation program intended to provide those interested parties the opportunity to comment on OSHA's request for an extension by the Office of Management and Budget (OMB) of a previous approval of the information collection requirements found in the above Standard. The Agency received one comment.

The commenter, Mr. Andrew A. Horton of Local 32BJ Thomas Shortman Training Fund, expressed the need for the standard and was concerned about the impact on workers' lives if the standard was lessened in any way. The Agency would like to reassure Mr. Horton that the purpose of the *Federal Register* notice was an attempt to obtain public comment on the Agency's estimates of the burden hours and cost associated. OSHA has no intention, at this time, of changing the current standard in any way.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

The Agency will not provide payments or gifts to the respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The paperwork requirements specified by the Standard do not involve the collection of confidential information.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reason why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The paperwork requirements specified by the Standard do not involve the collection of sensitive information.

12. Provide estimates of the hour burden of the collection of information. The statement should:

Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage-rate categories.

Burden-Hour and Cost Determinations

In the 2004 Supporting Statement for the Standard, the Agency estimated that there were approximately 12,930 powered platforms in use. In the Regulatory Impact Analysis (RIA)² for the final Standard, OSHA estimated that 370 new powered platforms are installed annually and that there were approximately 8,150 employees employed by 900 employers/building owners.

Based on the above estimate of new platforms installed annually, the Agency estimates that building owners installed 1,110 new platforms in the 3-year period since the 2004 Supporting Statement, for a current total of 14,040 platforms (12,930 platforms (in 2004) + (3 years x 370 platforms/year) = 14,040 platforms). The Agency realizes that a number of powered platforms are taken out of service annually; thus, for purposes of this supporting statement, OSHA will continue to use the estimate of 12,930 platforms.

²Regulatory Impact and Regulatory Flexibility Assessment of the Revisions to OSHA's Powered Platform Standard (29 CFR 1910.66, Subpart F), U.S. Department of Labor, Occupational Safety and Health Administration, Office of Regulatory Analysis, March 1989.

In determining wage rates, the Agency used the mean wage rates from National Compensation Survey: Occupational Wages in the United States, June 2005, pp. 21, Table 2-2, U.S. Department of Labor, Bureau of Labor Statistics, <http://stats.bls.gov/home.htm>. Total compensation for this occupational category includes an adjustment of 29.5 percent (Employer Costs for Employee Compensation, December 2006, pp.4) for fringe benefits; this figure represents the average level of fringe benefits in the private sector. The costs of labor used in this analysis are; therefore, estimates of total hourly compensation. The hourly wages are:

- Supervisory Machinist \$34.79
- Machinist \$27.83
- Secretary \$23.98

The following sections explain the basis of burden hour and cost estimates for the information collection requirements specified by the Standard.

(A) Written Emergency-Action Plans and Work Plans for Training (§ 1910.66(e)(9) and (i)(1)(iv))

The Agency assumes that the 900 employers/building owners have completed the required emergency-action plans and written work procedures soon after OSHA published the final Standard. These existing employers/building owners need only to update these documents if operational conditions or equipment change (e.g., purchase new platforms, implement new rescue methods).³ To meet this requirement, the Agency estimates that every five years, a supervisory machinist will spend 1 hour updating the existing documents.

The Agency is using an estimate of 10 percent of the 900 employers/building owners to account for new employers/building owners who need to complete emergency action plans and written work procedures. Based on the *Regulatory Impact and Regulatory Flexibility Assessment of the Revisions to OSHA's Powered Platform Standard (29 CFR 1910.66, Subpart F)*, the Agency estimates that it will take two hours to develop the plans. Accordingly, the annual burden hours and cost of these paperwork requirements are:

Burden Hours: 900 employers/building owners/5 years x 1 hour = 180
Cost: 180 hours x \$34.79 = \$6,262

Burden Hours: 900 x 10% x 2 hours = 180
Cost: 180 hours x \$34.79 = \$6,262

³OSHA believes that most new platforms purchased by employers/building owners are similar to their existing platforms, which expedites development of the required documents.

(B) Plates, Labels, and Tags (§ 1910.66(f)(5)(i)(C), (f)(5)(ii)(N), (f)(7)(vi), (f)(7)(vii), and (f)(7)(viii))

The Standard requires employers to affix a load-rating plate to each suspended unit, label each emergency electric-operating device with instructions for its use, and attach a tag to one of the fastenings holding a suspension wire rope. OSHA believes that equipment manufacturers and suppliers provide these plates, labels, and tags as a usual and customary practice. However, employers must replace worn or damaged plates, labels, and tags; in addition, after resocketing a wire rope, they must either stamp the specified information on the original tag or put the information on a supplemental tag and attach it to the fastening. The Agency estimates that 20 percent of the powered platforms ($12,930 \times .20 = 2,586$) will require replacement plates, labels, or tags annually, and that a machinist will take 5 minutes (.08 hour) to replace each of these items. OSHA also estimates that employers will resocket 10 percent (1,293) of the wire ropes on their powered platforms each year, and will either stamp the specified information on the original tag or put the information on a supplemental tag and attach it to the fastening. The Agency estimates that a machinist will spend 20 minutes (.33 hour) completing either of these tasks.⁴ Therefore, the annual burden hours and cost of these paperwork requirements are:

Burden Hours: $(2,586 \text{ platforms} \times .08 \text{ hour} = 207) + (1,293 \text{ platforms} \times .33 \text{ hour} = 427) = 634$

Cost: $634 \text{ hours} \times \$27.83 = \$17,644$

(C) Inspection and Testing of, and Written Certification for, Building-Support Structures, Components of Powered Platforms, Powered-Platform Facilities, and Suspension Wire Ropes (§ 1910.66(g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(3)(i), (g)(3)(ii), (g)(5)(iii), and (g)(5)(v))

These provisions require employers/building owners to: Inspect building-support structures at least every 12 months; inspect, and test as necessary, components of powered platforms at least annually; inspect, and test as necessary, powered platform facilities every 30 days (or prior to use if the work cycle is less than 30 days); and inspect suspension wire ropes at least once a month (or before placing the ropes into service if they are inactive for 30 days or longer).

Based on determination in the RIA, OSHA estimates that a machinist will take a total of: Four hours to inspect/test both the building support structure and the components of a powered platform, including the certification record, once a year; and 30 minutes (.50 hour) to inspect/test both a powered platform facility and its suspension wire ropes, and to prepare the certification record, once every 30 days. Therefore, the annual burden hours and cost of these paperwork requirements are:

⁴The burden hour estimate for stamping tags or providing supplemental tags is higher than the burden-hour estimate for replacing plates, labels, and tags because employers/building owners must stamp the tags or fabricate the supplemental tags themselves, while equipment manufacturers and suppliers can provide replacement plates, labels, and tags.

Burden Hours: 12,930 platforms x 4 hours to inspect annually = 51,720
12,930 platforms x 12 inspections annually x .50 hour = 77,580

Cost: 51,720 hours + 77,580 hours = 297,390 hours x \$27.83 =
\$8,276,364

(D) Training (§ 1910.66(i)(1)(ii)-(iv))
Written Certification of Training (§ 1910.66(i)(1)(v))

As stated previously, the Agency believes that there are approximately 8,150 employees covered by the Standard. This figure includes existing employees and turnover employees such as new or rehired employees. Based on information in the RIA, the Agency estimates that there is a 15 percent turnover rate annually among employees. Thus, for purposes of this supporting statement, OSHA estimates that 1,223 employees are new/rehires who will require training annually. Based on the RIA, training consists of 2 hours of safety training on the basic powered platform and an additional 2 hours of safety training on powered platforms using a button or an intermittent tie-in stabilization system.⁵

Under §1910.66(e)(6), employers are required to prepare an emergency action plan and have written work procedures for the operation, safe use and inspection of working platforms. The standard states that the operating procedures supplied by the manufacturers can serve as the basis for the written work procedures. These documents serve as the training materials. Burden hours and cost for the development are taken under §§ 1910.66(e)(9) and (i)(1)(iv) (See A above).

The Agency believes that employers have already developed the necessary training materials earlier and, as a result, do not need to revise this material during the period covered by this ICR.

Therefore, the Agency is taking no burden hours or cost for employers to develop or revise the training materials required by the Standard.

OSHA estimates that it will take a secretary three minutes (.05 hour) to generate and maintain the written training certification records for all existing employees (8,150) and for all new/rehired employees (1,223). Thus, the annual burden hours and cost of these paperwork requirements are:

⁵Rehired employees are not likely to need the full four hours of training, since they would have received the training previously. Thus, OSHA's estimates are conservative.

Burden Hours: 1,223 new employees/rehires x 4 hours to train = 4,892

Burden Hours: (8,150 existing employees + 1,223 new/rehired employees)⁶ = 9,373 employees x .05 hour to generate and maintain training record = 469

Cost: (4,892 hours + 469 hours) = 5,361 hours x \$23.98 = \$11,247

(E) Disclosure of Inspection and Training Certification Records

OSHA believes that approximately 13 employers/building owners covered by the Standard⁷ may be subject to an OSHA inspection and required to disclose inspection and training certification records annually (see Item 14 below). OSHA estimates that it will take a supervisor 2 minutes (.03 hour) to disclose the requested information.

Burden hours: 13 inspections x .03 hour = 1 (rounded)

Cost: 1 burden hour x \$34.79 = \$35

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost determined under Item 12 accounts for the total annual cost burden to respondents or recordkeepers resulting from these collection of information requirements.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

OSHA estimates that a compliance officer (GS-12, step 5), with an hourly wage rate of \$36.26, spends about five minutes (.08 hour) during an inspection reviewing the documents required by the Standard. The Agency determines that its compliance officers will inspect about 13 employers who own powered platforms regulated by the Standard during each year covered by this ICR (see footnote 7). OSHA considers other expenses, such as equipment, overhead, and support staff salaries, to be normal operating expenses that would occur without the paperwork requirements specified by the Standard. Therefore, the total cost of these paperwork requirements to the Federal government is:

Cost: 13 inspections x .08 hour x \$36.26 = \$38

⁶OSHA recognizes this burden estimate is an overestimate, since employers do not need to maintain training records of past employees. The 1,223 new hire or rehires represents turnover employees.

⁷OSHA estimated the number of inspections by multiplying OSHA's inspection rate (1.4%) by the number of employers covered by this ICR (i.e., 900 employers 1.4% = 13 inspections).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 per OMB Form 83-I.

There are no program changes or adjustments associated with the information collection requirements contained in the Standard. OSHA is requesting to retain its current burden hour estimate of 135,656 hours.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection information, completion of report, publication dates, and other actions.

OSHA will not publish the information collected under the Standard.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be appropriate.

The Agency is not requesting permission to avoid displaying the expiration date for OMB approval of the information collections specified by the Standard.

18. Explain each exception to the certification statement identified in Item 19 per "Certification for Paperwork Reduction Act Submission," of OMB Form 83-I.

OSHA is not seeking such an exception