

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 101022, 725 17th Street, NW, Washington, DC 20503.

<p>1. Agency/Subagency originating request</p> <p style="text-align: center;">Department of Labor , Occupational Safety and Health Administration, OSHA</p>	<p>2. OMB control number</p> <p>a. 1 2 1 8 - 0 N E W b. <input type="checkbox"/> None _ _ _ _ (new)</p>																																		
<p>3. Type of information collection (<i>check one</i>)</p> <p>a. <input checked="" type="checkbox"/> New Collection</p> <p>b. <input type="checkbox"/> Revision of a currently approved collection</p> <p>c. <input type="checkbox"/> Extension of a currently approved collection</p> <p>d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired</p> <p>e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired</p> <p>f. <input type="checkbox"/> Existing collection in use without an OMB control number</p> <p><i>For b-f, note item A2 of Supporting Statement instructions</i></p>	<p>4. Type of review requested (<i>check one</i>)</p> <p>a. <input checked="" type="checkbox"/> Regular submission</p> <p>b. <input type="checkbox"/> Emergency - Approval requested by: <u> </u>/<u> </u>/<u> </u></p> <p>c. <input type="checkbox"/> Delegated</p> <p>5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <hr/> <p>6. Requested expiration date</p> <p>a. <input checked="" type="checkbox"/> Three years from approval date?</p> <p>b. <input type="checkbox"/> Other Specify: <u> </u> / <u> </u> (month/ year)</p>																																		
<p>7. Title: General Working Conditions in Shipyard Employment (29 CFR Part 1915, Subpart F) NPRM</p>																																			
<p>8. Agency form number(s) (if applicable) None</p>																																			
<p>9. Keywords: Occupational safety; safety standards; shipyards, lockout/tagout</p>																																			
<p>10. Abstract: OSHA is publishing a proposed rule to revise the standards on General Working Conditions in Shipyard Employment. The proposed revisions would update existing requirements to reflect advances in industry practices and technology. The proposal would also adds provisions that would provide protection from hazards not addressed by existing standards including hazardous energy (lockout/tagout)</p>																																			
<p>11. Affected public (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p>a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms</p> <p>b. <input checked="" type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government</p> <p>c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government</p>	<p>12. Obligation to respond (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p>a. <input type="checkbox"/> Voluntary</p> <p>b. <input type="checkbox"/> Required to obtain or retain benefits</p> <p>c. <input checked="" type="checkbox"/> Mandatory</p>																																		
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<p>15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p>a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management</p> <p>b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research</p> <p>c. <input type="checkbox"/> General purpose statistics g. <input checked="" type="checkbox"/> Regulatory or compliance</p> <p>d. <input type="checkbox"/> Audit</p>	<p>16. Frequency of recordkeeping or reporting (<i>check all that apply</i>)</p> <p>a. <input type="checkbox"/> Recordkeeping b. <input checked="" type="checkbox"/> Third party disclosure</p> <p>c. <input type="checkbox"/> Reporting</p> <table style="width: 100%;"> <tr> <td>1. <input checked="" type="checkbox"/> On occasion</td> <td>2. <input type="checkbox"/> Weekly</td> <td>3. <input type="checkbox"/> Monthly</td> </tr> <tr> <td>4. <input type="checkbox"/> Quarterly</td> <td>5. <input type="checkbox"/> Semi-annually</td> <td>6. <input checked="" type="checkbox"/> Annually</td> </tr> <tr> <td>7. <input type="checkbox"/> Biennially</td> <td>8. <input type="checkbox"/> Other (describe)</td> <td></td> </tr> </table>	1. <input checked="" type="checkbox"/> On occasion	2. <input type="checkbox"/> Weekly	3. <input type="checkbox"/> Monthly	4. <input type="checkbox"/> Quarterly	5. <input type="checkbox"/> Semi-annually	6. <input checked="" type="checkbox"/> Annually	7. <input type="checkbox"/> Biennially	8. <input type="checkbox"/> Other (describe)																										
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<p>17. Statistical methods Does this information collection employ statistical methods?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>18. Agency contact (person who can best answer questions regarding the content of this submission)</p> <p>Name: Todd Owen Phone: (202) 693-1941</p>																																		

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8 (b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collections of information, that the certification covers:

- (a) Is necessary for proper performance of the agency's functions and has practical utility;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b)(3)
 - (h) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
 - (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the Instructions);
- (i) It uses effective and efficient statistical survey methodology; and,
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Agency Clearance Officer	Date
Todd R. Owen, OSHA Clearance Officer	
Signature of Senior Departmental Official or Designee	Date

**SUPPORTING STATEMENT FOR
THE INFORMATION COLLECTION REQUIREMENTS CONTAINED IN
THE PROPOSED STANDARD ON GENERAL WORKING
CONDITIONS IN SHIPYARD EMPLOYMENT
(29 CFR PART 1915, SUBPART F)¹
OFFICE OF MANAGEMENT AND BUDGET (OMB)
CONTROL NO. 1218-0NEW (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 of 1970 (OSH Act)(651 U.S.C. 651 *et seq.*) 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.” To achieve this objective, the OSH Act specifically authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C 651).

With regard to recordkeeping, 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). The OSH Act states further that “[t]he Secretary . . . shall prescribe such rules and regulations as [he/she] may deem necessary to carry out [his/her] responsibilities under this Act, including rules and regulations dealing with the inspection of an employer’s establishment” (29 U.S.C. 657).

Under the authority granted by the OSH Act, the Occupational Safety and Health Administration (OSHA) is publishing a proposed rule to revise the standards on General Working Conditions in Shipyard Employment (“subpart F”)(29 CFR part 1915, subpart F). The proposed revisions would update existing requirements to reflect advances in industry practices and technology. The proposal also would cross reference general industry standards either that are already applicable to shipyard employment or that OSHA intends to apply. Finally, OSHA proposes to add provisions that would provide protection from hazards not addressed by existing standards, including provisions on the control of hazardous energy (lockout/tagout). Items 2 and 12 below describe in detail the information collection requirements contained in proposed subpart F.

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.

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

§1915.87 Medical services and first aid

First Aid Providers

Paragraph (c)(2) of this section requires employers to ensure that there are an adequate number of trained first aid providers at each worksite and that any employee designated to provide first aid has a valid first aid certificate, such as issued by the Red Cross, American Heart Association, or other equivalent organization. Employees with up-to-date first-aid knowledge ensure that injured employees receive appropriate intervention in the most timely manner possible.

OSHA believes that the first aid training and certificate requirement is similar to performance-oriented training requirements; and therefore, imposes no burden hours or costs. The proposal is designed to give employers the maximum flexibility in meeting this requirement. The employer does not prepare the first-aid certificate, and it is a usual and customary practice for associations like the American Red Cross, and American Heart Association, to provide certificates to those individuals that have attended and passed first aid training. Therefore, this is not a collection of information within the meaning of 5 CFR 1320.3(c)(2).

Marking Location of Stretchers

Paragraph (f)(3) requires employers to store stretchers in a clearly marked location in a manner that prevents damage and protects them from environmental conditions. Marking stretcher location will make them easily located in the event of an emergency.

Stretcher locations typically are large cabinets that contain stretchers. OSHA believes that, as usual and customary practice, employers already mark these cabinets with the label “stretchers.”

§1915.88 Sanitation

Marking Water Supplies

Paragraph (c)(2) requires employers to clearly mark non-potable water supplies and outlets as “not safe for health or personal use.” Marking such supplies ensures employees do not accidentally ingest unhealthy water. OSHA provides the specific language to the employer for public disclosure; therefore, this is not a collection of information under 5 CFR 1320.3(c)(2).

Informing Employees to Wash Hands and Face

Paragraph (e)(4) requires the employer to inform each employee engaged in the application of paints or coatings or in other operations where hazardous or toxic substances can be ingested or absorbed about the need for removing surface contaminants by thorough washing of hands and face at the end of the workshift and prior to eating, drinking, or smoking. This requirement is a longstanding usual and customary practice on shipyard employment. OSHA adopted this requirement in 1972 pursuant to section 6(a) of the OSH Act, which allowed the Agency in the first two years after enactment of the Act to adopt as OSHA standards existing Federal and

national consensus standards (37 FR 22458 (10/19/1972)). OSHA adopted this provision from safety standards promulgated under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941). Therefore, OSHA believes there are no burden hours or costs for this provision.

Informing employees to wash their hands and face helps ensure employees will not overlook taking the necessary precaution to avoid exposure to potentially hazardous substances. This can be accomplished by posting a sign in the workplace, telling new employees of the requirement, or by posting the information in bathrooms to remind employees to wash their hands.

§1915.89 Control of hazardous energy (lockout/tagout)

Developing Lockout/Tagout Procedures

Paragraph (b)(4)(i) requires that procedures be developed, documented, and utilized for the control of hazardous energy during the servicing of machines, equipment and systems. The document must contain the information in paragraph (b)(4)(ii).

The employer uses the information in this document as the basis for information and training employees about the purpose and function of the energy-control procedures, and the safe application, use, and removal of energy controls. In addition, this information enables employers and employees to effectively identify operations and processes in the workplace that require energy-control procedures.

Lockout and Tagout Devices

Paragraph (b)(5)(ii)(D) requires that lockout and tagout devices indicate the identity of the employee applying the device. Since this requirement only requires the name of an employee applying the device, OSHA believes this is exempt from the definition of "information" under 5 CFR 1320.3(h).

Paragraph (b)(5)(iii) requires that each tagout device warn against hazardous conditions if the machine, equipment or system is energized and include a legend such as the following: Do Not Start; Do Not Open; Do Not Close; Do Not Energize; Do Not Operate. Since OSHA provides the specific language to the employer for public disclosure, this is not a collection of information under 5 CFR 1320.3(c)(2).

Inspection and Certification of Energy Control Procedures

Paragraph (b)(6)(i) requires the employer to conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedures and the requirements of this standard are being followed, and to correct any deficiencies.

Paragraph (b)(i)(B) requires that when the employer uses lockout for energy control, the periodic inspection include a review between the inspector and each authorized employee of that employee's under the energy control procedure being inspected. Similarly paragraph (b)(i)(C)

requires that when the employer uses tagout for energy control, the periodic inspection include a review between the inspector and each authorized and affected employee of that employee's responsibilities under the energy control procedure being inspected and the elements set forth in paragraph (b)(7)(ii) of the standard.

Paragraph (b)(6)(ii) requires the employer to certify that the periodic inspections have been performed. The certification shall identify the machine, equipment or system on which the energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

Periodic inspections of the energy control procedures will ensure that the procedures are working properly. The purpose of this inspection is to correct any deviations or inadequacies in the procedures that were identified. Documenting this inspection assures that the employer has performed a periodic inspection.

Employee Training and Training Certification

Paragraph (b)(7) requires that the employer provide initial training as well as retraining as necessary to ensure that employees understand the purpose and function of the energy control program and acquire the knowledge and skills necessary for the safe application, use and removal of energy controls. In addition, employers must provide retraining to authorized and affected employees when the energy control procedures are changed, when a change in job assignment occurs or when a change in equipment presents a new hazard. Additional retraining also must be provided when an inspection reveals or the employer has reason to believe that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures. Retraining must reestablish proficiency and describe any new or revised control methods and procedures, if needed.

The details of the training (e.g., amount and type of training) or retraining may vary depending on factors such as the employee's job duties under the energy control program and the complexity of the equipment or lockout/tagout procedures (54 FR 36673). The relative degree of knowledge that authorized, affected and other employees must acquire also varies, with authorized employees demanding the most extensive training because of their responsibility for implementing energy control procedures (i.e., applying lockout and tagout devices) and performing servicing operations. Training employees to recognize hazardous-energy sources and to understand the purpose and function of the energy-control procedures, and providing them with the knowledge and skills necessary to implement safe application, use and removal of energy controls, enables them to prevent serious accidents by using appropriate control procedures in a safe manner to isolate these hazards. Since the training requirement is performance-oriented no burden hours or costs are being attributed to this provision under Item 12 of this supporting statement.

Paragraph (b)(7)(iv) requires the employer to certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name

and dates of training. Written certification of the training assures the employer that employees receive the training specified by the Standard.

Notification of Application and Removal of Lockout/Tagout Devices

Paragraph (b)(9) requires that affected employees be notified by the employer or authorized employee of the application and removal of lockout or tagout devices. Notification shall be given before the controls are applied, and after they are removed from the machine, equipment, or system.²

Paragraph (d)(3) requires that each lockout or tagout device be removed from each energy isolating device by the employee who applied the device. The exception to paragraph (d)(3) is when the authorized employee who applied the lockout or tagout device is not available to remove it, that device may be removed under the direction of the employer, provided that specific procedures and training for removal have been developed, documented, and incorporated into the employer's energy control program. The employer shall demonstrate that the specific procedure provides equivalent safety to the removal of the device by the authorized employee who applied it. The specific procedure shall include at least the following elements:

- (i) Verification by the employer that the authorized employee who applied the device is not at the facility;
- (ii) Making all reasonable efforts to contact the authorized employee to inform he or she that his or her lockout or tagout device has been removed; and
- (iii) Ensuring that the authorized employee has this knowledge before he/she resumes work at that facility.

Such notification informs employees of the impending interruption of the normal production operation, and serves as a reminder of the restrictions imposed on them by the energy-control program. In addition, this requirement ensures that employees do not attempt to reactivate a machine or piece of equipment after an authorized employee isolates its energy source and renders it inoperative. Notifying employees after removing an energy-control device alerts them that the machines and equipment are no longer safe for servicing, maintenance, and repair.

Multiple Employer Worksites

Paragraph (e)(2)(i) requires that whenever outside servicing personnel such as contractors or ship's crew are to be engaged in activities covered by the scope and application of this standard, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

² Paragraph (d)(2)(ii) specifies that notifying affected employees of device removal must occur before the machine, equipment, or system is started. OSHA is not taking a paperwork burden for this specification because it does not add burden to the notification requirement in paragraph (b)(9).

This provision ensures that each employer knows about the unique energy-control procedures used by the other employer; this knowledge prevents any misunderstanding regarding the implementation of lockout or tagout procedures, and the use of lockout or tagout devices for a particular application.

§1915.92 Retention of DOT markings, placards and labels

Proposed paragraphs (a) and (b) require that employers not remove labels and markings on any hazardous materials or freight containers, rail freight cars, motor vehicles, or transportation vehicles that the U.S. Department of Transportation regulations require to be marked until the hazardous materials are removed, and that any residue is cleaned and any vapors are purged to prevent potential hazards. This would apply regardless of whether the shipyard receives the hazardous materials in packages or in bulk. Labels and marking already are on the freight containers, rail freight cars, etc., that contain hazardous materials; therefore, employers do not need to develop or affix labels to these containers. As such, this is not an information collection that would impose paperwork burdens or costs on shipyard employers.

Proposed paragraph (c) requires that the markings, placards and labels on the hazardous materials be maintained so that they are "readily visible." This requirement is not an information collection and it does not impose paperwork burdens or costs on shipyard employers.

Paragraph (d) informs employers that for non-bulk packages that will not be reshipped, the requirements of this section are met if a label or other acceptable marking is affixed in accordance with 29 CFR 1910.1200 Hazard Communication. Labels serve as a means to notify employers and employees about the presence of chemical hazards in their immediate work area. They also provide a link to the MSDSs, thus improving the effectiveness of the label.

§1915.93 Motor vehicle safety equipment, operation and maintenance

Paragraph (a)(3) of this section requires employers to comply with maintenance, inspection, operation, and training requirement for powered industrial trucks in §1910.178, which already applies to shipyard employment. The burden hour and costs are included in the Powered Industrial Truck information collection request (ICR) (OMB control number 1218-0242).

§1915.94 Servicing multi-piece and single piece rim wheels

Section 1915.94 incorporates by reference the general industry standard (§1910.177) and non-mandatory appendices on servicing multi-piece and single piece rim wheels. Paragraph (d)(3)(iv) of the general industry standard requires that when restraining devices and barriers are removed from service because they are defective, they shall not be returned to service until they are repaired and reinspected. If the repair is structural, the manufacturer or a Registered Professional Engineer must certify that the strength requirements specified in (d)(3)(i) of the Standard have been met. The burden hours and costs for shipyards complying with this

requirement are already included in the Multi-Piece and Single Rim Wheel ICR (1218-0219). The burden hour and costs estimates in the Multi-Piece and Single Rim Wheel ICR, are based on discussions with the Tire Industry Association and a manufacturer of restraining devices. When discussing the number of restraining devices and barriers that are repaired, the Tire Industry Association and a manufacturer of restraining devices, noted few, if any ,damaged restraining devices and/or barriers are repaired. Given this, OSHA estimated that approximately eight damaged devices and barriers are annually repaired. OSHA believes this estimate is inclusive of shipyards.

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 automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology when establishing and maintaining the required records. The Agency wrote the subpart F paperwork requirements in performance-oriented language (i.e., in terms of what data to collect, 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 requirements to collect and maintain information are specific to each employer and employee involved, and no other source or agency duplicates these requirements or can make the required information available to OSHA (i.e., the required information is available only from employers).

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 in subpart F 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.

The Agency believes that the information collection frequencies required by subpart F are the minimum frequencies necessary to effectively fulfill its mandate “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” as specified in the OSH Act (29 U.S.C. 651).

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 set forth 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.

In accordance with 5 CFR 1320.11, OSHA is submitting a proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB) for the information collection requirements in the proposed revisions to subpart F. A copy of the proposed standard is attached to this Supporting Statement. Members of the public who wish to provide comments on the ICR for the proposed revision to subpart F must submit written comments to the Office of Information and Regulatory Affairs, New Executive Office Building, Office of Managements

and Budget, Room 10235, 725 17th Street, NW., Washington, DC 20503, Attn: OSHA Desk Officer (RIN 1218-AB50). OSHA encourages interested parties to also submit a copy of their comments to the OSHA Docket Office, Docket No. S-049, Occupational Safety and Health, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Interested parties also may submit their comments to OSHA at <http://www.regulations.gov>, the Federal eRulemaking portal. The Agency will summarize the comments submitted by the public on the ICR and will include the summary in its request to OMB for final approval for the ICR. These comments will also become part of the record, and will be available for public inspection and copying in the OSHA Docket Office and at <http://www.regulations.gov>.

9. Explain any decision to provide any payments 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.

No elements of confidentiality are involved.

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 reasons 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.

None of the provisions in subpart F require 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 burdens, 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 83-1.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

Burden-Hour and Cost Determinations

The burden hours and estimated costs used in this ICR are based primarily on the Preliminary Economic Analysis (PEA) of the proposed rule to revise subpart F or estimates determined by OSHA's Office of Regulatory Analysis. The Agency estimates 639 establishments would be affected by the proposal.

Wage Rates

The wage rates below, which include benefits, are also from the PEA.

- Supervisors (\$32.98 per hour)
- Authorized Workers (\$23.72 per hour)
- Affected Workers (\$19.51 per hour)
- Secretary (\$17.53 per hour)

Table 1 below summarizes the hour burdens and costs associated with each provision of the proposal that contains a paperwork requirement:

Table 1
Summary of
Burden Hours and Costs

Collection of Information	Initial Burden Hours	Initial Costs	Recurring Burden Hours	Recurring Cost
Developing Lockout/Tagout Procedures (§1915.89 (b)(4)(i))	7,746	\$255,463	2,168	\$71,501
Inspection and Certification of Energy Control Procedures (§1915.89(b)(6))	850	\$33,346	850	\$33,346
Employee Training and Training Certification (§1915.89(b)(7)(iv))	178	\$3,122	4	\$70
Notification of Application and Removal of Lockout/Tagout Devices (§1915.89(b)(9) and (d)(3(ii)))	327	\$7,756	327	\$7,756
Multiple Employer Worksites (§1915.89(e)(2)(i))	1,389	\$45,809	1,389	\$45,809
Disclosure of Records to OSHA	1	\$33	1	\$33
TOTAL	10,491	\$345,529	4,739	\$158,515

Burden hour and Cost Determinations

The following sections summarize the methodology used for estimating the number of burden hours and costs resulting from the paperwork requirements contained in the Proposal.

§1915.89 Control of hazardous energy (lockout/tagout)

Developing Lockout/Tagout Procedures

Paragraph (b)(4)(i) requires that procedures be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section. The class size of the establishment determines how many hours a supervisor takes to develop, document, and maintain the hazardous control procedures. Table 2 below estimates the burden hours and cost by establishment size class for the initial development of the energy control procedures.

Table 2

**Energy Control Procedures
(Burden Hours and Costs)**

	Size Class	Affected Establishments	Time in Hours	Total Hours	Supervisor's Wage Rate	Cost
Shipyard	250 – 1,000>	42	80	3,360	\$32.98	\$110,813
	100 – 249	49	40	1,960	\$32.98	\$64,641
	20 – 99	53	12	636	\$32.98	\$20,975
Offsite	20 – 99*	80	12	960	\$32.98	\$31,661
	1 – 19*	415	2	830	\$32.98	\$27,373
	TOTAL	639		7,746		\$255,463

*These establishments, which are shipyard contractors and subcontractors, will either develop their own energy control plan or develop a joint program with the actual shipyard.
Source: Office of Regulatory Analysis, OSHA.

The Agency also estimates that, on a yearly basis, a supervisor takes from 30 minutes (.50 hour) to 20 hours, depending on the size of the establishment, to inspect and update these procedures. Table 3 below provides the number of establishments in each size category for both high- and low-impact establishments and the burden hours and cost for each establishment size class.

Table 3

**Energy Control Procedure Updates
(Burden Hours and Costs)**

Size Class	Affected Establishments	Time in Hours	Total Hours	Supervisor's Wage Rate	Cost
250 – 1,000>	42	20	840	\$32.98	\$27,703
100 – 249	49	12	588	\$32.98	\$19,392
20 – 99	53	4	212	\$32.98	\$6,992
20 – 99*	80	4	320	\$32.98	\$10,554
1 – 19*	415	0.5 (rounded)	208	\$32.98	\$6,860
TOTAL	639		2,168		\$71,501

* These establishments, which are shipyard contractors and subcontractors, will either develop their own energy control plan or develop a joint program with the actual shipyard.
Source: Office of Regulatory Analysis, OSHA.

Inspection and Certification of Energy Control Procedures

Paragraph (b)(6)(i) requires the employer to periodically inspect each energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed and to correct any deficiencies. In addition, paragraph (b)(6)(ii) requires the employer certify that periodic inspections have been performed. The certification must identify the machine, equipment or system on which the energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

The PEA assumes that an authorized employee and a supervisor take an average of 30 minutes (.50 hour) each, for a total of 1.00 hour, to inspect all procedures for each establishment. In

addition to this time, the supervisor takes 20 minutes (.33 hour), to develop and maintain the certification record, for a total burden of one hour and 20 minutes (1.33 hour) per establishment. OSHA estimates that each of the 639 establishments will conduct one periodic inspection each year. In determining the hourly cost, OSHA used the following hourly cost equation:

$$\text{Hourly Cost} = ((0.5 \text{ hour} \times \text{authorized worker wage rate } (\$23.72 \text{ per hour})) + (.5 \text{ hour} \times \text{supervisory wage rate } (\$32.98 \text{ per hour}))) + (.33 \text{ hour} \times \text{supervisory wage rate } (\$32.98 \text{ per hour})) = \$39.23 \text{ per hour}$$

Burden hours: 639 establishments x 1 periodic inspection x 1.33 hours = 850 hours.

Cost: 850 hours x \$39.23 per hour = \$33,346

Training Certification

Paragraph (b)(7)(iv) requires the employer certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name and dates of training. Employers must provide initial training as well as retraining as necessary to ensure that employees understand the purpose and function of the energy control program and acquire the knowledge and skills necessary for the safe application, use and removal of the energy control. In addition, employers must provide retraining to authorized and affected employees when the energy control procedures are changed, when a change in job assignment occurs or when a change in equipment presents a new hazard. Additional retraining also must be provided when an inspection reveals or the employer has reason to believe that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.

For initial training burden hours and costs, OSHA assumes that a certification will be prepared for each training session and 10 employees attend one training session. The time for a secretary (at a wage rate of \$17.53 per hour) to obtain, file and maintain the training certification will take three minutes (.05 hour). Table 4 below estimates the burden hours and cost by establishment size class for the employers to certify employees have received initial training.

Table 4

Initial Training Certification (Burden Hours and Costs)

	Size Class	Authorized Employees	Training Sessions	Time in hours	Burden Hours	Secretary's Wage Rate	Initial Cost
Shipyards	250 - 1,000>	8,794	879	0.05 hour	44	\$17.53	\$771
	100-249	688	69	0.05 hour	3	\$17.53	\$53
	20-99	330	33	0.05 hour	2	\$17.53	\$35
Off-site	20-99	231	23	0.05hour	1	\$17.53	\$18
	1-19	219	22	0.05 hour	1	\$17.53	\$18
	TOTAL	10,262			51		\$895

	Size Class	Affected Employees	Training Sessions	Time in hours	Burden Hours	Secretary's Wage Rate	Initial Cost
Shipyards	250 - 1,000>	17,550	1,755	0.05 hour	88	\$17.53	\$1,543
	100-249	1,375	138	0.05 hour	7	\$17.53	\$123
	20-99	660	66	0.05 hour	3	\$17.53	\$53
	20-99	493	49	0.05 hour	2	\$17.53	\$35
	1-19	438	44	0.05 hour	2	\$17.53	\$35
	TOTAL	20,516			102		\$1,789
	Size Class	Individually Trained Employees	Individual Sessions	Time in hours	Burden Hours	Secretary's Wage Rate	Initial Cost
Off-site	20-99	80	80	0.05 hour	4	\$17.53	\$70
	1-19	415	415	0.05 hour	21	\$17.53	\$368
	TOTAL	495			25		\$438
				TOTAL	178		\$3,122
Source: Office of Regulatory Analysis							

For retraining, OSHA assumes that 2% (616) of the 30,778 authorized and affected employees, and 2% (10) of the individually trained employees will need to be retrained annually. This estimate includes training necessitated by employee turnover. As with initial training, OSHA assumes a clerk will take three minutes (.05 hour) to prepare and maintain the training certification and that authorized and affected employees will receive training in groups of 10.

Burden hours: $(616/10 + 10) \times .05 \text{ hour} = 4 \text{ hours}$

Cost: $4 \text{ hours} \times \$17.53 = \70

Notification of Application and Removal of Lockout/Tagout Devices

Paragraph (b)(9) requires that affected employees be notified by the employer or authorized employee of the application and removal of lockout devices or tagout devices. Notification must be given before the controls are applied, and after they are removed from the machine, equipment, or system.

Paragraph (d)(3)(ii) requires that where a lockout or tagout device is removed by an authorized employee other than the one who applied it, the employer must make a reasonable effort to inform the authorized employee who applied the device of its removal before the employee resumes work at the facility.

OSHA has determined that the number of lockout or tagout applications and removal (lockout/tagout events) that occur annually varies by operation, either electrical secondary or air hydraulic secondary, and by location, either on-site at a shipyard or off-site landshore. Table 5 below estimates there are 81,734 notifications per year. OSHA assumes an authorized employee or an employer takes 15 seconds (.004 hour) to provide the required notification to notify the affected employee (i.e., 10 seconds for applying a lockout/tagout device, and five seconds for removing the device).

Table 5

Lockout/Tagout Notifications

Electrical Secondary					
	Shipyards	Size Class	Authorized Employees	Annual LO/TO Events Per Employee	Total LO/TO Events per year
		250 - 1,000 >	8,794	6	52,764
		100-249	688	6	4,128
		20-99	330	6	1,980
	Off-Site*	20-99	231	6	1,386
		1-19	219	6	1,314
		TOTAL	10,262		61,572
Air and Hydraulic Secondary					
	Shipyards	Size Class	Authorized Employees	LO/TO Events Per Employee	Total Events
		250 - 1,000 >	8,794	1	8,794
		100-249	688	1	688
		20-99	330	1	330
	Off-Site*	20-99	231	1	231
		1-19	219	1	219
		Total	10,257		10,257
	Off-Site*	Size Class	Authorized Employees	LO/TO Events Per Employee	Total Events
		20-99	80	20	1,600
		1-19	415	20	8,300
		Total	495		9,900
		TOTAL			81,734
<p>* These establishments, which are shipyard contractors and subcontractors, will either develop their own energy control plan or develop a joint program with the actual shipyard.</p> <p>Source: Office of Regulatory Analysis, OSHA.</p>					

Burden hours: 81,734 total events x .004 hour = 327 hours

Cost: 327 hours x \$23.72 = \$7,756

Multiple Employer Worksites

Paragraph (e)(2)(i) of this section requires that whenever outside servicing personnel such as contractors or ship’s crew perform servicing operations at shipyards, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

OSHA estimates a total of 81,734 lockout/tagout events occur annually (see Table 5 above). OSHA estimates that a total of 8,173 events³ lockout/tagout events will require employers to exchange information as specified by this provision, and that two supervisors will expend a total of 10 minutes (.17 hour) between them in this exchange.

Burden hours: 8,173 lockout/tagout notifications x .17 hour = 1,389 hours

Cost: 1,389 hours x \$32.98 = \$45,809

Disclosure of Records to OSHA Compliance Officers

Employers would provide OSHA access to records required to be maintained by the subpart F. OSHA believes that approximately nine establishments⁴ covered by the subpart would be subject to an OSHA inspection and required to disclose these records annually. OSHA estimates that it takes a supervisor five minutes (.08 hour) to provide and disclose the requested information.

Burden hours: 9 establishments inspected x .08 hour = 1

Cost: 1 hour x \$32.98 = \$33

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 determinations made under Item 12 account 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 subpart F. The Agency determined that its compliance officers would conduct approximately nine inspections under subpart F during each year covered by this ICR (see footnote 4). 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 subpart F. Therefore, the total cost of these paperwork requirements to the Federal government is:

Cost: 9 inspections x .08 hour x \$36.26 = \$26

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

³ The estimate that 10% of total number lockout/tagout events occur at multiple employer worksites is the same estimate used in the Standard on the Control of Hazardous Energy (Lockout/Tagout) (29 CFR Part 1910.147) ICR (OMB Control Number 1218-0150).

⁴OSHA estimated the number of inspections by determining the inspection rate (1.4%) for all establishments under the jurisdiction of the Act (including both Federal OSHA and approved state-plan agencies) and then multiplying the total number of establishments covered by the Standard (i.e., 639) by this percentage (i.e., 639 establishments x 1.4% = 9 inspections).

OSHA is proposing to revise the standards on General Working Conditions in Shipyard Employment (29 CFR part 1915, subpart F). The proposal would initially impose 10,491 new burden hours to 639 shipyard employment establishments after the effective date of the final standard.

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 revised subpart F.

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

No forms are available for the Agency to display the expiration date.

18. Explain each exception to the certification statement identified in Item 19 of OMB 83-I.

OSHA is not seeking an exception to the certification statement specified by Item 19 of OMB 83-I.