

**SUPPORTING STATEMENT FOR
THE INFORMATION COLLECTION REQUIREMENTS OF
THE STANDARD ON SLINGS (29 CFR 1910.184)¹
OFFICE OF MANAGEMENT AND BUDGET
(OMB) CONTROL NO. 1218-0223 (August 2008)**

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 objective of the Occupational Safety and Health Act of 1970 (i.e., “the 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 Act authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C. 651).

Section 6(b)(7) of the Act specifies that “[a]ny standard promulgated under this subsection shall prescribe the use of labels or other appropriate forms of warning as are necessary to insure that employees are apprised of all hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions of safe use or exposure.” This provision goes on to state that “[t]he Secretary, in consultation with the Secretary of Health and Human Services, may by rule promulgated pursuant to section 553 of title 5, United States Code, make appropriate modifications in the foregoing requirements relating to the use of labels or other forms of warning . . . as may be warranted by experience, information, or medical or technological developments acquired subsequent to the promulgation of the relevant standard” (29 U.S.C. 655).

With regard to recordkeeping, the 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 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 Act, the Occupational Safety and Health Administration (i.e., “OSHA” or “the Agency”) published at 29 CFR 1910.184 a safety standard for general industry

¹The purpose of this Supporting Statement is to analyze and describe the burden hours and cost 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, these provisions.

regulating the use of slings (i.e., “the Standard”). The collection of information (paperwork) provisions of the Standard specify affixing identification tags or markings on slings, developing and maintaining inspection records, and retaining proof testing certificates. Items 2 and 12 below describe in detail the specific information collection requirements of the Standard.

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.

The Standard specifies several collection of information (paperwork) requirements, depending on the type of sling. The purpose of each of these requirements is to prevent employees from using defective or deteriorated slings, thereby reducing their risk of death or serious injury caused by sling failure during material handling.

Paragraph (e) of the Standard covers alloy steel chain slings.

Paragraph (e)(1) requires that alloy steel chain slings have permanently affixed and durable identification stating size, grade, rated capacity, and reach of the sling. The information, supplied by the manufacturer, is typically marked on a metal tag and affixed to the sling.

Paragraph (e)(3)(i) requires the employer to make a thorough periodic inspection of alloy steel chain slings in use on a regular basis, but at least once a year. Paragraph (e)(3)(ii) requires the employer to make and maintain a record of the most recent month in which each alloy steel chain sling was thoroughly inspected, and make this record available for examination.

Paragraph (e)(4) requires the employer to retain certificates of proof testing. Employers must ensure that before use, each new, repaired, or reconditioned alloy steel chain sling, including all welded components in the sling assembly, has been proof tested by the sling manufacturer or an equivalent entity. The certificates of proof testing must be retained by the employer and made available for examination.

Paragraph (f) of the Standard covers wire rope slings.

Paragraph (f)(4)(ii) requires that all welded end attachments of wire rope slings be proof tested by the manufacturer at twice their rated capacity prior to initial use, and that the employer retain a certificate of the proof test and make it available for examination.

Paragraph (g) of the Standard covers metal mesh slings.

Paragraph (g)(1) requires each metal mesh sling to have a durable marking permanently affixed that states the rated capacity for vertical basket hitch and choker hitch loadings.

Paragraph (g)(8)(ii) requires that once repaired, each metal mesh sling be permanently marked or tagged, or a written record maintained to indicate the date and type of the

repairs made, and the person or organization that performed the repairs. Records of the repairs shall be made available for examination.

Paragraph (i) of the Standard covers synthetic web slings.

Paragraph (i)(1) requires that synthetic web slings be marked or coded to show the rated capacities for each type of hitch and the type of synthetic web material used in the sling.

Paragraph (i)(8)(i) prohibits the use of repaired synthetic web slings until they have been proof tested by the manufacturer or an equivalent entity. Paragraph (i)(8)(ii) requires the employer to retain a certificate of the proof test and make it available for examination.

The information on the identification tags, markings, and codings assist the employer in determining whether the sling can be used for the lifting task. The sling inspections enable early detection of faulty slings. The inspection and repair records provide employers with information about when the last inspection was made and about the type of the repairs made. This information provides some assurance about the condition of the slings. These records also provide the most efficient means for an OSHA compliance officer to determine that an employer is complying with the Standard. Proof-testing certificates give employers, employees, and OSHA compliance officers assurance that slings are safe to use. The certificates also provide the compliance officers with an efficient means to assess employer compliance with the Standard.

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 information-collection techniques, or other forms of information technology (e.g., electronic submission of responses) when establishing and maintaining the required records. The Agency wrote the paperwork requirements of the Standard 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 purpose(s) described in 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 the methods used to reduce the 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 or is not conducted less frequently, and any technical or legal obstacles to reducing the burden.

The Agency believes that the information collection frequencies required by the Standard are the minimum frequencies necessary to effectively regulate slings, and thereby 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 by the Act at 29 U.S.C. 651. Accordingly, if employers do not perform the required information collections, or delay in providing this information, employees may inadvertently use defective or deteriorated slings, thereby increasing their probability of death and serious injury caused by sling failure during material handling.

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 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 prove that it has instituted procedures to protect the information's confidentially to the extent permitted by law.**

No special circumstances exist that require employers to collect information using the procedures specified by this item. The requirements are within 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 before submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to those comments specifically address comments received on cost and hour burdens.

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, revealed, 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 three years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that mitigate against 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 June 23, 2008 (73 FR 35412, Docket No. OSHA-2008-0020) requesting public comment on its proposal to extend the Office of Management and Budget's approval of the information collection requirements contained in its Standard on Slings (29 CFR 1910.184). This notice was part of a preclearance consultation program 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 Standard. The Agency received no comments in response to its notice.

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.

The paperwork requirements specified by the Standard do not involve 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 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 the Standard request 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

The Agency contacted the Executive Director of the National Association of Chain Manufacturers (NACM) and the Executive Director of the Associated Wire Rope Fabricators (AWRF), who are also members of the American Society of Mechanical Engineers' (ASME) B30.9 Committee on Slings, requesting updated information on the number of slings used in general industry. The Agency was informed that, while updated statistics had not been developed since the last ICR submission, previous estimates were very likely on the low-end. Based on discussion with the Executive Director of the AWRF, The Agency estimates that the Standard covers approximately 1,000,000 slings, and that roughly 60% (600,000) are wire rope slings, 30% (300,000) are synthetic-web slings, 8% (80,000) are alloy steel chain slings, and 2% (20,000) are metal-mesh slings.

OSHA used a wage rate of \$27.00 for a manufacturing worker and \$33.76 for a supervisory manufacturing worker in determining the cost of the paperwork requirements specified by the Standard.²

(A) Alloy Steel Chain Slings (§1910.184(e))

Paragraph 1910.184(e)(1) requires that alloy steel chain slings have permanently affixed and durable identification stating size, grade, rated capacity, and reach of the sling. The information, supplied by the manufacturer, is typically marked on a metal tag and affixed to the sling. The manufacturer provides this information as a usual and customary practice at the time of sale. However, if the tag comes off, another tag or marking with the required information must be affixed to the sling. OSHA estimates that only a small percentage of slings would fall into this category, as low as .1% (80), and that it would take about 30 minutes (.5 hour) to acquire the information, make a new tag, and affix it to the sling. A manufacturing worker would perform this task.

Burden hours: 80 slings × .5 hour = 40 hours
Cost: 40 hours × \$27.00 = \$1,080

Paragraph (e)(3)(i) requires the employer to make a thorough periodic inspection of alloy steel chain slings in use on a regular basis, but at least once a year. Paragraph 1910.184(e)(3)(ii) requires the employer to make and maintain a record of the most recent month in which each alloy steel chain sling was thoroughly inspected. OSHA estimates that approximately 70% (56,000) of alloy steel chain slings are in use on a regular basis each year. It is also estimated that it takes 15 minutes (.25 hour) for a manufacturing worker to conduct the inspection and to generate and maintain the inspection record once a year.

Burden hours: 56,000 slings × .25 hour = 14,000 hours
Cost: 14,000 hours × \$27.00 = \$378,000

²SOURCE: *Employer Costs for Employee Compensation*, U.S. Department of Labor, Bureau of Labor Statistics, December 2007 (released March 12, 2008).

Paragraph 1910.184(e)(4) requires the employer to ensure that before use, each new, repaired, or reconditioned alloy steel chain sling, including all welded components in the sling assembly, be proof tested by the sling manufacturer, and that the certificate of proof testing be maintained by the employer and made available for examination. The manufacturer normally performs the proof test and marks the equipment. OSHA estimates that 25% (20,000) of the alloy steel chain slings are replaced, repaired, or reconditioned each year. The manufacturer will prepare a certificate of the proof test as a usual and customary practice, so the employer has no burden for this activity. However, the employer will incur a burden to maintain the certificate, which the Agency estimates takes a manufacturing worker 1 minute (.02 hour) to perform for each sling.

Burden hours: 20,000 slings \times .02 hour = 400 hours

Cost: 400 hours \times \$27.00 = \$10,800

(B) Wire Rope Slings (§1910.184(f))

Paragraph 1910.184(f)(4)(ii) requires that all welded end attachments be proof tested by the manufacturer at twice their rated capacity prior to initial use, and that the employer maintain the certificate of proof test. OSHA estimates that 10% (60,000) of the wire rope slings have welded end attachments. The employer has no burden associated with the proof testing because the manufacturer, for liability reasons, and as a normal and customary practice, will test the equipment and provide a certificate to the employer. However, the employer must maintain the certificate. OSHA estimates that a manufacturing worker spends 1 minute (.02 hour) maintaining a certificate for each sling.

Burden hours: 60,000 slings \times .02 hour = 1,200 hours

Cost: 1,200 hours \times \$27.00 = \$32,400

(C) Metal Mesh Slings (§1910.184(g))

Paragraph 1910.184(g)(1) requires each metal mesh sling to have a durable marking permanently affixed to it that indicates the rated capacity for vertical basket hitch and choker hitch loadings. This information will be supplied by the manufacturer initially, and the only burden to the employer would be to replace the initial tag or marking. OSHA estimates that only a small percentage of slings would fall into this category, as low as .1% (20), and it would take about 30 minutes (.50 hours) for a manufacturing worker to acquire the information, make a new tag, and affix it to the sling.

Burden hours: 20 slings \times .50 hour = 10 hours

Cost: 10 hours \times \$27.00 = \$270

Paragraph 1910.184(g)(8)(ii) requires that once repaired, each sling shall be permanently marked or tagged, or a written record prepared for the employer, that contains the information specified in the Standard. The employer must maintain this record. Accordingly, OSHA estimates that the manufacturer, as a usual and customary practice, will affix markings stating the rated capacity for vertical basket hitch and choker hitch loadings as required under paragraph

1910.184(g)(1). OSHA also estimates that manufacturers will provide written records for about 10% (2,000) of the repaired slings. The remaining slings are either tagged or marked permanently as specified in the Standard. The manufacturer will prepare the certificate for the employer, and will provide tags or markings, as a usual and customary practice; hence, the employer has no burden for this activity. However, the employer must maintain the written records as required by paragraph 1910.184(g)(8)(ii). The Agency estimates that it takes a manufacturing worker 1 minute (.02 hour) to complete this task.

Burden hours: 2,000 slings \times .02 hour = 40 hours
Cost: 40 hours \times \$27.00 = \$1,080

(D) Synthetic Web Slings (§1910.184(i))

Paragraph (i)(1) requires that synthetic web slings be marked or coded to show the rated capacities for each type of hitch, and the synthetic web material used in the sling. This information will be provided by the manufacturer as a usual and customary practice at the time of sale. However, if the mark or code needs to be replaced, OSHA estimates that it will take a manufacturing worker about 30 minutes (.50 hour) to acquire the information and attach the marking or coding to the sling. OSHA estimates that only a few slings, about .1% (300), fall into this category.

Burden hours: 300 slings \times .50 hour = 150 hours
Cost: 150 hours \times \$27.00 = \$4,050

Paragraph 1910.184(i)(8)(ii) prohibits the use of repaired synthetic web slings that have not been proof tested by the manufacturer. The employer shall maintain a certificate of the proof test. The manufacturer will prepare a certificate of the proof test as a usual and customary practice, so the employer has no burden for this activity. However, the employer will incur a burden to maintain the certificate. The Agency estimates that a manufacturing worker spends 1 minute (.02 hour) performing this activity. OSHA estimates that, in any given year, 25% (75,000) of the synthetic web slings are repaired.

Burden hours: 75,000 slings \times .02 hour = 1,500 hours
Cost: 1,500 hours \times \$27.00 = \$40,500

(E) Disclosure of Certificates

The Agency believes that approximately 14,000 slings covered by the Standard³ may be subject to an inspection each year, during which the employer may be required to disclose certification records. OSHA estimates that it will take a supervisory manufacturing worker 2 minutes (.03 hour) to disclose the records for each sling.

³The Agency estimated the number of inspections by determining the inspection rate (1.4%) for all slings under the jurisdiction of the Act (including both Federal OSHA and approved state-plan agencies), and then multiplying the total number of slings regulated under the Standard by this percentage (i.e., 1,000,000 slings \times 1.4% = 14,000 slings inspected).

Burden hours: 14,000 slings \times .03 hour = 420
Cost: 420 burden hour \times \$33.76 = \$14,179

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 estimate should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondent (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: 1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Item 12 above provides the total cost of the information collection requirements specified by the Standard.

14. Provide estimates of the 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), 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 into a single table.

OSHA estimates that a compliance officer (GS-12, step 5), with an hourly wage rate of \$37.89, spends about 5 minutes (.08 hour) during an inspection reviewing the documents required by the Standard. The Agency determined that its compliance officers will inspect 14,000 slings covered by the Standard during each year covered by this ICR (see footnote 3 above). 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 Standards. Therefore, the total cost of these paperwork requirements to the Federal government is:

Cost: 14,000 inspections \times .08 hour \times \$37.89 = \$42,437

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

OSHA is proposing to decrease the existing burden hour estimate for the collection of information requirements specified by the Standard from 19,167 hours to 17,760 hours, a total decrease of 1,407 hours. The decrease occurred because, although there was an increase in the total number of slings, there was a decrease in the number of alloy steel chain slings. Table 1 explains the proposed adjustment decrease.

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.

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

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 an exception to the certification statement specified by Item 19 of OMB 83-I.

Table 1

Proposed Burden-Hour Adjustments

Information Collection Requirement	Current Burden Hours	Proposed Burden Hours	Adjustment (Hours)	Cost Under Item 12	Responses	Explanation of Adjustment
(A) Alloy Steel Chain Slings	0	0	0	0	0	
§1910.184 (e)(1)	49	40	-9	\$1,080	80	New data indicates a reduction in the number of alloy steel chain slings from 97,500 to 80,000.
§1910.184(e)(3)(i)	17,063	14,000	-3,063	\$378,000	56,000	New data indicates a reduction in the number of alloy steel chain slings from 97,500 to 80,000.
§1910.184(e)(4)	488	400	-88	\$10,800	20,000	New data indicates a reduction in the number of alloy steel chain slings from 97,500 to 80,000.
(B) Wire Rope Slings	0	0	0	0	0	
§1910.184(f)(4)(ii)	975	1,200	225	\$32,400	60,000	New data indicates an increase in the estimated number of wire rope slings from 487,500 to 600,000.
(C) Metal Mesh Slings	0	0	0	0	0	
§1910.184(g)(1)	7	10	3	\$270	20	New data indicates an increase in the estimated number of metal mesh slings from 13,000 to 20,000.
§1910.184(g)(8)(ii)	26	40	14	\$1,080	2,000	New data indicates an increase in the estimated number of metal mesh slings from 13,000 to 20,000.
(D) Synthetic Web Slings	0	0	0	0	0	
§1910.184(i)(1)	26	150	124	\$4,050	300	New data indicates an increase in the estimated number of synthetic web slings from 52,000 to 300,000.
§1910.184(i)(8)(ii)	260	1,500	1,240	\$40,500	75,000	New data indicates an increase in the estimated number of synthetic web slings from 52,000 to 300,000.

Information Collection Requirement	Current Burden Hours	Proposed Burden Hours	Adjustment (Hours)	Cost Under Item 12	Responses	Explanation of Adjustment
(E) Disclosure of Certificates	273	420	147	\$14,179	14,000	The disclosure burden assumes that a specific percentage (1.4%) of the 1,000,000 total slings (14,000) covered by the Standard will be subject to an OSHA inspection, and that a supervisory manufacturing worker will disclose the documents to an OSHA compliance officer during the inspection.
TOTALS	19,167	17,760	-1,407	\$482,359	227,400	