

**SUPPORTING STATEMENT FOR THE INFORMATION
COLLECTION REQUIREMENTS FOR THE STANDARD
ON PERMIT-REQUIRED CONFINED SPACES (29 CFR 1910.146)¹
(OFFICE OF MANAGEMENT AND BUDGET (OMB))
CONTROL NO. 1218-0203 (January 2009)**

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 1910.146 a safety standard for general industry regulating permit-required confined spaces (i.e., “the Standard”). The paperwork provisions of the Standard specify requirements for developing and maintaining inspection records. Items 2 and 12 below describe in detail the specific information collection requirements of the Standard.

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, these provisions.

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 a number of collection of information requirements. The collections of information are used by employers and employees whenever entry is made into permit-required confined spaces. The following sections describe who uses the information collected under each requirement, as well as how they use it. The purpose of the information is to ensure that employers systematically evaluate the dangers in permit spaces before entry is attempted, and to ensure that adequate measures are taken to make the spaces safe for entry. In addition, the information is needed to determine, during an OSHA inspection by a compliance safety and health officer, if employers are in compliance with the Standard.

Section 1910.146(c)(2) requires the employer to post danger signs to inform exposed employees of the existence and location of, and the danger posed by, permit spaces.

Section 1910.146(c)(4) requires the employer to develop and implement a written “permit-space program” when the employer decides that its employees will enter permit-spaces. The written program is to be made available for inspection by employees and their authorized representatives. Section 1910.146(d) provides the employer with the requirements of a permit-required confined space program (“permit-space program”) required under this paragraph.

Section 1910.146(c)(5)(i)(E) requires that the determinations and supporting data specified by paragraphs (c)(5)(i)(A), (c)(5)(i)(B), and (c)(5)(i)(C) of this section are documented by the employer and are made available to each employee who enters a permit space or to that employee’s authorized representative.

Under paragraph (c)(5)(ii)(H) of §1910.146, the employer is required to verify that the space is safe for entry and that the pre-entry measures required by paragraph (c)(5)(ii) of this section have been taken, using a written certification that contains the date, the location of the space, and the signature of the person providing the certification. The certification is to be made before entry and is required to be made available to each employee entering the space or to that employee’s authorized representative.

Section 1910.146(c)(7)(iii) requires the employer to document the basis for determining that all hazards in a permit space have been eliminated using a certification that contains the date, the location of the space, and the signature of the person making the determination. The certification is to be made available to each employee entering the space or to that employee’s authorized representative.

Section 1910.146(c)(8)(i) requires that the employer inform the contractor that the workplace contains permit spaces and that permit space entry is allowed only through compliance with a permit space program meeting the requirements of this section. Section 1910.146(c)(8)(ii) requires that the employer apprise the contractor of the elements, including the hazards identified and the host employer’s experience with the space, that make the space in question a permit space. Section 1910.146(c)(8)(iii) requires that the employer apprise the contractor of any

precautions or procedures that the host employer has implemented for the protection of employees in or near permit spaces where contractor personnel will be working. Section 1910.146(c)(8)(v) requires the employer to debrief the contractor at the conclusion of the entry operations regarding the permit space program followed and regarding any hazards confronted or created in permit spaces during entry operations.²

Section 1910.146(c)(9)(iii) requires that the contractor inform the host employer of the permit space program that the contractor will follow and of any hazards confronted or created in permit spaces, either through a debriefing or during the entry operation.²

Section 1910.146(d)(5)(vi) requires the employer to immediately provide each authorized entrant or that employee's authorized representative with the results of any testing conducted in accordance with paragraph (d) of this section.²

Section 1910.146(e)(1) requires the employer to document the completion of measures required by paragraph (d)(3) by preparing an entry permit before employee entry is authorized. Paragraph (f) of §1910.146 specifies the information to be included on the entry permit. Paragraph (e)(3) requires that the employer make the completed permit available at the time of entry to all authorized entrants by posting the permit at the entry portal or by any other equally effective means, so that the entrants can confirm that pre-entry preparations have been completed. Paragraph (e)(6) requires the employer to retain each canceled entry permit for at least one year.

Section 1910.146(g)(4) requires that the employer certify that the training required by paragraphs (g)(1) through (g)(3)³ has been accomplished by preparing a written certification record.

Section 1910.146(k)(1)(iv) requires that the employer inform each rescue team or service of the hazards they may confront when called on to perform rescue at the site.²

Section 1910.146(k)(2)(ii) requires that the employer train affected employees to perform assigned rescue duties. The employer must ensure that such employees successfully complete the training required to establish proficiency as an authorized entrant, as provided by paragraphs (g) and (h) of this section. Section 1910.146(k)(2)(iii) requires that the employer train affected employees in basic first-aid and cardiopulmonary resuscitation (CPR). The employer shall ensure that at least one member of the rescue team or service holding a current certification in first aid and CPR is available.³

²This section identifies usual and customary communications between employers, contractors, and employees; therefore, it does not impose burden hours or costs on the employer. For example, as a matter of business practice, information about hazards and permit-confined spaces, etc., would be conveyed to contractors during initial discussions of work to be performed.

³The Agency concludes that the training required under §1910.146(g)(1) through (g)(3) and (k)(2)(ii) and (k)(2)(iii) §1910.146(k) is written in performance-oriented language and, thus, not considered a collection of information under the implementing rules and guidelines of PRA-95.

Section 1910.146(k)(4) requires that if an injured entrant is exposed to a substance for which a Material Safety Data Sheet (MSDS) or other similar written information is required to be kept at the worksite, that the employer make the MSDS or written information available to the medical facility treating the exposed entrant.⁴

Section 1910.146(l)(2) requires that employers make all information required to be developed by this section available to affected employees and their authorized representatives.²

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 permit-required confined spaces 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 in 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 be subject to an increased risk of death and serious injury when working in permit-required confined spaces.

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

⁴The burden hours and cost for MSDS accessibility is taken under OMB Control Number 1218-0072 (the Hazard Communication Standard (HCS) ICR).

- **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 confidentiality 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 prior to 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, 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 three 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 November 10, 2008 (73 FR 66683, Docket No. OSHA-2008-0044) requesting public comment on its proposal to extend the Office of Management and Budget's approval of the information collection requirements found in the Standard on Permit-Required Confined Spaces (29 CFR 1910.146). This notice was part of a preclearance consultation program that provided the general public and government agencies with an opportunity to comment. 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 require 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.**
- **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 14.**

Burden-Hour and Cost Determinations

Estimates of the burden hours for each information collection requirement are shown below. Information regarding the number of permit spaces, establishments with permit spaces, and permit space entrants were based on information derived from Table II-1 of the Final Regulatory Impact Analysis and Regulatory Flexibility Analysis (RIA) of the final Permit-Required Confined Space Standard (58 FR 4542, January 14, 1993).

First, the Agency determined the ratio between the numbers of establishments with permit spaces, permit spaces, and permit space entrants in the 1993 Analysis and then applied this ratio to update the numbers of establishments with permit spaces, permit spaces, and permit space entrants. Second, OSHA updated the Standard Industrial Classification (SIC) Codes used in the 1993 Analysis to the North American Industry Classification System (NAICS) codes⁵; then used

⁵ See Table A at the end of this document for a complete list of establishments, permit-confined spaces, and

the number from the 2005 County Business Patterns Survey to determine the number of new establishments. Third, OSHA applied the ratio from the 1993 Analysis to the new establishments to arrive at new estimates for the number of permit spaces, establishments with permit spaces, and permit space entrants.

The following hourly wage rates for the relevant occupational categories have been derived from the National Compensation Survey (NCS), published by the Bureau of Labor Statistics.⁶ These wages have been adjusted to reflect the fact that fringe benefits comprise roughly 29.3 percent of total employee compensation in the private sector.⁷ The costs of labor used in this analysis are; therefore, estimates of total hourly compensation. These hourly wages are:

- Professional and/or Manager: \$47.65⁸
- Secretary: \$20.55⁹
- Non-supervisory laborer: \$28.21¹⁰

**(A) Preparation of a "Danger--Permit Required Confined Space" Sign
(§ 1910.146(c)(2))**

OSHA estimates that approximately 4,723,155 permit spaces are entered annually, half of which (2,361,578) are susceptible to inadvertent entry and, therefore, must be marked by a warning sign. Signs are expected to last five years (averaged out to an annual rate of 20 percent).

The language for the required warning sign is provided by the Standard (i.e., “Danger–Permit-Required Confined Space. Do Not Enter”). Therefore, in accordance with Section 1320.3(c)(2) of the Paperwork Reduction Act of 1995 (PRA-95), this requirement does not fall within the definition of a collection of information. However, OSHA allows the employer to use “similar” language on the warning sign if desired. The Agency believes an employer would only rarely opt for the similar language; therefore, for purposes of this supporting statement, OSHA estimates that 2 percent of the susceptible spaces will include a warning sign with language other than that provided by OSHA. OSHA estimates that it takes five minutes (.08 hour) for a laborer to make up the language for these signs.

$$\text{Burden hours: } 2,361,578 \text{ spaces} \times .02 \times .20 \times .08 \text{ hour} = 756 \text{ hours}$$

permit-confined space entrants.

⁶Source: Bureau of Labor Statistics, National Compensation Survey: Occupational Wages in the United States, June 2005 Supplementary Tables. Published July 2006. Supplementary Table 1.1: United States, selected occupations: Mean hourly earnings and percentiles, all workers, National Compensation Survey, June 2005.

⁷Source: Bureau of Labor Statistics. Employer Costs for Employee Compensation – December 2007. March 12, 2008.

⁸Executive, administrative and managerial

⁹Administrative support, including clerical

¹⁰Precision, production, craft and repair

Cost: 756 hours × \$28.21 = \$21,327

(B) Preparation of a written permit-space entry program (§§ 1910.146(c)(4) and 1910.146(d))

Employers whose employees enter permit spaces are required to develop, implement, and use an entry permit system that includes written procedures describing how permits are to be issued at the establishment. OSHA estimates that there are 219,456 establishments, with 4,723,155 permit spaces, subject to these provisions. The RIA states that an employer without a written program can expect to spend a minimum of 16 hours developing a written program. Since the Standard has been in effect for a number of years, OSHA believes that existing establishments have already prepared and implemented their permit-space entry program. The Agency has no definitive number of new establishments that will be required to develop a written program; therefore, the Agency is using an estimate of 5 percent of the total number of establishments (10,973) to account for new establishments that must prepare a written permit space entry program. For purposes of this paperwork package, OSHA is assuming that all “new” establishments have no written program.

Burden hours: 10,973 new establishments × 16 hours = 175,568 hours
Cost: 175,568 hours × \$47.65 = \$8,365,815

(C) Documentation of determinations and supporting data required for entries using the alternative procedures (§ 1910.146(c)(5)(i)(E))

The Agency estimates that approximately 2,632,500 million permit spaces will be entered each year under the alternative procedures allowed in paragraph (c)(5) of the Standard.¹¹ A documentation of the determinations and supporting data (required by paragraphs (c)(5)(i)(A), (c)(5)(i)(B), and (c)(5)(i)(C)) for each entry under the alternative procedures must be maintained by the employer and disclosed to each employee who enters a permit space. OSHA believes that the process takes 15 minutes (.25 hour); accordingly, the Agency estimates that the total annual burden hours and cost of documenting determinations and supporting data required for entries using the alternative procedures is:

Burden hours: 2,632,500 permit spaces to be entered annually using the alternative procedures × .25 hour required to complete documentation = 658,125 hours
Cost: 658,125 hours × \$28.21 = \$18,565,706

(D) Written certification for the alternative procedures (§ 1910.146(c)(5)(ii)(H))

¹¹The previous ICR estimated that there were 2.7 million permit spaces entered each year under the alternative procedures discussed in this section. Given that the total number of permit spaces has declined by 2.5 percent, it was assumed that the number of permit spaces discussed in this section have declined by 2.5 percent as well.

OSHA believes that approximately 2,632,500 permit spaces will be entered each year under the abbreviated permit system. A written certificate must be prepared in accordance with paragraph (c)(5)(ii)(H) of the Standard for each of these entries. OSHA estimates that it will take three minutes (.05 hour) to generate and maintain the written certification (one-year retention).

Burden hours: 2,632,500 permit spaces \times .05 hour to generate and maintain the written certificate = 131,625 hours
Cost: 131,625 hours \times \$28.21 = \$3,713,141

(E) Written certification that all hazards have been eliminated (reclassification of a permit space) (§ 1910.146(c)(7)(iii))

The Agency estimates that approximately 195,000 permit spaces will be reclassified each year under paragraph (c)(7) of the Standard.¹² A certificate must be prepared in accordance with paragraph (c)(7)(iii) for each of these entries. OSHA estimates that it takes 3 minutes (.05 hour) to generate and maintain the certification.

Burden hours: 195,000 permit spaces to be entered annually under the reclassification \times .05 hour to generate and maintain (one year retention) = 9,750 hours
Cost: 9,750 hours \times \$28.21 = \$275,048

(F) Written entry permits (§ 1910.146(e))

OSHA estimates that approximately 1,852,500 permit spaces will be entered each year under the full permit system.¹³ A complete written permit, prepared in accordance with paragraph (f) of the standard, must be generated for each of these entries, made available to authorized entrants by posting it, and retained for one year. Employers must note any problems encountered during an entry operation on the permit so that appropriate revisions to the permit space program can be made. The Agency estimates it takes an average of 15 minutes (.25 hour) for a non-supervisory employee to generate, post, and maintain each entry.

Burden hours: 1,852,500 permit spaces \times .25 hour = 463,125 hours
Cost: 463,125 hours \times \$28.21 = \$13,064,756

(G) Certification of training (§ 1910.146(g)(4))

A certification record of training must be maintained for all existing employees. Accordingly, OSHA estimates that there are approximately 1,567,395 employees who enter permit spaces annually. OSHA believes that each year 10 percent of these employees (156,740) are considered

¹²The previous ICR estimated that there were 200,000 permit spaces covered under this paragraph. As discussed above, the Agency assumes that the number of permit spaces discussed in this section decreased by 2.5 percent.

¹³The previous ICR estimated that there were 1.9 million permit spaces covered under this paragraph. As discussed above, the Agency assumes that the number of permit spaces discussed in this section decreased by 2.5 percent.

new employees or are assigned new duties that will require that they receive new training. A new record of training must be generated and maintained for these employees.

OSHA believes it takes one minute (.02 hour) for a secretary to maintain the training certification for each existing employees), and three minutes (.05 hour) to generate and maintain the training certification for new or retrained employees. Thus, the burden hours for this provision are:

Burden hours: $(1,567,395 - 156,740) = 1,410,655$ existing employees \times .02 hour to maintain record = 28,213 hours

Cost: $28,213 \text{ hours} \times \$20.55 = \$579,777$

Burden hours: $156,740$ new/retrained employees \times .05 hour to generate and maintain record = 7,837 hours

Cost: $7,837 \text{ hours} \times \$20.55 = \$161,050$

(H) Disclosure of written certifications and training certification records (§ 1910.146 (c)(5)(ii)(H), (c)(7)(iii) and (g)(4))

OSHA believes that approximately 3,072 establishments covered by the Standard may be subject to an OSHA inspection, and that the employer may be required to disclose certification records annually (see Item 14 below).¹⁴ OSHA estimates that it will take a manager 2 minutes (.03 hour) to disclose all records.

Burden hours: $3,072$ establishments inspected \times .03 hour to disclose records = 92 hours

Cost: $92 \text{ hours} \times \$47.65 = \$4,384$

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 services 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**

¹⁴The Agency 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 regulated under the Standard by this percentage (i.e., $219,456 \text{ establishments} \times 1.4\% = 3,072 \text{ establishment inspected per year}$).

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), 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 into a single table.

OSHA estimates that a compliance officer (GS-12, step 5), with an hourly wage rate of \$37.89, 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 3,072 establishments that operate permit-required confined spaces regulated by the Standard during each year covered by this ICR (see (H) under item number 12). 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:

$$\text{Cost: } 3,072 \text{ inspections} \times .08 \text{ hour} \times \$37.89 = \$9,312$$

15. Explain the reasons for any program changes or adjustments.

OSHA is proposing to decrease the existing burden hour estimate for the collection of information requirements specified by the Standard from 1,523,763 hours to 1,475,091 hours, a total adjustment decrease of 48,672 hours. The decrease was due to a reduction, based on updated data, of the number of permit spaces, the number of establishments with permit spaces, and the number of permit space entrants (see Table A). Table B explains the proposed adjustment decrease in more detail.

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 in ROCIS.

OSHA is not seeking an exception to the certification statement in ROCIS

Table A: Profile of Affected Establishments and Employeesⁱ

Industry	SIC (1992)	NAICS (2002)	Total # of Establishments ⁱⁱ	# of Establishments with Permit Spaces ⁱⁱⁱ	# of Permit Spaces ^{iv}	Number of Permit Space Entrants ^v
Agricultural Services	07	115	10,639	5,936	43,333	25,554
Oil & Gas Extraction	13	211	7,390	3,643	4,372	4,007
Food and Kindred Products	20	311	25,785	12,686	176,335	123,054
Tobacco Products	21	3122	140	85	952	2,474
Textile Mill Products	22	314 313	3,411 6,891	2,606	29,708	48,732
Wood Products (except furniture)	24	321	16,707	4,795	18,221	50,121
Furniture and Fixtures	25	337	21,563	9,725	48,625	65,158
Paper Products	26	322	5,273	3,612	78,380	37,926
Printing and Publishing	27	323	34,385	24	106	48
Chemicals & Allied Products	28	325	13,220	8,924	188,296	79,424
Petroleum Refining	29	324	2,362	1,828	104,196	17,366
Rubber Products	30	326	14,707	5,839	133,713	133,129
Leather and Leather Products	31	316	1,414	105	357	735
Stone, Clay, Glass & Concrete	32	327	16,908	12,782	173,835	115,038
Primary Metals Industry	33	331	5,362	2,300	29,210	46,690
Fabricated Metal Products	34	332	59,053	13,700	143,850	54,800

Industry	SIC (1992)	NAICS (2002)	Total # of Establishments ⁱⁱ	# of Establishments with Permit Spaces ⁱⁱⁱ	# of Permit Spaces ^{iv}	Number of Permit Space Entrants ^v
Machinery, Except Electrical	35	333	26,723	2,138	17,104	57,726
Electric/Electronic Equipment	36	334 (50%)	7,371	5,307	142,228	89,158
		335	6,201			
Transportation Equipment	37	336	12,694	3,719	1,223,179	35,702
Instruments & Related Products	386	325992	386	47	663	376
		333315	276			
Miscellaneous Manufacturing	391	33991	2,807	828	29,228	5,382
	394	33992 33993	2,052 811			
Motor Freight Transportation	42	484	117,224	15,356	211,913	42,997
Electric, Gas, Sanitary Services	49	22	17,326	24,586	1,362,064	228,650
Wholesale Trade – Durable	50	423	245,898	1,967	2,833	2,360
Wholesale Trade – Nondurable	515	4245	6,754	23,457	260,373	124,322
	516	4246	12,569			
	517	4247	7,302			
	5198	424950	2,192			
Food Stores	54	445	153,335	8,587	8,587	8,587
Miscellaneous Retail	5983	454311	4,481	6,929	27,023	10,394

Industry	SIC (1992)	NAICS (2002)	Total # of Establishments ⁱⁱ	# of Establishments with Permit Spaces ⁱⁱⁱ	# of Permit Spaces ^{iv}	Number of Permit Space Entrants ^v
		(76%)				
	5984	454312 (82%)	5,861			
Real Estate (Commercial)	65	531	302,453	17,845	58,886	16,239
Hotels/Other Lodging	701	7211	52,933	6,458	98,162	101,391
Personal Service	721	8123	43,001	3,321	22,915	6,642
		561740	8,887			
Miscellaneous Repair Services	76	8112	13,411	685	733	685
		8113	24,724			
		8114	24,175			

Industry	SIC (1992)	NAICS (2002)	Total # of Establishments ⁱⁱ	# of Establishments with Permit Spaces ⁱⁱⁱ	# of Permit Spaces ^{iv}	Number of Permit Space Entrants ^v
Motion Pictures	7812	512110	12,419	12	36	72
Health Services	806	622	7,081	9,366	81,391	30,908
	807	6215 339116	11,856 7,225			
Museums, Botanical Gardens, Zoos	84	712	6,980	258	2,348	1,548
Totals			1,392,618	219,456	4,723,155	1,567,395

ⁱSource: U.S. Department of Labor, Occupational Safety and Health Administration, Office of Regulatory Analysis. *Final Regulatory Impact Analysis and Regulatory Flexibility Analysis of the Final Permit-Required Space Standard (§1910.146, Subpart J)*. Table I-1: Profile of Affected Establishments and Employees. December 1992. Supplemented where possible by information derived from: CONSAD Research Corporation. *Development of Industry Profile Data for OSHA's Draft Proposed Standard for Permit Entry Confined Spaces*. May 20, 1988.

ⁱⁱSource: 2005 County Business Patterns Survey. This value represents the total number of establishments in the indicated NAICS code.

ⁱⁱⁱValues in this column were calculated using the ratio of the number of establishments with permit spaces (in Table I-1) to total firms in the specified SIC according to the 1992 Economic Census. This ratio was then applied to the total number of establishments listed in the preceding column.

^{iv}Values in this column were calculated using the ratio of permit spaces to establishments with permit spaces as described in Table I-1. This ratio was then applied to the updated number of establishments with permit spaces listed in the preceding column.

^vValues in this column were calculated using the ratio of permit space entrants to establishments with permit spaces as described in Table I-1. This ratio was then applied to the updated number of establishments with permit spaces.

Table B
Proposed Burden Hours

Information Collection Requirement	Current Burden Hours	Proposed Burden Hours	Adjustment (Hours)	Cost Under Item 12	Responses	Explanation of Adjustment
(A) Preparation of a "Danger--Permit Required Confined Space" Sign (§ 1910.146(c)(2))	775	756	-19	\$21,327	9,446	Based on updated data, there was a reduction in the number of permit spaces (from 9,690 to 9,446) which may need to have a sign prepared warning that the space is unsafe for entry.
(B) Preparation of a written permit-space entry program (§§ 1910.146(c)(4) and 1910.146(d))	191,088	175,568	-15,520	\$8,365,815	10,973	Based on updated data, there was a reduction in the number of new establishments (from 11,943 to 10,973) that need to prepare a written permit entry program.
(C) Documentation of determinations and supporting data required for entries using alternative procedures (§ 1910.146(c)(5)(i)(E))	675,000	658,125	-16,875	\$18,565,706	2,632,500	Based upon updated data, there was a reduction in the number of new establishments (from 11,943 to 10,973) that need to prepare documentation for spaces being entered using alternative procedures.
(D) Written certification for alternative procedures (§ 1910.146(c)(5)(ii)(H))	135,000	131,625	-3,375	\$3,713,141	2,632,500	Based upon updated data, there was a reduction in the number of permit spaces being entered under the abbreviated permit system (from 2,700,000 to 2,632,500) that need to prepare written documentation.

Information Collection Requirement	Current Burden Hours	Proposed Burden Hours	Adjustment (Hours)	Cost Under Item 12	Responses	Explanation of Adjustment
(E) Written certification that all hazards have been eliminated (reclassification of a permit space) (§ 1910.146(c)(7)(iii))	10,000	9,750	-250	\$275,048	195,000	Based upon updated data, there was a reduction in the number of permit spaces which will be reclassified each year (from 200,000 to 195,000).
(F) Written entry permits (§ 1910.146(e))	475,000	463,125	-11,875	\$13,064,756	1,852,500	Based upon updated data, there was a reduction in the number of permit spaces being entered which will require a complete written permit generated and posted (from 1,900,000 to 1,852,500).
(G) Certification of training (§ 1910.146(g)(4))	28,800	28,213	-587	\$579,777	1,410,655	Based upon updated data, there was a slight decrease in the number of permit space entrants (from 1,600,000 to 1,567,395). The Agency estimates that 10 percent of these employees (156,740) will be considered “new” or are assigned to duties that will require new training. A training certification record will have to be generated and maintained for these employees. The employer will need only to maintain the training record for the remaining “existing” (1,410,655) employees.
	8,000	7,837	-163	\$161,050	156,740	

Information Collection Requirement	Current Burden Hours	Proposed Burden Hours	Adjustment (Hours)	Cost Under Item 12	Responses	Explanation of Adjustment
(H) Disclosure of written certifications and training certification records (§§ 1910.146 (c)(5)(ii)(H), (c)(7)(iii) and (g)(4))	100	92	-8	\$4,384	3,072	The disclosure burden assumes that a specific percentage (1.4%) of the 219,456 establishments (3,052) covered by the Standard will be subject to an OSHA inspection, and that a manager will disclose the documents to an OSHA compliance officer during the inspection.
TOTALS	1,523,763	1,475,091	-48,672	\$44,751,004	8,903,386	

ⁱ Source: U.S. Department of Labor, Occupational Safety and Health Administration, Office of Regulatory Analysis. *Final Regulatory Impact Analysis and Regulatory Flexibility Analysis of the Final Permit-Required Space Standard (§1910.146, Subpart J)*. Table I-1: Profile of Affected Establishments and Employees. December 1992. Supplemented where possible by information derived from: CONSAD Research Corporation. *Development of Industry Profile Data for OSHA's Draft Proposed Standard for Permit Entry Confined Spaces*. May 20, 1988.

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ⁱⁱⁱ Values in this column were calculated using the ratio of the number of establishments with permit spaces (in Table I-1) to total firms in the specified SIC according to the 1992 Economic Census. This ratio was then applied to the total number of establishments listed in the preceding column.

^{iv} Values in this column were calculated using the ratio of permit spaces to establishments with permit spaces as described in Table I-1. This ratio was then applied to the updated number of establishments with permit spaces listed in the preceding column.

^v Values in this column were calculated using the ratio of permit space entrants to establishments with permit spaces as described in Table I-1. This ratio was then applied to the updated number of establishments with permit spaces.