

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS ON
RECORDKEEPING AND REPORTING OF
OCCUPATIONAL INJURIES AND ILLNESSES (29 CFR 1904)
OFFICE OF MANAGEMENT AND BUDGET (OMB)
CONTROL NO. 1218-0176 (June 2011)**

A. 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.

Section 24(a) of the Occupational Safety and Health Act of 1970 (OSH Act; 29 U.S.C. 673) states, “The Secretary. . . shall develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics,” and “the Secretary may promote, encourage, or directly engage in programs of studies, information and communication concerning occupational safety and health statistics.” Section 8(c)(2) of the OSH Act also prescribes that “[t]he Secretary shall prescribe regulations requiring employers to maintain accurate records of and to make periodic reports on, work-related deaths, injuries and illnesses”

OSHA promulgates several recordkeeping forms under 29 CFR 1904; these forms consist of OSHA Form 300 (Log of Work-Related Injuries and Illnesses); OSHA Form 300A (Summary of Work-Related Injuries and Illnesses); and OSHA Form 301 (Injury and Illness Incident Report). The use of the recordkeeping forms by employers ensures the uniformity of the safety and health data used by OSHA and the Bureau of Labor Statistics (BLS).

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 OSHA forms and the provisions of 29 CFR 1904 provide employers with the means and specific instructions needed to maintain records of work-related injuries and illnesses. Response to this collection of information is mandatory for employers covered by the regulations, as specified in 29 CFR 1904, subpart B. Approximately 800,000 employers with 1,665,374 establishments must regularly maintain the forms.

Employers required to keep the occupational injury and illness records pursuant to 29 CFR 1904 must maintain the records at each establishment, and comply with the annual certification and posting requirements of 29 CFR 1904.32. These employers also must comply with the requirements of 29 CFR 1904.35, which provide access to records for employees, former employees, and employee representatives. In addition, these employers must comply with the reporting requirements of 29 CFR 1904 Subpart E, which provides for reporting fatality, injury and illness information to the government. (Note: OMB Control Numbers 1218-0209 and 1220-0045 cover the burden associated with the requirements of §§1904.41 and 1904.42.)

OSHA uses the records maintained pursuant to part 1904 for many purposes. Generally, objective data are necessary to define the type and extent of existing occupational health and safety problems, or lack thereof. Objective data on occupational injuries and illnesses provide a baseline for use in evaluating efforts to solve existing health and safety problems. Accurate worksite data are indispensable for use in outcome-oriented efforts to improve the safety and health of America's workers.

Specifically, the government, employers, employees, and labor organizations are primary users of the records maintained pursuant to part 1904. The records required under this information collection request (OSHA Form 300, OSHA Form 300A, and OSHA Form 301) provide the baseline data for employer response to the OSHA Data Initiative covered under OMB Control Number 1218-0209. OSHA uses the information gathered from part 1904 records during its annual data-collection initiative to target its programmed inspections and outreach efforts, and to comply with the Government Performance and Results Act (GPRA). OSHA also uses information provided in an individual employer's part 1904 records when its compliance officers review the records as a part of an onsite OSHA inspection. The information in the records can focus the inspection on the most hazardous conditions in an employer's workplace. In short, accurate records are necessary for effective and efficient use of OSHA's scarce resources.

In addition to OSHA, others use information generated by the part 1904 records. The Bureau of Labor Statistics (BLS) uses the information collected from these records in its annual statistical survey to produce national statistics on occupational injuries and illnesses. Employers and employees use the records to determine the health and safety record for various establishments. The records provide accurate injury and illness information for each worksite that is indispensable for use by employers, as well as employees, in data-based problem solving and hazard identification to improve worker health and safety at their worksites.

The fatality and hospitalization reporting requirements alert OSHA to the occurrence of an accident that may warrant immediate investigation. These reports are the source information for the Agency's second highest inspection priority after imminent danger.

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.

Paragraph (a) of §1904.39 requires the employer of any employees to report orally (by telephone or in person) a fatality or hospitalization to the OSHA Area Office nearest to the site of the incident, or by using a toll-free telephone number to call OSHA's National Office. OSHA does not believe that reporting by voice-mail, facsimile, or e-mail meets the objectives of this requirement. For example, if an incident occurred late on a Friday evening, and the employer used facsimile to meet the reporting requirements, OSHA would most likely not learn of the incident until the following Monday morning. Telephone-answering machines and e-mail pose similar problems. For this reason, OSHA requires that these reporting obligations be met through direct oral contact with the Area Office or National Office. Accordingly, OSHA can make a timely decision regarding investigation of the incident.

The remaining provisions covered by this information collection request do not require employers to submit the recorded information to the Agency; these provisions only require employers to maintain, in their establishments, the required records. In addition, §1904.41, Annual OSHA Injury and Illness Survey of Ten or More Employers, requires selected employers to participate in OSHA's annual survey; OMB Control Number 1218-0209 covers these §1904.41 requirements.

Employers may maintain the part 1904 records using computers if the computerized forms contain the required information, and are as readable and comprehensible as the part 1904 forms. On its website (www.osha.gov), OSHA makes available to the public the OSHA forms 300, 300A, and 301 as a Microsoft Excel spreadsheet, and in a printable PDF format. See <http://www.osha.gov/recordkeeping/RKforms.html>. The use of this technology, one of which is maintaining the records in a central file, reduces employer burden.

The Agency does not require employers to submit OSHA Form 300 directly to OSHA. Section 1904.40 instructs employers regarding when to provide OSHA records to a government representative. Employers must retain and update the OSHA forms according to §1904.33.

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 A.2 above.

OSHA knows of no similar data that are comparable to the data recorded on the OSHA Form 300. Workers' compensation data are not a viable substitute for the data required by part 1904 because of the variability in state workers' compensation regulations that define which injuries and illnesses are compensable. Furthermore, not every state makes workers' compensation data available to OSHA.

OSHA Form 300 and OSHA Form 301 do not duplicate any existing federal documents. For each recordable occupational injury or illness, as defined by part 1904, subpart C, an employer must complete a line item on OSHA Form 300, and also complete OSHA Form 301. Employers may use other forms, such as insurance forms or state workers' compensation forms in lieu of OSHA Form 301 if the substitute forms (and any supplements to the forms) contain all the information required by OSHA Form 301. OSHA estimates that 60 percent of employers use substitute forms in lieu of OSHA Form 301.

5. If the collection of information impacts small businesses or other small entities, describe the methods used to reduce the burden.

This information collection request does not impose a significant economic impact on a substantial number of small entities. Employers in all sectors of the economy with fewer than 11 employees, and all employers in specified North American Industry Classification System (NAICS) codes, are exempt from OSHA recordkeeping unless pre-notified in writing that they must participate in the BLS Annual Survey of Occupational Injuries and Illnesses, OMB Control No. 1220-0045, or the OSHA Occupational Injury and Illness Data Collection, OMB Control No. 1218-0209. See §§1904.41 and .42. Of the 7.5 million establishments covered by OSHA and the State-plans States, approximately 6 million establishments fall under these exemptions. These exemptions do not apply to the oral reports employers must provide to OSHA on fatalities, hospitalizations, and amputations resulting from work-related incidents. See § 1904.39.

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

Not requiring employers to maintain the records required by part 1904, or requiring that employers maintain the records on less than an annual basis, would hamper severely OSHA's efforts to fulfill the Congressional mandate to assure "safe and healthful working conditions for working men and women." As explained more fully above in the response to Item 2 of this Supporting Statement, a number of entities use the records maintained pursuant to part 1904 for many purposes. The absence of these records, or any change in the system that would result in less frequent generation of these records, would impact adversely many programs. Such action would impair the ability of the government and the private sector to define, using objective data, the types and extent of existing occupational safety and health problems, and to evaluate occupational safety and health programs. Specifically, OSHA and BLS would be unable to continue their respective annual collections of information generated from the part 1904 records. These collections of information are necessary for critical efforts such as OSHA's programmed inspections and for use in complying with the GPRA, and BLS's generation of national occupational injury and illness statistics. OSHA compliance officers would not have the benefit of current part 1904 records for use in conducting onsite inspections effectively and efficiently. In short, such action would cripple OSHA's ability to optimize its scarce resources. Furthermore, employers and employees also would lose up-to-date information needed for data-based problem solving and hazard identification to improve worker health and safety at their worksites.

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 confidentiality to the extent permitted by law.**

While this information collection does not provide an assurance of confidentiality, in some circumstances the information recorded in compliance with part 1904 may be confidential. OSHA considers such information to be confidential, and, as appropriate, follows the procedures set forth in 29 CFR 70.26, which requires OSHA to contact the employer that submitted the information prior to releasing the information under the Freedom of Information Act, 5 U.S.C. 552(b)(4). Additionally, Section 15 of the OSH Act protects the confidentiality of trade secrets. See 29 U.S.C. 664; see also 18 U.S.C. 1905.

Furthermore, §§1904.29(b)(6) through (b)(9) provide for the confidentiality of employees who experience any of six different types of injuries and illnesses, including any illness for which an employee voluntarily requests that the employer not enter his or her name on the log. Employers must code these injury and illness cases, and maintain a separate confidential list of employee names associated with the codes. Also, §1904.29(b)(10) requires that, if an employer voluntarily discloses the forms to entities other than those granted access under §§1904.35 and 1904.40, the employer must remove or hide the employees' names and other identifying information, except as provided under the limited circumstances specified by §§1904.29(b)(10)(i) through (iii). This procedure ensures protection of the employee's privacy.

Employers under §1904.29(b)(3) must enter each recordable injury or illness on the OSHA 300 Log and the 301 Incident Report within seven calendar days of receiving information that a recordable injury or illness occurred. Also, §1904.39(a) requires employers to orally report fatalities, hospitalizations, and amputations to OSHA within 8 hours of occurrence. OSHA's fatality and catastrophe investigations are most effective when employers report accidents immediately following their occurrence. Any delay in receiving these reports can hinder seriously the Agency's efforts to determine the cause of the accident because the accident scene can change significantly in a short period.

Under §1904.33, employers must retain and update the records for five years following the end of the calendar year that the records cover. The five-year retention requirement for OSHA injury and illness records enables employers, employees, and researchers to obtain sufficient data to determine patterns and trends of illnesses and injuries, and, in many cases, to demonstrate the statistical significance of such data. OSHA concluded that the five-year retention period adds little additional cost or administrative burden to employers because employers resolve the vast majority of cases in a short period, with little updating required.

This information collection is consistent with 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.

OSHA will collect comments from the public through a Notice of Proposed Rulemaking published in the *Federal Register* June 22, 2011 (76 FR 36414). OSHA will address all comments collected, including comments pertaining to the estimated burden, in the final rule.

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

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

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

While there is no assurance of confidentiality provided to information recorded on these forms and documents, the 1904 regulations include several provisions to protect the privacy of injured or ill employees. In the vast majority of cases, the employer keeps the records at the workplace and never submits the records to OSHA or other government representatives. While in the possession of the employer, the records are subject to the requirements for access outlined in §§1904.35 and 1904.40. OSHA or other Federal government representatives that obtain the records would disclose them only in accordance with the Freedom of Information Act (FOIA). Exemption 4 of FOIA protects “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.” See 5 U.S.C. 552(b)(4). Exemption 6 of FOIA enables an agency to exempt certain information from disclosure that would be “a clearly unwarranted invasion of personal privacy.” See 5 U.S.C. 552(b)(6).

As discussed in Item 7 of this Supporting Statement, §1904.29 (b)(6) through (b)(9) provide confidentiality for employees who experience six different types of injuries and illnesses, including any illness case that an employee voluntarily requests the employer not to enter his or her name on the log. Employers must code these injury and illness cases, and maintain a separate confidential list of employee names associated with the codes. Also, §1904.29 (b)(10) requires that, if an employer voluntarily discloses the forms to persons other than those granted access under §§1904.35 and 1904.40, the employer must remove or hide the employees’ names and other identifying information, except under the limited circumstances provided by §1904.29(b)(10)(i) through (iii).

Furthermore, the OSHA 300 and 301 forms contain the following statement: “This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.”

These provisions will help protect the employees’ privacy.

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.

Column F of OSHA Form 300 requires the employer to “[d]escribe injury or illness, parts of body affected, and object/substance that directly injured or made person ill.” Asking this question is necessary for OSHA to comply with its statutory mandate. The OSH Act requires the Secretary to “prescribe regulations requiring employers to maintain accurate records of and to make periodic reports on, work-related deaths, injuries, and illnesses” 29 U.S.C. 657. The OSH Act further requires the Secretary to “develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics The Secretary shall compile accurate statistics on work injuries and illnesses . . . ,” and the Secretary may “promote, encourage, or directly engage in programs of studies, information and communication concerning occupational safety and health statistics.” 29 U.S.C. 673. In collecting this information, the government is seeking information from employers about occupational injuries and illness “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions. . . .”

Further, OSHA believes that the regulation provides protection against “inappropriate” disclosure. The entire log is not disclosable to anybody who wants to see it. The regulation requires disclosure only to people who: (1) by statute, have official government responsibilities related to occupational safety and health, (2) work or worked at the establishment, or (3) represent people who work or worked at the establishment. As discussed above, §1904.29 (b)(6) through (b)(9) provide confidentiality for employees who experience six different types of injuries and illnesses, including any illness case that an employee voluntarily requests the employer not enter his or her name on the log. In addition, if the employer voluntarily discloses the log to persons other than those granted a right of access, the employer must, in most cases, remove or hide the employees’ names and other identifying information.

OSHA's historical practice of allowing employee access to all of the information on the log -- including the description of the injuries and illnesses – informs employees and their designated representatives about the occupational injuries and illnesses recorded in the workplace, as well as the employer's recordkeeping practices.

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 should be included in Item 13.

The recordkeeping burden varies from establishment-to-establishment, depending upon industry, size, expertise, the use of equivalent forms, and computer resources. Another important factor to consider is that an establishment in a high-risk industry, such as meatpacking, may have 200 recordable cases in one year, requiring 200 line entries on the OSHA Form 300 Log, while a company of the same size in a low-risk industry, such as telephone communication carriers, may average 20 recordable cases per year.

Estimates of the total burden of injury and illness recordkeeping are dependent on the number of recordable cases, and vary from year-to-year. OSHA based the case data used to develop the burden estimates in the table below on injury and illness statistics from the 2005 BLS Annual Survey, and extrapolated the establishment data from the 2003 Small Business Administration (SBA) enterprise data, the most recent year these data are available using the Standard Industrial Classification (SIC) system. OSHA applied a growth factor of 1.4% to the SBA data, having calculated this growth rate using County Business Patterns 2005-2008 data.

The Preliminary Economic Analysis (PEA) contained in the Notice of Proposed Rulemaking contains the estimated net changes to the number of establishments and number of cases recorded as a result of the changed industry scope resulting from using NAICS. OSHA applied these net changes to the paperwork burden estimates contained in OSHA's currently approved paperwork package (Control Number 1218-0176). Specifically, the proposed rule using NAICS would require an additional 80,000 establishments to maintain OSHA Forms 300 and 301, and record an additional 97,000 injury and illness cases. Similarly, proposed revisions to §1904.39 would require employers to report an additional 210,000 cases involving hospitalization to the Agency.

OSHA used the following assumptions to develop the burden estimates:

- (A) Time required to complete an entry (other than a needlestick) on OSHA Form 300 (including research in the regulation) ranges from 5 minutes to 30 minutes and averages 14 minutes;
- (B) Time required to record a needlestick on OSHA Form 300 averages 5 minutes;
- (C) Time required to complete an entry on OSHA Form 301 (including research) averages 22 minutes;
- (D) Based on information gathered from 800 recordkeeping audit inspections, OSHA estimates approximately that employers will record about 40 percent of the cases on OSHA Form 301. Many employers will use an equivalent form such as a State workers' compensation form or insurance form;
- (E) A line entry for a "privacy concern case," as defined by §1904.29(b)(7), on a confidential list will average 3 minutes;

(F) Under §1904.32, employers must complete, certify, and post a summary of occupational injuries and illnesses for each establishment. This requirement applies to the 1,665,374 establishments covered by the regulation, regardless of whether the establishment had a recordable case or not. OSHA estimates this requirement will take each employer about 58 minutes to complete, calculated as follows: Completing OSHA Form 300A - 20 minutes; certifying the document - 30 minutes; and posting the summary - 8 minutes;

(G) Under §1904.35, employers must make records available to employees, former employees, and employee representatives upon request. OSHA assumes that employers will take about five minutes to retrieve the relevant form and make it available to the person requesting the record. OSHA estimates that 7% of covered establishments will receive a request for OSHA Form 300. OSHA based this estimate on information obtained during approximately 800 recordkeeping audit inspections. OSHA estimates approximately 10% of injured workers will request access to OSHA Form 301;

(H) Employers may maintain records in a manner different than required by part 1904, but they first must submit petitions for recordkeeping exemptions that contain the specific information outlined in §1904.38. In the 30-year history of this rule, OSHA received one such petition. OSHA does not expect to receive such petition during the period covered by this ICR, and, therefore, took no cost or burden hours for this provision;

(I) Under the proposed rule, employers must report to OSHA an accident that results in the death of the worker or in-patient hospitalization of a worker, or an amputation. OSHA entered an average of 2,028 fatality reports per year in its Integrated Management Information Systems. OSHA estimates that employer will make an additional 210,000 hospitalization reports because of the proposed changes to these reporting requirements. Based on the information required in each report (i.e., employee’s name, establishment name, location of incident, time of the incident, number of fatalities or hospitalized employees, contact person, phone number, and a brief description of the incident), OSHA estimates that each report will take about 15 minutes to complete;

(J) OSHA estimates a turnover rate of 20% among recordkeeping personnel every year. The replacement personnel must learn the basics of the recordkeeping system in an orientation course, which OSHA estimates will take about one hour to administer.

(K) OSHA estimates that the proposed rule will require 199,000 additional establishments to maintain the forms. Accordingly, new personnel must learn the basics of the recordkeeping system in an orientation course, which OSHA estimates will take about one hour to administer. This training would be a one-time cost.

Estimated Burden Hours

Actions entailing paperwork burden	Number of cases	Unit hours per case	Total burden hours
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1904.4 - Complete OSHA 301 (Includes research of instructions and case details to complete the form)*	1,219,312	0.367	447,488
1904.4 - Line entry on OSHA Form 300 other than needlesticks (Includes research of instructions and case details to complete the form)**	2,710,635	0.233	631,578
1904.8 - Line entry on OSHA Form 300 for needlesticks (Includes research of instructions and case details to complete the form)***	337,645	0.083	28,025
1904.29(b)(6) - Entry on privacy concern case confidential list	350,800	0.05	17,540
1904.32 - Complete, certify and post OSHA Form 300A (Includes research of instructions)	1,665,374	0.967	1,610,417
1904.35 - Employee Access to the OSHA Form 300	116,576	0.083	9,676
1904.35 - Employee Access to the OSHA Form 301	304,828	0.083	25,301
1904.38 - Request for variance	0	0	0
1904.39 - Report fatalities/catastrophes	212,028	0.25	53,007
Learning Basics of the Recordkeeping System - new establishments	199,000	1	199,000
Learning Basics of the Recordkeeping System - turnover of personnel	333,075	1	333,075
Total Burden Hours			3,355,105

*Estimate based on 40% of cases recorded on OSHA Form 300.

**Estimates of recordable cases from the 2005 Annual Survey of Occupational Injuries and Illnesses.

***Guang X. Chen, and E. Lynn Jenkins, 2007. Potential Work-Related Bloodborne Pathogen Exposures by Industry and Occupation in the United States Part 1: An Emergency Department Based Surveillance Study, *AM. J. Ind. Med.* 50: 183-190; Wiley-Less, Inc.

OSHA expects the following two job categories to be responsible for the injury and illness recordkeeping requirements specified by this ICR: Safety Specialist – responsible for day-to-day recordkeeping duties; and Industrial Production Manager – responsible for certification of the Annual Summary. The estimated average hourly rate (including benefits) for these job categories are: Human Resources Specialist (OES code 13-1079): \$40.04; and Industrial Production Manager (OES code 11-3051): \$59.88 (BLS OES, 2009).

Occupation	Time (hours)	Rate	Total
Human Resource Specialist	2,522,418	\$40.04	\$100,997,617
Industrial Production Manager	832687	\$59.88	\$49,861,298
Total			\$150,858,914

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.)

All of the costs to the regulated community are included in Item 12.

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 \$37.37¹ spends 10 minutes (.17 hour) during an inspection reviewing the forms. The Agency estimated that its compliance officers will conduct approximately 20,000 inspections during each year covered by this ICR. OSHA considers other expenses, such as equipment, overhead, and support staff salaries to be normal operating expenses that would occur without the paperwork requirements. Therefore, the total annual cost of to review the recordkeeping requirements to the Federal government is:

$$\text{Cost: } 20,000 \text{ inspections} \times .17 \text{ hour} \times \$37.37 = \$127,058$$

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

There would be an increase in burden hours from 2,967,237 to 3,355,105 (a total increase of 387,868 hours) during the initial year of implementation resulting from the industry-coverage changes and hospitalization-reporting requirements contained in the Notice of Proposed Rulemaking. The burden associated with training personnel at newly covered establishments will occur only during the initial year. The increased burden in the outlying years will be 188,868 hours, accounted for totally by the increased hospitalization-reporting requirement.

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 data collected on these forms. OSHA bases any published estimates of occupational injuries and illnesses on the results of the BLS Annual Survey of Occupational Injuries and Illnesses (OMB Control No. 1220-0045).

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.

¹ Source: U.S. Office of Personnel Management, *General Schedule and Locality Tables, Salary Table 2011-RUS*, http://www.opm.gov/oca/11tables/html/RUS_h.asp.

OSHA is seeking approval not to display the expiration date for the OMB approval of this information collection on its forms, although OSHA will publish the expiration date for the forms in the Federal Register. Accordingly, the forms described in this ICR do not change from year to year, nor do they expire. Including an expiration date for the OMB control number on the forms could mislead covered employers into assuming they do not have to comply beyond that date with the 29 CFR 1904 requirements regulating the forms. In addition, because of the large scope of this ICR (1,665,374 respondent establishments), OSHA prints millions of these forms. Therefore, if forms remain in OSHA's inventory that contain an expiration date, OSHA would have to destroy the forms after that date to ensure that the regulated community continues to comply with the requirements of 29 CFR 1904, thereby wasting Agency resources.

18. Explain each exception to the certification statement.

OSHA is not seeking such an exception.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This request does not contain any collection of information requirements that employ statistical methods.