

**SUPPORTING STATEMENT FOR INFORMATION COLLECTION
REQUIREMENTS FOR THE STANDARD ON
OCCUPATIONAL EXPOSURE TO NOISE (29 CFR 1910.95)^{1, 2}
(Office of Management and Budget)
(OMB) Control No. 1218-0048
(November 2013)**

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.

The Occupational Safety and Health Act's (OSH Act) main objective is to ". . . assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources" (29 U.S.C. 651). To achieve this objective, the OSH Act specifically authorizes "the development and promulgation of occupational safety and health standards" (29 U.S.C. 651).

For toxic substances, the OSH Act contains specific statutory language. Thus, as appropriate, health standards must include provisions for monitoring and measuring worker exposure, medical examinations and other tests, control and technological procedures, suitable protective equipment, labels and other appropriate forms of warning, and precautions for safe use or exposure (29 U.S.C. 655 and 657). In addition, the OSH Act mandates "regulations requiring employers to maintain accurate records of worker exposure to potentially toxic materials or other harmful physical agents which are required to be monitored and measured," and further requires that employers notify workers exposed to concentrations over specific limits of these exposures, and of the corrective action they are taking (29 U.S.C. 657).

In 1972, pursuant to its statutory authority under Section 6(a) of the OSH Act, OSHA adopted a standard regulating occupational exposure to noise at 29 CFR 1910.95 (the Standard). This Standard had no paperwork requirements. On March 8, 1983, the Hearing Conservation Amendment was added to the existing Noise standard. The Hearing Conservation Amendment contained paperwork and information disclosure requirements subject to the Office of Management and Budget (OMB) review under the Paperwork Reduction Act.

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, and does not provide information or guidance on how to comply with or to enforce the Standard.

²The Construction and Shipyard Employment standards (29 CFR 1926.52 and 29 CFR 1915.95, respectively) incorporate 29 CFR 1910.95 by reference.

The Noise standard, as amended in 1983, requires employers to: monitor worker exposure to noise when it is likely that such exposures may equal or exceed 85 decibels measured on the A scale (dBA) on an 8-hour time-weighted average (TWA) (action level); to take action to reduce noise exposures to the 90 dBA permissible exposure limit (PEL); and to provide an effective hearing conservation program (HCP) for all workers exposed to noise at a level greater than, or equal to, a TWA of 85 dBA. The HCP contains: annual audiometric testing for workers; a provision for providing hearing protection devices to exposed workers; education and training of exposed workers; and maintenance of records pertaining to noise exposure-monitoring and audiometric testing. Items 2 and 12 below describe 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 following are the collection of information requirements as stated in the Standard, followed by discussions indicating how, by whom, and for what purpose the information is used.

A. Monitoring (§1910.95(d))

Monitoring (§1910.95(d)(1)) - When information indicates that any worker's exposure may equal or exceed an 8-hour time-weighted average of 85 decibels, the employer shall develop and implement a monitoring program.

§1910.95(d)(1)(ii) - Where circumstances such as high worker mobility, significant variations in sound level, or a significant component of impulse noise make area monitoring generally inappropriate, the employer shall use representative personal sampling to comply with the monitoring requirements of this paragraph unless the employer can show that area sampling produces equivalent results.

§1910.95(d)(2)(i) - All continuous, intermittent and impulsive sound levels from 80 decibels to 130 decibels shall be integrated into the noise measurements.

§1910.95(d)(2)(ii) - Instruments used to measure employee noise exposure shall be calibrated to ensure measurement accuracy.

§1910.95(d)(3) - Monitoring shall be repeated whenever a change in production, process, equipment or controls increases noise exposures to the extent that:

§1910.95(d)(3)(i) - Additional employees may be exposed at or above the action level; or

§1910.95(d)(3)(ii) - The attenuation provided by hearing protectors being used by employees may be rendered inadequate to meet the requirements of paragraph (j) of this section.

Purpose: Noise monitoring in the workplace is necessary for the following reasons: (1) to identify workers for whom hearing protection is mandatory; (2) to determine the amount of attenuation that hearing protectors need to provide; and, (3) to familiarize both employers and workers with the degree of noise hazard.

B. Employee Notification (§1910.95(e))

The employer shall notify each worker exposed at or above an 8-hour (TWA) of 85 decibels of the results of the monitoring.

Purpose: Consistent with section 8(c)(3) of the OSH Act, every worker has the right to know what their exposure level is and whether it is above or below the AL. Moreover, since the PEL is one that also considers feasibility and, therefore, is not necessarily a “safe” level, it is necessary for workers to know the level of noise exposure to which they were exposed. Additionally, when exposures are above the PEL, the employer must take action to reduce noise exposure to the PEL and provide an effective hearing conservation program for all workers exposed to noise at a level greater than, or equal to, the TWA of 85 dBA. This requirement is necessary to assure workers that the employer is making every effort to furnish them with a safe and healthful work environment as required by section 8(c)(3) of the OSH Act.

C. Audiometric testing program (§1910.95(g))

§1910.95(g)(1) - The employer shall establish and maintain an audiometric testing program as provided in this paragraph by making audiometric testing available to all workers whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels.

§1910.95(g)(3) - Audiometric tests shall be performed by a licensed or certified audiologist, otolaryngologist, or other physician, or by a technician who is certified by the Council of Accreditation in Occupational Hearing Conservation, or who has satisfactorily demonstrated competence in administering audiometric examinations, obtaining valid audiograms, and properly using, maintaining and checking calibration and proper functioning of the audiometers being used. A technician who operates microprocessor audiometers does not need to be certified. A technician who performs audiometric tests must be responsible to an audiologist, otolaryngologist or physician.

§1910.95(g)(4) - All audiograms obtained pursuant to this section shall meet the requirements of Appendix C: "Audiometric Measuring Instruments."

Baseline audiogram (§1910.95(g)(5))

§1910.95(g)(5)(i) - Within 6 months of an employee's first exposure at or above the action level, the employer shall establish a valid baseline audiogram against which subsequent audiograms can be compared.

§1910.95(g)(5)(ii) - Where mobile test vans are used to meet the audiometric testing obligation, the employer shall obtain a valid baseline audiogram within 1 year of an employee's first exposure at or above the action level. Where baseline audiograms are obtained more than 6 months after the employee's first exposure at or above the action level, employees shall wearing hearing protectors for any period exceeding six months after first exposure until the baseline audiogram is obtained.

§1910.95(g)(5)(iii) - Testing to establish a baseline audiogram shall be preceded by at least 14 hours without exposure to workplace noise. Hearing protectors may be used as a substitute for the requirement that baseline audiograms be preceded by 14 hours without exposure to workplace noise.

§1910.95(g)(5)(iv) - The employer shall notify employees of the need to avoid high levels of non-occupational noise exposure during the 14-hour period immediately preceding the audiometric examination.

Annual audiogram (§1910.95(g)(6)) - At least annually after obtaining the baseline audiogram, the employer shall obtain a new audiogram for each worker exposed at or above an 8-hour time-weighted average of 85 decibels.

Evaluation of audiogram (§1910.95(g)(7))

§1910.95(g)(7)(i) - Each employee's annual audiogram shall be compared to that employee's baseline audiogram to determine if the audiogram is valid and if a standard threshold shift as defined in paragraph (g)(10) of this section has occurred. This comparison may be done by a technician.

§1910.95(g)(7)(ii) - If the annual audiogram shows that an employee has suffered a standard threshold shift, the employer may obtain a retest within 30 days and consider the results of the retest as the annual audiogram.

§1910.95(g)(7)(iii) - The audiologist, otolaryngologist, or physician shall review problem audiograms and shall determine whether there is a need for further evaluation. The employer shall provide to the person performing this evaluation the following information:

§1910.95(g)(7)(iii)(A) - A copy of the requirements for hearing conservation as set forth in paragraphs (c) through (n) of this section;

§1910.95(g)(7)(iii)(B) - The baseline audiogram and most recent audiogram of the employee to be evaluated;

§1910.95(g)(7)(iii)(C) - Measurements of background sound pressure levels in the audiometric test room as required in Appendix D: Audiometric Test Rooms.

§1910.95(g)(7)(iii)(D) - Records of audiometer calibrations required by paragraph (h)(5) of this section.

Purpose: Audiometric testing is an integral part of hearing conservation. Since the hearing loss process tends to occur gradually, a worker often does not realize that he or she is developing a hearing loss until significant hearing damage has occurred. A permanent noise induced threshold shift is irreversible. The baseline audiogram serves as a reference point to which subsequent audiograms can be compared. The annual audiogram detects shifts in hearing level, indicates the need for follow-up procedures, identifies workers who are particularly susceptible to hearing loss, monitors the effectiveness of hearing protectors, and detects medical problems. It is important to identify deterioration of hearing before hearing impairment becomes too debilitating. Thus, baseline and annual tests are necessary to reduce material impairment.

Follow-up procedures (§1910.95(g)(8))

§1910.95(g)(8)(i) - If a comparison of the annual audiogram to the baseline audiogram indicates a standard threshold shift as defined in paragraph (g)(10) of this section has occurred, the employee shall be informed of this fact in writing, within 21 days of the determination.

§1910.95(g)(8)(ii) - Unless a physician determines that the standard threshold shift is not work related or aggravated by occupational noise exposure, the employer shall ensure that the following steps are taken when a standard threshold shift occurs:

§1910.95(g)(8)(ii)(A) - Employees not using hearing protectors shall be fitted with hearing protectors, trained in their use and care, and required to use them.

§1910.95(g)(8)(ii)(B) - Employees already using hearing protectors shall be refitted and retrained in the use of hearing protectors and provided with hearing protectors offering greater attenuation if necessary.

§1910.95(g)(8)(ii)(C) - The employee shall be referred for a clinical audiological evaluation or an otological examination, as appropriate, if additional testing is necessary or if the employer suspects that a medical pathology of the ear is caused or aggravated by the wearing of hearing protectors.

§1910.95(g)(8)(ii)(D) - The employee is informed of the need for an otological examination if a medical pathology of the ear that is unrelated to the use of hearing protectors is suspected.

§1910.95(g)(8)(iii) - If subsequent audiometric testing of an employee whose exposure to noise is less than an 8-hour TWA of 90 decibels indicates that a standard threshold shift is not persistent, the employer:

§1910.95(g)(8)(iii)(A) - Shall inform the employee of the new audiometric interpretation; and

§1910.95(g)(8)(iii)(B) - May discontinue the required use of hearing protectors for that employee.

Purpose: Written notice to a worker who has suffered an STS is a more formal fashion of notification that prevents any misunderstandings or ambiguities.

Informing workers of the need for an otological exam and of new audiometric interpretations provides important information to workers so that they may become involved in their own hearing protection efforts.

D. Training program (§1910.95(k))

§1910.95(k)(1) - The employer shall train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with requirements of this section. The employer shall institute a training program and ensure employee participation in the program.

§1910.95(k)(2) - The training program shall be repeated annually for each employee included in the hearing conservation program. Information provided in the training program shall be updated to be consistent with changes in protective equipment and work processes.

§1910.95(k)(3) - The employer shall ensure that each employee is informed of the following:

§1910.95(k)(3)(i) - The effects of noise on hearing;

§1910.95(k)(3)(ii) - The purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instructions on selection, fitting, use, and care; and

§1910.95(k)(3)(iii) - The purpose of audiometric testing, and an explanation of the test procedures.

NOTE: The Agency has determined that training requirements are not subject to PRA-95 and is; therefore, not taking any burden hours or cost for the above requirements.

E. Access to information and training materials (§1910.95(l))

§1910.95(l)(1) - The employer shall make available to affected employees or their representatives copies of this standard and shall also post a copy in the workplace.

§1910.95(l)(2) - The employer shall provide to affected employees any informational materials pertaining to the standard that are supplied to the employer by the Assistant Secretary.

§1910.95(l)(3) - The employer shall provide, upon request, all materials related to the employer's training and education program pertaining to this standard to the Assistant Secretary and the Director.³

Purpose: Allowing workers to have access to training materials ensures that the employer provided them with the required information and training, thereby assuring that the workers can minimize or eliminate workplace exposure to Noise. The requirement to provide the training materials to OSHA compliance officers ensures that the training materials are correct and meet the requirements of the provision.

F. Recordkeeping (§1910.95(m))

Exposure measurements (§1910.95(m)(1)) - The employer shall maintain an accurate record of all employee exposure measurements required by paragraph (d) of this section.

Audiometric tests (§1910.95(m)(2))

§1910.95(m)(2)(i) - The employer shall retain all employee audiometric test records obtained pursuant to paragraph (g) of this section:

§1910.95(m)(2)(ii) - This record shall include:

§1910.95(m)(2)(ii)(A) - Name and job classification of the employee;

§1910.95(m)(2)(ii)(B) - Date of the audiogram;

§1910.95(m)(2)(ii)(C) - The examiner's name;

§1910.95(m)(2)(ii)(D) - Date of the last acoustic or exhaustive calibration of the audiometer; and

§1910.95(m)(2)(ii)(E) - Employee's most recent noise exposure assessment.

§1910.95(m)(2)(ii)(F) - The employer shall maintain accurate records of the

³“Director” means the Director of the National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health and Human Services, or designee.

measurements of the background sound pressure levels in audiometric test rooms.

Record retention (§1910.95(m)(3)) - The employer shall retain records required in this paragraph (m) for at least the following periods:

§1910.95(m)(3)(i) - Noise exposure measurement records shall be retained for two years.

§1910.95(m)(3)(ii) - Audiometric test records shall be retained for the duration of the affected employee's employment.

Access to records (§1910.95(m)(4))

§1910.95(m)(4)(i) - All records required by this section shall be provided upon request to employees, former employees, representatives designated by the individual employee, and the Assistant Secretary. The provisions of 29 CFR 1910.1020 (a)-(e) and (g) apply to access to records under this section.

Purpose: The OSHA compliance officer uses these records to assess employer compliance with the major requirements of the Standard. Workers and worker representatives use these records to assess worker medical status over the course of employment and to evaluate the effectiveness of the employer's exposure-reduction program.

Transfer of records (§1910.95(m)(5))

If the employer ceases to do business, the employer shall transfer to the successor employer all records required to be maintained by this section, and the successor employer shall retain them for the remainder of the period prescribed in paragraph (m)(3) of this section.

Purpose: Transferring records to successor employers ensures that workers will have access to their historical records and to evaluate the effectiveness of their employer's exposure-reduction program.

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

Employers may use improved information technology when establishing and maintaining the required records. OSHA wrote the paperwork requirements of the Standard in performance-oriented language (i.e., in terms of what data to collect, not how to collect the data).

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

The requirements to collect and maintain information are specific to each employer and worker

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, describe any methods used to minimize burden.

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

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

The information collection frequencies specified by the Standard are the minimum frequencies necessary to ensure that employers and OSHA can effectively monitor noise exposure and the hearing status of workers exposed to noise.

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

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Paragraph §1910.95(g)(8) requires the employer to notify workers in writing within 21 days, from the time of the STS determination is made, that their audiometric test results showed a STS.

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 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.

Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the Federal Register on July 30, 2013, (78 FR 45981) soliciting public comments on its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements contained in the Standard on Occupational Exposure to Noise (29 CFR 1910.95). This notice was a part of a preclearance consultation program that provided interested parties, the general public, and government agencies with an opportunity to comment. The Agency received one comment in response to its notice to the on July 30, 2013, Federal Register notice from Ms. Diane Chimko on issues regarding noise inside a passenger aircraft cabin and how it affects the hearing of flight attendants.

Ms. Chimko did not comment on the information collections contained in the Standard. Rather she suggested that OSHA should conduct a noise study on the inside of a passenger aircraft cabin to determine the impact on flight attendants' hearing. OSHA is not a research Agency. However, if Ms. Chimko believes that occupational noise exposure in the airline cabin is above the permissible noise decibels set by OSHA's Occupational Noise Exposure Standard, 29 CFR 1910.95, she may contact the Nevada's Occupational Safety and Health Administration (Nevada is an OSHA State-Plan State).

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.

To ensure that the personal information contained in medical records required by the Standard remains confidential, the Agency developed 29 CFR 1913.10 ("Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records") to regulate access to these records.

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

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

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

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour 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 activities should not be included here. Instead, this cost should be included in Item 14.**

Summary of Annual Burden

The burden hours are based on the Regulatory Impact Analysis (RIA) of the final revisions to the Occupational Exposure to Noise standard and discussions with OSHA's Office of Regulatory Analysis, as well as other OSHA staff.

OSHA has reduced the number of establishments and workers by 19.6%. The 19.6% reduction reflects that virtually all sectors affected by the Noise Standard are in manufacturing; and, that the number of workers in manufacturing has decreased from 13.3 million in 2009 to 10.7 million today.⁴

The following table provides information on the number and size of facilities and the noise exposure levels to workers.

⁴ U.S. Census Bureau, 2010 County Business Patterns (CB1000A1). (The Agency rounded the percentage decrease, 19.54887%, to 19.6%).

Table 1

Number of Establishments, Workers, and Exposed Levels by Size of Establishment

Number of Workers per Establishment	1-19	20-49	50-99	100-249	250+
Number of Establishments	141,227	32,322	16,097	12,784	7,421
Total Number of Workers	814,661	1,010,258	1,128,240	1,967,887	4,929,178
Number of Workers exposed above 80dBA	471,689	546,478	606,671	1,043,426	2,577,216
Number of Workers exposed above 85 dBA	323,339	357,736	398,887	679,650	1,644,661

Wage Rates

The Agency determined average wage rates using average hourly earnings. For the relevant occupational categories, OSHA adjusted the mean hourly earnings to allow for fringe benefits, which comprise about 30.8% of total compensation in the private sector. With wages comprising 70.3% of worker compensation, the Agency multiplied wages by 1.422 (1/0.703) to derive at total hourly worker compensation. (Source: *Employer Costs of Employee Compensation--December 2012*, Bureau of Labor Statistics, U.S. Department of Labor. Actual wages were taken from the *May 2012 National Occupational Employment and Wage Estimates United States*, Bureau of Labor Statistics, U.S. Department of Labor (“Professional Manager” SOC 53-1021, “Clerk” SOC 43-9601, and “Secretary” SOC 43-6014).

Therefore, the costs of labor used in this analysis are estimates of total hourly compensation. These estimates are:

Professional/Manager	\$65.98
Clerical/Secretary	\$20.76
Chemical technician ⁵	\$28.02
Worker	\$24.36

Burden-Hour and Cost Determinations

The following sections summarize the methodology used for estimating the number of burden hours and costs resulting from the information collection requirements of the Standard.

(A) Noise Level Monitoring (§1910.95(d))

⁵ *Occupational Outlook Handbook, 2012-13 Edition, “Chemical Technician,” SOC Code: 19-4031*, Bureau of Labor Statistics, U.S. Department of Labor,.

The Standard allows employers to use either area or personal noise sampling techniques to identify workers who must be included in the HCP. OSHA assumes one-half of the establishments use area monitoring and the other half use personal monitoring to determine worker noise exposure level.

Area Monitoring

Based on the typical frequency of process and equipment changes in manufacturing, OSHA estimates that each establishment conducts noise exposure-monitoring on average once every four years (.25). The RIA estimated 26% of the establishments employing more than 100 workers, were conducting noise exposure-monitoring as a matter of usual and customary business practice before promulgation of the hearing conservation amendment. Therefore, the number of establishments in size categories “100 to 249 workers” and “250 or more workers” is 26% less than on Table 1. The Agency estimates that a technician, earning \$28.02 an hour, takes 8 hours to conduct monitoring for those firms with less than 250 workers, and 16 hours for those firms with 250 or more workers.

Burden Hours: 209,851

Table 2

Firm Size	Number of Establishments	Half of Establishments conduct Area Monitoring	Frequency (once every 4 years)	Technician Time (hours)	Burden Hours
1-19	141,227	0.5	0.25	8	141,227
20-49	32,322	0.5	0.25	8	32,322
50-99	16,097	0.5	0.25	8	16,097
100-249	12,784	0.5	0.25	8	12,784
250	7,421	0.5	0.25	16	7,421
Totals	209,851				0

Cost: 209,851 hours x \$28.02 = \$5,880,025

Personal Monitoring

OSHA estimates that one-half of all establishments, where workers experience 85 dBA or more of noise exposure, conduct personal monitoring an average of once every 4 years. OSHA assumes employers will conduct representative noise measurements, rather than actual

measurements of each worker. Thus, measurement of the exposure of one worker may be used to represent other similarly exposed workers.

The number of workers that are monitored varies with the nature of the industrial process and the diversity of the work areas and tasks. Based on OSHA’s broad experience with noise surveys in numerous industrial establishments, estimates have been developed of the percentages of workers to be measured to provide representative exposure for each size establishment.

The Agency estimates that a technician takes one hour per measured worker to select representative workers, to make daily dosimeter calibrations, to place and to remove the dosimeter from the individual worker. The total burden for personal monitoring is estimated to be 187,835 burden hours. Assuming a technician with an hourly wage rate of \$28.02, performs this tasks, the total cost is estimated to be \$5,263,137.

Burden hours: 187,835

Table 3

Firm Size	Total Number of Workers exposed to 85 dBA	Half of Establishments conduct Personal Monitoring	Percentage of workers being monitored	Frequency (once every 4 years)	Technician Time (hours)	Burden Hours
1-19	323,339	0.5	1	0.25	1	40,417
20-49	357,736	0.5	0.6	0.25	1	26,830
50-99	398,887	0.5	0.5	0.25	1	24,930
100-249	679,650	0.5	0.4	0.25	1	33,983
250	1,644,661	0.5	0.3	0.25	1	61,675
Totals	3,404,273					187,835

Cost: 187,835 hours x \$28.02 = \$5,263,137

(B) Employee Notification of Exposure (§1910.95(e))

Employers must notify the worker when his or her noise exposure exceeds the 8-hour TWA of 85 dBA. Employers may choose how they inform their workers (i.e., either written or oral notification). Some employers may provide individual written notifications to the worker while others may post the notifications, or orally inform a group of workers. For the purposes of this

clearance, the Agency estimates, on average, a clerical person takes 2 minutes (.03 hour) to inform each affected worker.

Burden hours: 3,404,273 workers x .03 hour = 102,128 hours

Cost: 102,128 hours x \$20.76 = \$2,120,177

(C) Audiometric Testing Program (§1910.95(g))

Employers must establish and maintain an audiometric testing program to provide audiometric testing to all workers whose exposures equal or exceed an 8-hour time weighted average of 85 decibels.

To estimate burden hours and costs for the audiometric testing program, the number of establishments was divided into three categories: small (1-49 workers), medium (50-249 workers) and large (250 or more workers). Every worker required to be included in the hearing conservation program must be tested initially to establish a baseline measurement. Audiometric examinations are provided annually thereafter to determine whether hearing has been affected. See Table 3 above for breakdown.

(1) Small Establishments (1-49 workers)

OSHA estimates that 173,549 small establishments employ 681,075 workers who are exposed above 85 dBA. Small establishments will send one half or 340,538 of their workers to facilities outside the workplace for audiometric examinations.⁶ OSHA estimates a worker takes 1 hour to travel to the testing site, take the audiometric exam and return to the workplace. OSHA assumes the remaining 340,538 will receive audiometric examinations by mobile testing vans. Each examination conducted via mobile testing van is estimated to take 15 minutes (.25 hour).

Burden hours: 340,538 workers tested outside workplace x 1 hour =
340,538 hours

Burden hours: 340,538 workers tested via mobile van x .25 hour =
85,135 hours

Total Burden hours: 425,673 hours

Cost: 425,673 hours x \$24.36 = \$10,369,394

(1) Medium Establishments (50 – 249 workers)

⁶Based on OSHA's stakeholder meetings on Hearing Loss in Construction, discussions with mobile health service providers and Canadian health officials were virtually all workers of small employers receive annual hearing tests from mobile testing vans, OSHA estimates that 50% of small establishments will have their workers hearing tested by a mobile testing van service.

The Agency estimates that the 28,881 medium establishments employ 1,078,537 workers who have noise exposure above 85 dBA that must be tested. OSHA assumes these establishments have mobile testing vans visit their facilities to conduct the audiometric examinations. Each test is estimated to take 15 minutes (.25 hour).

Burden hours: 1,078,537 workers x .25 hour = 269,634 hours
Cost: 269,634 hours x \$24.36 = \$6,568,284

(3) Large Establishments (250 or more workers)

OSHA assumes that 7,421 large establishments have purchased their own audiometric testing equipment and are conducting their own noise monitoring. OSHA estimates that each test takes 15 minutes (.25 hour) of a worker’s time and 15 minutes (.25 hour) of a technician’s time to administer each test, for a total 30 minutes (.5 hour) per examination. Based on the 1983 RIA, OSHA assumed that large establishments provide audiometric tests for 20 percent of workers prior to the Standard; therefore, for those workers receiving audiometric testing, the Agency considers it a normal and customary business practice. The Agency estimates that there are 1,315,729 (1,644,661 x 80%) workers in large establishments exposed above 85 dBA being tested each year.

Burden hours: 1,315,729 examinations x .5 hour = 657,865 hours
Cost: 1,315,729 x .25 hour x \$24.36 (worker) = \$ 8,012,790
 1,315,729 x .25 hour x \$28.02 (technician) = \$ 9,216,682
 Total \$17,229,472

Total Burden Hours and Cost for Audiometric Testing Programs

	BURDEN HOUR	COST
Small Establishments	425,673	10,369,394
Medium Establishments	269,634	6,568,284
Large Establishments	657,865	17,229,472
TOTAL	0	0

Employee Notification of Standard Threshold Shift (STS)

As part of the follow-up procedure, employers must notify each worker, in writing, whose annual audiogram shows that a STS has occurred (as compared with the worker’s baseline audiogram) within 21 days of this interpretation. OSHA assumes that 10 percent of the 3,404,273 audiograms will show an STS has occurred.⁷ A clerk will take, on average, 2 minutes (.03 hour)

⁷The sum of the number of workers receiving audiograms in the following establishment sizes: small 681,075; medium 1,078,537; and large 1,644,661

to prepare each notification, since many employers will use computer generated form notifications.

Burden hours: 3,404,273 audiograms x 10% x .03 hour = 10,213 hours

Cost: 10,213 hours x \$20.76 = \$212,022

Follow-up Procedures (§1910.95(g)(8))

In addition to notifying workers that they have experienced a STS, employers must provide a follow-up referral to an audiologist, otolaryngologist, or physician if the employer suspects that a medical pathology of the ear is caused or aggravated by the use of hearing protectors.

Employers must also notify workers of the need for an otological examination if a medical pathology of the ear that is unrelated to the use of hearing protectors is suspected. These establishments (small, medium, and large) total 3,404,273 workers exposed above 85 dBA. The Agency estimates 5 percent (170,214) of the 3,404,273 workers tested will require a referral, or notification of the need for an otological examinations and that it will require 1 minute (.02 hour)

of a manager's time to provide a copy of the affected worker's record for each referral, or to notify the worker of the otological examination.

Burden hours: 170,214 workers x .02 hour = 3,404 hours

Cost: 3,404 hours x \$65.98 = \$224,596

Evaluation of Audiograms (§1910.95(g)(7))

Employers must provide to the person performing the evaluation of the audiogram the following information: 1) a copy of the requirements for the hearing conservation in paragraphs (c) through (n) of the Standard; 2) the worker's baseline audiogram and most recent audiogram of the worker to be evaluated; 3) measurements of background sound pressure levels in the audiometric test room as required in Appendix D; Audiometric Test Rooms; and 4) records of audiometer calibrations required by paragraph (h)(5) of the Standard.

Items 3 and 4 pertain to the hearing test booth or room where the audiogram will be conducted. Since small and medium employers contract out audiograms, they do not expend time to develop this information. Rather, these employers would incur this in the per unit cost of a worker's audiogram.

OSHA estimates a secretary takes 2 minutes (.03 hour) to provide items 1 and 2 to the contractor for the 1,759,612 affected workers (681,075 workers in small establishments + 1,078,537 workers in medium establishments). OSHA assumes that, in most instances, employers will continue to use the same contractor, and the contractor will already have much of the required information.

Burden hours: 1,759,612 workers x .03 hour = 52,788 hours
Cost: 52,788 hours x \$20.76 = \$1,095,879

For large companies, OSHA assumes the audiogram is performed in-house; therefore, these employers must calibrate the audiometer (paragraph (h)(5)), and generate a record as required by paragraph (g)(7).

OSHA estimates that each of the 7,421 large firms' technicians takes 20 minutes (.33 hour) per year to calibrate their audiometric testing equipment.

Burden hours: 7,421 firms x .33 hour = 2,449 hours
Cost: 2,449 hours x \$28.02 = \$68,621

Total Burden Hours and Cost for Evaluation of Audiograms

Burden hours: 52,788 hours + 2,449 = **55,237 hours**
Cost: \$1,095,879 hours + \$68,621 = **\$1,164,500**

(D) Training program (§1910.95(k))

NOTE:

The training requirements in paragraph (k) are not considered collections of information and; therefore, are not included in burden hours and cost described in Item 12. (See write up under Item 2.)

(E) Access to information and training materials (§1910.95(l))

Employers must make copies of the Standard available in the workplace and post the Standard. Posting the Standard is exempt from the Paperwork Reduction Act of 1995's (PRA-95) definition of a "collection of information" since the Standard can be obtained from OSHA for public disclosure (5 CFR §1320.3(c)(2)). Burden hours and costs for employers to provide access to training materials as well as other records required by the Standard are included below under "Employee Access (§1910.95(m)(4))."

(F) Recordkeeping (§1910.95(m))

(1) Exposure records and retention (§1910.95(m)(1))

Based on data in the Noise Regulatory Impact Analysis, OSHA assumes that a secretary takes 5 minutes (.08 hour) per worker to process exposure measurement records and that this processing will occur once every 4 years.

Burden hours: $3,404,273 \text{ workers} / 4 \times .08 \text{ hour} = 68,085 \text{ hours}$

Cost: $68,085 \text{ hours} \times \$24.36 = \$1,658,551$

(2) Audiometric tests (§1910.95(m)(2))

The employer must maintain and update each worker's audiometric testing record for the duration of the affected worker's employment. OSHA assumes that a secretary will take 1 minute (.02 hour) per worker per year to update and maintain the records for the duration of the workers' employment.

Burden hours: $3,404,273 \times .02 \text{ hour} = 68,085 \text{ hours}$

Cost: $68,085 \text{ hours} \times \$20.76 = \$1,413,445$

(3) Employee access (§1910.95(m)(4))

OSHA estimates that approximately 10% of the 5,245,480 potentially affected workers⁸ will annually request access to their records and that each request will require approximately 1 minute (.02 hour) of clerical time.

Burden hours: $5,245,480 \text{ workers} \times .10 \times .02 \text{ hour} = 10,491 \text{ hours}$

Cost: $10,491 \text{ hours} \times \$20.76 = \$217,793$

(4) Federal records access (§1910.95(m)(4))

On request, employers must provide all records required by the Standard, including audiometric test and worker exposure records to OSHA compliance officers for examination and copying. In addition, in accordance with §1910.1020, employers must provide on request worker noise exposure-monitoring records to affected workers, former workers and designated worker representatives, as well as a worker's audiometric examinations to the worker and to anyone having that worker's specific written consent.

⁸Potentially affected workers are those workers who are exposed above 80 dBA.

The Agency estimates that, among the 209,851 facilities covered by the Standard, its compliance officers make a request for noise-related records during 2,938 facility inspections annually,⁹ and that a professional at the facility will spend 5 minutes (.08 hour) informing an OSHA compliance officer of the location of the requested records during the inspection.

Burden hours: 2,938 inspected facilities x .08 hour = 235 hours

Cost: 235 hours x \$65.98 = \$15,505

(5) Transfer of records (§1910.95(m)(5))

Paragraph (h) of § 1910.1020 requires employers who cease to do business to transfer medical and exposure-monitoring records to the successor employer, who then must receive and maintain the records. If no successor employer is available, the employer must, at least three months before ceasing business, notify current workers who have records of their right to access these records.

OSHA considers the employer's transfer of records to a successor employer to be usual and customary communications during the transition from one employer to a successor employer. In this regard, the employer would communicate the location of all records, including employee exposure-monitoring and medical records, at the facility to the successor employer during the transfer of business operations, as a matter of usual and customary business practice.

In addition, OSHA accounts for the burden hours and costs resulting from the employee notification requirements under the Information Collection Request (ICR) for its Access to Employee Exposure and Medical Records Standard (§1910.1020), OMB Control No. 1218-0065.

⁹OSHA estimated the number of inspections by determining the inspection rate (1.4%) for all facilities under the jurisdiction of the OSH Act (including both Federal OSHA and approved state-plan agencies), and then multiplied the total number of facilities regulated by the Standard by this percentage (i.e., 1.4% x 209,851= 2,938 inspections (rounded)).

Table 4
Summary of Total Burden Hours and Cost Estimates

Information Collection Activity	Current Burden Hours	Requested Burden Hours	Change (Adjustments)	Costs under Item 12	Reason for Change
A. Noise Level Monitoring		0		0	
Area monitoring	261,305	209,851	-51,454	\$5,880,025	There was a reduction in the number of establishments conducting area monitoring (from 254,475 to 209,851).
Personal monitoring	233,626	187,835	-45,791	\$5,263,137	There was a reduction in the number of establishments conducting personal monitoring (from 4,234,170 to 3,404,273).
B. Employee Notification of Exposures	114,752	102,128	-12,624	\$2,120,177	There was a reduction in the number of establishments conducting personal monitoring (from 4,234,170 to 3,404,273).
C. Audiometric Testing Program	1,683,048	1,353,172	-329,876	\$34,167,150	<p>Small establishments – There was a reduction in the number of establishments conducting audiometric testing resulting in fewer workers needing tests (from 847,108 to 173,549).</p> <p>Medium establishments – There was a decrease in the number of medium establishments resulting in fewer workers needing tests (from 1,341,464 to 1,078,537).</p> <p>Large establishments – There was a decrease in the number of medium establishments resulting in fewer workers needing tests from 1,636,478 to</p>

Information Collection Activity	Current Burden Hours	Requested Burden Hours	Change (Adjustments)	Costs under Item 12	Reason for Change
					1,164,489.
Employee Notification of Standard Threshold Shift (STS)	11,475	10,213	1,262	\$212,022	There was a decrease in the number of annual audiograms showing an STS has occurred (from to 382,505 audiograms to 340,473).
Follow-up Procedures	4,234	3,404	-830	\$224,596	There was a reduction in the number of workers exposed above 85 dBA (from 211,708 to 170,214).
Evaluation of Audiograms	68,703	55,237	-13,466	\$1,164,500	Small and medium establishments -- There was a decrease in the number of affected workers (from 2,188,572 to 1,759,612 affected workers). Large establishments -- There was a decrease in the number of affected establishments (from 9,230 to 7,421).
D. Training program	52,927	0	-52,927	\$0	The training requirements in paragraph (k) are not considered collections of information and; therefore, are not included in burden hours and cost described in Item 12.
E. Employee Access to Information and training materials	0	0	0	\$0	No change.
F. Recordkeeping					
Exposure records and retention	84,683	68,085	-16,598	\$1,658,551	Exposure records and retention - There was a reduction in the number of exposure records (from 4,234,170 to 3,404,273). Audiometric Tests – There was a decrease in the number of audiometric

Information Collection Activity	Current Burden Hours	Requested Burden Hours	Change (Adjustments)	Costs under Item 12	Reason for Change
					<p>testing records (from 3,825,050 to 3,404,273).</p> <p>Worker access - There was a decrease in the number of potentially affected workers (from 6,524,229 to 5,245,480).</p> <p>Federal records access – There was a decrease in the number of facilities covered by the Standard (from 261,008 to 209,851).</p>
Audiometric tests	76,501	68,085	-8,416	\$1,413,445	Audiometric tests – There was a decrease in the number of audiometric testing records (from 3,825,050 to 3,404,273).
Employee access	13,048	10,491	-2,557	\$217,793	Worker access - There was a decrease in the number of potentially affected workers (from 6,524,229 to 5,245,480).
Federal records access	292	235	-57	\$15,505	Federal records access - There was a decrease in the number of facilities covered by the Standard (from 261,008 to 209,851).
Federal transfer of records	3	0	-3	\$0	Paragraph (h) of § 1910.1020 requires employers who cease to do business to transfer medical and exposure-monitoring records to the successor employer, who then must receive and maintain the records. If no successor employer is available, the employer must, at least three months before ceasing business, notify current

Information Collection Activity	Current Burden Hours	Requested Burden Hours	Change (Adjustments)	Costs under Item 12	Reason for Change
					<p>workers who have records of their right to access these records.</p> <p>OSHA considers the employer's transfer of records to a successor employer to be usual and customary communications during the transition from one employer to a successor employer. In this regard, the employer would communicate the location of all records, including employee exposure-monitoring and medical records, at the facility to the successor employer during the transfer of business operations, as a matter of usual and customary business practice.</p> <p>In addition, OSHA accounts for the burden hours and costs resulting from the employee notification requirements under the Information Collection Request (ICR) for its Access to Employee Exposure and Medical Records Standard (§1910.1020), OMB Control No. 1218-0065.</p>
TOTALS	2,604,597	0	061	0	

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 may consult with a sample of respondents (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.**

OSHA estimates that the total annual cost to respondents is \$26,296,876 which consists of off-site and on-site audiometric testing for workers.

Small establishments will incur costs when half of their 681,075 workers 340,538 are sent outside the workplace for audiometric exams fees. OSHA estimates that each off-site audiometric examination costs \$30.55¹⁰.

¹⁰OSHA contacted occupational health centers across the country to determine mobile testing service charges.

The remaining half of small establishment workers and all medium establishment workers will be tested in a mobile van. Mobile testing services charge between \$10 and \$15 per worker depending on volume and tests and usually last around 15 minutes (.25 hour).¹¹ Since small establishments have fewer workers to test, they would likely pay the higher rate of \$15 while medium establishments would likely pay a lower price of \$10 per person. Large establishments are assumed to have in house testing equipment and, therefore, the costs are composed of the time of the technician and the worker to take the test. The wage and hour cost are taken under Item 12.

Small Establishment Workers: 340,538 workers x \$30.55 = \$10,403,436

Small Establishment Workers: 340,538 workers x \$15.00 = \$5,108,070

Medium Establishment Workers: 1,078,537 workers x \$10.00 = \$10,785,370

Total Cost: 10,403,436 + 5,108,070 + 10,785,370 = 26,296,876

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.**

Federal access to records

Based on the analysis above under "Federal Records Access" the Agency determined that employers covered by the Standard undergo 2,938 OSHA inspections each year. The Agency estimates that a compliance officer (GS-12/5), with an hourly wage rate of \$37.37¹², spends 5 minutes (.08 hour) during each inspection reviewing records maintained by employers covered by the Standard. Other costs, such as equipment, overhead, and support-staff expenses, would occur without the collection of information requirements, and OSHA considers these costs to be normal operating expenses.

Burden hours: 2,938 inspections x .08 hour = 235 hours

Cost: 235 hours x \$37.37 = \$8,782

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

¹¹OSHA contacted occupational health centers to determine offsite conversations with mobile testing services across the country.

¹²Based on OPM, Salary Table 2013 for the Rest of the United States (RUS), the wage rate for a GS-12/5 Compliance Officer is \$37.37.

OSHA is requesting an adjustment decrease of burden hours associated with the paperwork requirements in the Standard from 2,604,597 hours to 2,068,736 hours (a total decrease of 535,861 hours. Table 4 above describes each of the requested burden hour adjustments.

The Agency is also requesting an adjustment decrease in the cost under Item 13 from \$82,190,075 to \$26,296,876; a total decrease of \$55,893,199. The Agency determined that it had counted the cost of worker travel and the cost of worker time under Item 12 in previous ICRs.

OSHA has reduced the number of establishments and workers by 19.6%. The 19.6% reduction reflects that virtually all sectors affected by the Noise Standard are in manufacturing; and, that the number of workers in manufacturing has decreased from 13.3 million in 2009 to 10.7 million today.¹³

The Agency has determined that training is not subject to PRA-95 and has removed the burden hours and cost associated with it.

- 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 of 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 inappropriate.**

There are no forms on which to display the expiration date.

- 18. Explain each exception to the certification statement.**

OSHA is not seeking an exception to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS.

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

¹³ U.S. Census Bureau, 2010 County Business Patterns (CB1000A1). (The Agency rounded the percentage decrease, 19.54887% to 19.6%).