

**Department of Labor  
Occupational Safety and Health Administration  
Final Supporting Statement**

**SUPPORTING STATEMENT FOR THE  
INFORMATION COLLECTION REQUIREMENTS OF THE  
FIRE PROTECTION IN SHIPYARD EMPLOYMENT STANDARD  
(29 CFR 1915, subpart P)<sup>1</sup>  
(OFFICE OF MANAGEMENT AND BUDGET (OMB))  
CONTROL NO. 1218-0248 (August 2014)**

**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 the statute and regulation mandating or authorizing the collection of information.**

The main objective of the Occupational Safety and Health Act of 1970 (the Act) is “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” (29 U.S.C. 651). To achieve this objective, the Act authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C. 651).

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

With regard to recordkeeping, the Act specifies that “[e]ach employer shall make, keep and preserve, and make available to the Secretary . . . such records . . . as the Secretary . . . may prescribe by regulation as necessary or appropriate for the enforcement of this Act . . .” (29 U.S.C. 657). The Act states further that “[t]he Secretary . . . shall . . . prescribe such rules and regulations as [he/she] may deem necessary to carry out [his/her] responsibilities under this Act, including rules and regulations dealing with the inspection of an employer’s establishment” (29 U.S.C. 657).

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<sup>1</sup> The purpose of this Supporting Statement is to analyze and describe the burden hours and cost associated with provision of this Standard that contain paperwork requirements; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, the Standard.

Therefore, under the authority granted by the Act, the Occupational Safety and Health Administration (“OSHA” or “the Agency”) published at 29 CFR part 1915, a final standard on Fire Protection in Shipyard Employment (69 FR 55667). The final standard (“the Standard”) addresses methods of protecting workers in shipyards from fire hazards. Items 2 and 12 below describe in detail the specific information collection requirements of the Standard.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection**

The Standard specifies a number of collections of information (paperwork) requirements. Each provision is described in detail below. In general, the Standard requires employers to develop a written fire safety plan and written statements or policies that contain information about fire watches and fire response duties and responsibilities. The Standard also requires the employer to obtain medical exams for certain workers and to develop training programs and to train employees exposed to fire hazards. The Standard also requires employers to create and maintain records to certify that employees have been made aware of the details of the fire safety plan and the employees have been trained as required by the Standard.

- **1915.501 – General Provisions.**

Paragraph (d)(1)(i) of this section requires the host employer on multi-employer worksites to inform all employers (contract employers) at the worksite about the content of the host employer’s fire safety plan.

Paragraph (d)(2)(i) of this section requires that contract employers make sure the host employer is aware of fire-related hazards associate with the contract work and how the contract employer will address those hazards. In addition, paragraph (d)(2)(ii) requires the contract employer to identify hazards that arise during the course of work that were not identified as part of the information transfer required by paragraph (d)(2)(i) described above.

- **1915.502 – Fire Safety Plan.**

Paragraph (a) of this section requires the employer to develop a written fire safety program covering the elements listed in paragraph (b), including the following information:

1. The identification of the significant potential fire risk hazard;
2. Procedures for recognizing and reporting unsafe conditions;
3. Alarm procedures;
4. Procedures for notifying employees of a fire emergency;
5. Procedures for notifying fire response organizations of a fire emergency;
6. Procedures for evacuation;
7. Procedures to account for all employees after an evacuation; and

8. Names, job titles, or departments for individuals who can be contacted for further information about the plan.

Paragraph (c) requires the employer to review the fire safety plan with each affected employee at the following times:

1. Within 90 days of the effective date of the standard;
2. Upon initial assignment for new employees; and
3. When there is a change in the plan or a change of the employee's duties.

Paragraph (d) requires that the employer:

1. Keep the fire safety plan accessible to employees, employee representatives, and OSHA;
2. Update the plan when necessary, but not less than annually;
3. Document that each affected employee was informed about the plan; and
4. Ensure that a copy of the plan is given to outside fire response organizations that may respond to fires at the employer's worksite.

- **1915.504 – Fire Watches.**

Paragraph (a) requires the employer to create and keep current a written policy specifying the following information:

1. The training that employees must be given;
2. The duties that employees are to perform;
3. The equipment that employees must be given; and
4. The personal protective equipment (PPE) that employees must be given as required in 29 CFR 1915, subpart I, Personal Protective Equipment.

- **1915.505 – Fire Response.**

Paragraph (a)(2)(i) requires employers to create, maintain, and update a written statement or policy that describes the internal and outside fire response organizations that the employer will use.

Paragraph (a)(2)(ii) requires employers to create, maintain, and update a written policy that defines the evacuation procedures workers must follow, if the employer chooses to require a total or partial evacuation of the worksite at the time of a fire.

Paragraph (b)(1) lists the information to be included in the statement or policy if internal fire response is to be used. The information includes the following:

1. The basic structure of the fire response organization;
2. The number of trained fire response employees;
3. The fire response functions that may need to be carried out;
4. The minimum number of fire response employees necessary, the number and types of apparatus, and a description of the fire suppression operations established by written standard operating procedures for each type of fire response at the employer's facility;
5. The type, amount, and frequency of training that must be given to fire response employees; and
6. The procedures for use of protective clothing and equipment.

Paragraph (b)(2) lists the information to be included in the policy if outside fire response is to be used. The information includes the following:

1. The types of fire suppression incidents to which the fire response organization is expected to respond at the employer's facility or worksite;
2. The liaisons between the employer and the outside fire response organization; and
3. A plan for fire response functions that:
  - a. Address procedures for obtaining assistance from other fire response organizations;
  - b. Familiarizes the outside fire response organization with the layout of the employer's facility or worksite, including access routes to controlled areas, and site-specific operations, occupancies, vessels or vessel sections, and hazards; and
  - c. Sets forth how hose and coupling connection threads are to be made compatible and includes where the adapter couplings are kept; or
  - d. States that the employer will not allow the use of incompatible hose connections.

Paragraph (d)(2) requires the employer set up written administrative regulations, operating procedures, and departmental orders for fire response functions.

Paragraph (b)(3) lists the information to be included in the policy where a combination of internal and outside fire response is to be used. The information includes all the information from paragraphs (b)(1) and (b)(2) as listed above and the following information:

1. The basic organizational structure of the combined fire response;
2. The number of combined trained fire responders;
3. The fire response functions that need to be carried out;
4. The minimum number of fire response employees necessary, the number and types of apparatus, and a description of the fire suppression operations established by written

standard operating procedures for each particular types of fire response at the worksite; and,

5. The type, amount, and frequency of joint training that must be given to fire response employees.

Paragraph (b)(4) prescribes the worker evacuation information that must be included in the employer's written policy required by (a)(2)(ii). That information includes the following:

1. Emergency escape procedures;
2. Procedures to be followed by workers who may remain longer at the worksite to perform critical shipyard employment operations during the evacuation;
3. The procedures to account for all workers after emergency evacuation is completed;
4. The preferred means of reporting fires and other emergencies; and
5. Names or job titles of the workers or departments to be contacted for further information or explanation of duties.

Paragraph (b)(5) prescribes the rescue and emergency response information that must also be included in the employer's written policy. That information includes the following:

1. A description of the emergency rescue procedures; and
2. Names or job titles of the workers who are assigned to perform them.

Paragraph (c)(2) requires that fire response workers who are required to wear respirators meet the medical requirements of the Respiratory Protection Program Standard in 1915.154. The paperwork burden for the respiratory protection requirements have been approved under OMB Control Number 1218-0099.

Paragraph (c)(3) requires annual medical exams for all fire response workers. There is no burden or cost for these medical exams because all workers affected, as a usual and customary practice, are now receiving the medical exams.

Paragraph (c)(4) requires that the medical records of fire response workers be kept as required in 1915.1020. The paperwork burden for access to medical records is approved under OMB Control Number 1218-0065.

Paragraph (d)(3) requires the employer to set up an incident management system (IMS) to coordinate and direct fire response functions, including the following:

1. Specific fire emergency responsibilities;
2. Accountability for all fire response workers participating in an emergency operation; and,
3. Resources offered by outside organizations.

Paragraph (d)(4) requires the employer to provide the information to the outside fire response organization to be used.

- **1915.507 – landside Fire Protection Systems.**

Paragraph (c)(2) requires employers to notify workers and take the necessary precautions to make sure workers are safe from fire if for any reason a fire extinguishing system stops working, until the system is working again.

Paragraph (c)(5) requires the employer to post hazard warning or caution signs at both the entrances to and the inside of areas protected by fixed extinguishing systems that use extinguishing agents in concentrations known to be hazardous to worker safety or health.

- **1915.508 – Training.**

Paragraph (d)(1) requires the employer to have a written training policy stating that fire response workers are to be trained and capable of carrying out their duties and responsibilities at all times.

Paragraph (d)(2) requires the employer to keep written standard operating procedures that address anticipated emergency operations and to update these procedures as necessary. Note that operating procedures are also required in 1915.505(b)(1)(iv).

Paragraph (f) requires that employers keep records that demonstrate that employees have been trained as required by paragraphs (a) through (e). The records must include the following information:

1. Employee's name;
2. The trainer's name;
3. The types of training; and
4. The date(s) on which the training took place.

Paragraph (d)(2) requires the employer to keep each training record for one year from the time it was made or until it is replaced, whichever is shorter, and to make it available for inspection and copying by OSHA personnel on request.

OSHA will use the records developed in response to this Standard to determine compliance with the safety and health provisions of the Standard. The employer's failure to generate and disclose the information required in this Standard will affect significantly OSHA's effort to control and reduce injuries and fatalities related to fires in shipyard employment.

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

Employers may use automated, electronic, mechanical, or other technological information collection techniques, or other forms of information technology (e.g., electronic submission of responses) when establishing and maintaining the required records. The Agency wrote the paperwork requirements of the Standard in performance-oriented language (i.e., in terms of what date to collect, not how to record the data). Advanced data processing programs permit easier accessibility to collected information during OSHA inspections. They also permit the storage of collected information at locations other than the place of inspection if the employer can deliver the data quickly to the place of inspection (i.e., e-mail, telefax, or other electronic data transfer method).

**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.**

The requirements in the Standard for information, plans, and programs closely match those that shipyards already have developed or provide. In some cases, smaller shipyards may not have established these policies in a written document. Since the existing information and programs are, in most cases, sufficient to satisfy the requirements of the standard, employers will not have to duplicate the same information just to satisfy the standard if they already have a program. Only those shipyard employers without programs will have to develop and document new programs and information.

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

The information collection requirements specified by the Standard do not have a significant impact on a substantial number of small entities. The final standard uses performance language whenever possible to provide compliance flexibility to employers and reduce the impact on small businesses. Performance language may require the use of a level of safety and health technical competence not always available to small business employers. To reduce this burden upon small businesses or other small entities, OSHA developed a non-mandatory appendix to this standard to provide useful compliance information and guidance to small businesses and other small entities. Further, many states, through Federal grants, provide consultation programs to assist small businesses in their compliance efforts.

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

The Agency believes that the information collection frequencies required by the Standard are the minimum frequencies necessary to effectively regulate fire hazards in shipyard employment, and thereby, fulfill its mandate “to assure so far as possible every working man and woman in the nation safe and healthful working conditions and to preserve our human resources” as specified in the Act at 29 U.S.C. 651.

**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.**

No special circumstances exist that require employers to collect information using the procedures specified by this item. The requirements are within the guidelines set forth in 5 CFR 1320.5.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection before submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to those comments. Specifically, address comments received on cost and hour burdens.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collecting, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, revealed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years – even if the collection of information activity is the same as in prior periods. There may be circumstances that mitigate against consultation in a specific situation. These circumstances should be explained.**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the Federal Register on May 2, 2014 (79 FR 25153) requesting public comment on its proposed extension of the information collection requirements specified by the Standard on Fire Protection in Shipyard Employment (29 CFR part 1915, subpart P). This



notice is part of a preclearance consultation program intended to provide those interested parties the opportunity to comment on OSHA's request for an extension by the Office of Management and Budget (OMB) of a previous approval of the information collection requirements found in the above Standard. The Agency received one comment in the docket from Ralph Lee, Navajo Nation, asking "[f]or a commercial lot of 999.00 square feet, how many egress exits are required."

There is no requirement contained in 29 CFR 1915, subpart P that addresses the specific number of egress exits for shore facilities. However, in 29 CFR 1910.36(b), the provision states that the number of exit routes must be adequate. Paragraphs (b)(1) through (b)(3) of 29 CFR 1910 further explain the following considerations in determining what is "adequate" for a facility:

1910.36(b)(1) – At least two exit routes must be available in a workplace to permit prompt evacuation of employees and other building occupants during an emergency, except as allowed in paragraph (b)(3) of this section. The exit routes must be located as far away as practical from each other so that if one exit route is blocked by fire or smoke, employees can evacuate using the second exit route.

1910.36(b)(2) – More than two exit routes must be available in a workplace if the number of employees, the size of the building, its occupancy, or the arrangement of the workplace is such that all employees would not be able to evacuate safely during an emergency.

1910.36(b)(3) – A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace is such that all employees would be able to evacuate safely during an emergency.<sup>2</sup>

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

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

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

The paperwork requirements specified by the Standard do not involve confidential information.

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

The provisions in the Standard do not involve collection of sensitive information.

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

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<sup>2</sup> Note to paragraph (b) of this section: For assistance in determining the number of exit routes necessary for your workplace, consult NFPA 101-2009, Life Safety Code, or IFC-2008, International Fire Code (incorporated by reference, see §1910.6).

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage-rate categories.**

### **Burden-Hour and Cost Determinations**

Estimates of the burden hours and annual costs for each information collection requirements are shown below. Data are based upon OSHA’s estimate of the time it would take a worker listed below to perform the required task. The Agency determined average wage rates using average hourly earnings for worker in Ship and Boat Building. The Agency adopted the mean wage rate from *May 2012 National Occupational Employment and Wages*, U.S. Department of Labor, Bureau of Labor Statistics<sup>3</sup> Total compensation for these occupational categories include an adjustment of 30.9 percent (*Employer Cost for Employee Compensation, September 2013*) for fringe benefits. With wages comprising 69.1 percent of worker compensation, the Agency multiplied wages by 1.45 (1/0.691) to derive at a total hourly worker compensation. The costs of labor used in this analysis are estimates of total hourly compensation. These hourly wages are:

Manager (33-1021)	49.63
Worker (47-2000)	30.58
Supervisor (47-1011)	44.08
Fire Trainer (33-2021)	40.02 <sup>4</sup>

### **Estimating the number of shipyard firms and establishments, shipyard employers, and shipyard workers**

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<sup>3</sup> The website is [http://www.bls.gov/oes/current/oes\\_nat.htm#](http://www.bls.gov/oes/current/oes_nat.htm#).

<sup>4</sup> The wage rate for Fire Trainer was derived from the wage rate of a Fire Inspector and Investigator, SOC code 33-2021 and the wage rate for a manager was derived from the wage rate of a First-line manager of a fire fighting and prevention worker, SOC code 33-1021.

Based on revised estimates from the Agency's Office of Regulatory Analysis, OSHA estimates there are 99<sup>5</sup> host employers and 637 total establishments (2011 County Business Patterns (NAICS 336611))<sup>6</sup>. However, for purposes of this ICR, OSHA estimates the number of affected firms/employers at 294 (this estimate is based on the following: (538 small firms x 50% non-compliance = 269) + (74 mid-size firms x 25% non-compliance = 19) + (25 large firms x 25% non-compliance = 6))<sup>7</sup>. The number of affected workers is 27,345 including 2,242 fire response workers<sup>8</sup>. The 2,242 fire response workers are an estimate of the number of workers that may be assigned fire response duties. Note: In preparing this ICR, OSHA has based its burden hour calculation using the number of employers not currently in compliance with the rule (294). Based on information provided during the negotiated rulemaking process, it became apparent that many employers covered by the rule are already, as a usual and customary business practice, complying with the provisions of the standard.

There are a number of collections of information requirements in the rule as indicated below:

- **Section 1915.501 – General Provisions**

Paragraph (d)(1)(i) requires that the host employer on multi-employer worksites inform all employers at the worksite about the content of the host employer's fire safety plan. OSHA envisions that to comply with its provision, the host employer will provide a copy of the written fire safety plan to other employers at the worksite (identified as contract employers) and discuss its contents. OSHA believes some exchange of information about hazards on the job would be normal and customary; however, it is not normal and customary to provide written documents. OSHA estimates that it will take about 10 minutes for the host employers to make a copy of the written plan and give it to the contract employer and approximately 20 minutes will be spent exchanging information, for a total of 30 minutes (.50 hour) for this activity. OSHA estimates that each host employer will have an average of 4 contractors on their site (note: the host employer is the owner of the shipyard). OSHA estimated the number of contract employers based on the size of the firm. Thus, firms with 1-19 workers were assumed to be contractors. A supervisor would perform the duties of this requirement.

Burden hours: 99 host employers x 4 x .50 hour = 198 hours

Cost: 198 burden hours x \$44.08 = \$8,728

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<sup>5</sup> The 99 host employer estimate is based on preliminary analysis. OSHA assumes that employers with 100 or more employees use contractors and are, therefore, host employers. Of the 637 total establishments, 99 employ more than 100 employees.

<sup>6</sup> The website is <http://censtats.census.gov/cgi-bin/cbpnaic/cbpdetl.pl> .

<sup>7</sup> OSHA uses the following criteria to classify firm size: small firms – 1-99 employees; medium firms – 100-499 employees; and large firms – 500+ employees.

<sup>8</sup> Total number of affected employees x 8.2%

Paragraph (d)(2)(i) requires that the contract employer make sure the host employer knows about fire hazards associated with the contract work and how the contract employer will address those hazards. In addition, paragraph (d)(2)(ii) requires the contract employer to identify hazards that arise during the course of work that are not identified as part of (d)(2)(i). OSHA considers this exchange of information about job hazards to be a normal and customary practice for employers in every industry and, thus, is not assigning a “paperwork” burden to the collection of information requirements in these paragraphs.

- **Section 1915.502 – Fire Safety Plan**

Paragraph (a) requires employers (294) to develop a written fire safety plan. The specific elements of the plan are listed in paragraph (b) of section .502. OSHA estimates that it will take employers 4-12 hours to develop the plan, depending on the size of the firm. Firms with 1-99 workers (269) will incur a burden of 4 hours the first year and 2 hours the second and subsequent years. Firms with 100-499 workers (19) will incur a burden of 6 hours the first year and 3 hours the second and subsequent years. Firms with 500 or more workers (6) will incur a burden of 12 hours the first year and 6 hours the second and subsequent years. OSHA estimates there is a 10 percent turnover of firms. Note: Insurers currently require shipyards to have fire prevention measures which serve as a starting point in preparing the fire safety plan. A safety and health manager would develop the plan.

Burden hours:        269 employers x .90 x 2 hours = 484 hours  
(Existing Firms)    19 employers x .90 x 3 hours = 51 hours  
                                  6 employers x .90 x 6 hours = 32 hours

Burden hours:        269 employers x .10 turnover x 4 hours = 108 hours  
(New Firms)        19 employers x .10 turnover x 6 hours = 11 hours  
                                  6 employers x .10 turnover x 12 hours = 7 hours

Cost:                 693 burden hours x \$49.63 = \$34,394

Paragraph (c) requires employers (294) to review the fire safety plan with each affected worker within 90 days of the effective date of the standard; upon initial assignment for new workers; when there is a change in the plan; and when the worker’s duties change. OSHA estimates that it will take 15 minutes (.25 hour) to review the plan. OSHA assumes that all 294 employers will meet with workers in a group setting for the initial review and for subsequent reviews where the plan has changed, at least annually. OSHA assumes other reviews (due to worker turnover or new hires and when a worker’s duties have changed) will be conducted with the individual, affected worker. OSHA estimates the turnover rate for workers in the shipyard industry at 24 percent. Using this percentage, OSHA estimates that a review of the plan will be held with 6,563 (27,345 affected workers x 24% turnover rate) new/turnover workers each year. In addition, OSHA assumes that each year 3 employers (1 percent of all 294 employers) will make a change to the fire safety plan and 274 workers (1 percent of all workers (27,345 x 1%)) will have a change in duty triggering another review of the plan. A safety and health manager would conduct the review with each worker. Therefore, the burden is estimated as follows:

Burden hours: 294 employers x .25 hour = 74 hours  
6,563 new hires/turnover workers x .25 hour = 1,641 hours  
3 employers x .25 hour = 1 hour  
274 workers x .25 hour = 69 hours

Cost: 1,785 burden hours x \$49.63 = \$88,590

Note: The burden hour estimate listed for the review of the fire safety plan also includes the time to provide the general training information (1915.508(a)). The general training essentially requires the employer to ensure that workers are trained in the fire safety plan. Therefore, as noted in the FEA, OSHA assumes 15 minutes (.25 hour) will cover activities as well as the generation and maintenance of certification records for the two activities.

Paragraph (d)(1) requires employers (294) to keep the fire safety plan accessible to workers, worker representatives and OSHA. OSHA estimates it will take 5 minutes (.08 hour) to post the plan or to place it in an area where it is accessible. The plan is updated yearly; therefore, it will be a yearly burden to post the plan/make it accessible.

Burden hours: 294 employers x .08 hour = 24 hours

Cost: 24 burden hours x \$44.08 = \$1,058

Paragraph (d)(3) requires the employer to certify in writing that each worker was informed about the plan at the intervals dictated by paragraph (c). OSHA estimates it will take 3 minutes (.05 hour) to generate and maintain each of the required certifications. The burden for preparing the certification record for the initial review is included in the burden hour estimate listed above for 1915.502(c). In the second and subsequent years, the burden will be as follows. Each year the employer will have to review and update the plan, triggering a review of the plan with all workers at the same time. A certification of this review will take 3 minutes (.05 hour). The standard also requires a certification of the review for new/turnover workers and for workers whose duties change as a result of changes to the plan made at times other than the annual updating of the plan. OSHA estimates the burden for these certifications at 3 minutes (.05 hour) *per worker*, (this review will be conducted with the individual workers). Total new and turnover workers are estimated at 6,563 and workers with a change of duty are estimated at 274 for a total of 6,837 workers receiving an individual review per year after the first year. Finally, OSHA estimates that 1% of the employers (3) will make a change to the plan, triggering an all worker review requiring another certification record.

Burden hours: 294 employers x .05 hour = 15 hours (to certify with all workers after the plan has been updated)

6,837 workers x .05 hour = 342 hours (individual reviews with new/turnover workers)

3 employers x .05 hour = 1 hour (for changes to the plan)

Cost: 358 burden hours x \$44.08 = \$15,781

Note: The burden for (d)(2), the annual review and updating of the plan, is shown as the second and subsequent year burden under .502(a) above.

Paragraph (d)(4) requires employers to give the fire safety plan to the outside fire response organizations that may be expected to respond to fires at the employer's worksite. OSHA estimates it will take 10 minutes (.17) for each employer to provide the document to the outside fire response organizations. This will be an on-going activity.

Burden hours: 294 employers x .17 hour = 50 hours

Cost: 50 burden hours x \$44.08 = \$2,204

A supervisor would perform the activity required by paragraph (d).

- **Section 1915.504 – Fire Watches**

Paragraph (a) requires the employer to prepare and keep current a written policy specifying the information listed in (a)(1)-(4). OSHA estimates that it will take employers 4-12 hours to develop the policy, depending on the size of the firm. Firms with 1-99 workers (269) will incur a burden of 4 hours the first year and 2 hours the second and subsequent years. Firms with 100-499 workers (19) will incur a burden of 6 hours the first year and 3 hours the second and subsequent years. Firms with 500 or more workers (6) will incur a burden of 12 hours the first year and 6 hours the second and subsequent years. OSHA estimates there is a 10 percent turnover of firms. A safety and health manager would develop the written policy.

Burden hours: 269 employers x .90 x 2 hours = 484 hours  
(Existing Firms) 19 employers x .90 x 3 hours = 51 hours  
6 employers x .90 x 6 hours = 32 hours

Burden hours: 269 employers x .10 turnover x 4 hours = 108 hours  
(New Firms) 19 employers x .10 turnover x 6 hours = 11 hours  
6 employers x .10 turnover x 12 hours = 7 hours

Cost: 693 burden hours x \$49.63 = \$34,394

- **Section 1915.505 – Fire Response**

Paragraph (a)(2)(i) requires employers to create, maintain and update a written policy that describes the internal and outside fire response organizations that the employer will use.

Paragraph (a)(2)(ii) requires employers to create, maintain, and update a written policy that defines the evacuation procedures workers must follow. Paragraphs (b)(1), (b)(2), and (b)(3) discuss what should be included in the written statement based on internal, external, or a combination of fire responses. Note: The burden for this activity takes into consideration that some of the information required in the written statement or policy has already been generated and included in the fire safety plan (see 1915.502). Specifically, section 1915.502 requires the employer to include the procedures for evacuation and the procedures to account for all workers after an evacuation in the fire safety plan. OSHA estimates that employers with less than 100 workers (269) will incur a burden of 1 hour to develop the initial two policies/statements and 1 hour to update annually; employers (19) with 100 to 499 workers will incur a burden of 6 hours initially and 3 hours to update yearly thereafter; and employers (6) with more than 500 workers will incur a burden of 12 hours initially and 6 hours to update to information required by paragraphs (a)(2) and (d)(2) [described below] of section 1915.505. A safety and health manager would perform the activities required in paragraph (a)(2).

Burden hours: 269 employers x .90 x 1 hours = 242 hours  
 (Existing Firms) 19 employers x .90 x 3 hours = 51 hours  
 6 employers x .90 x 6 hours = 32 hours

Burden hours: 269 employers x .10 turnover x 1 hours = 27 hours  
 (New Firms) 19 employers x .10 turnover x 6 hours = 11 hours  
 6 employers x .10 turnover x 12 hours = 7 hours

Cost: 370 burden hours x \$49.63 = \$18,363

Paragraph (d)(2) requires the employer set up written administrative regulations, operating procedures, and departmental orders for fire response functions. The burden for the activity is included in the burden estimate for paragraph (a)(2) above.

Paragraph (d)(3) requires the employer to set up an incident management system to address specific areas. The information in the incident management system is also required in the policy statements required by (a)(2) above, therefore, no additional burden is calculated for this provision.

Paragraph (d)(4) requires that the information created by paragraph (d)(2) and (d)(3) above be provided to the outside fire response organizations that will be used by the employer. OSHA estimates it will take a supervisor about 10 minutes (.17 hour) to make a copy of the documents and provide the documents to the liaison with the outside fire response organization. OSHA estimate that 269 firms (affected firms with 1-99 workers) will use an outside fire response organization. A supervisor will perform this activity.

Burden hours: 269 employers x .17 hour = 46 hours

Cost: 46 burden hours x \$44.08 = \$2,028

- **Section 1915.507 – Landside Fire Protection Systems**

Paragraph (c)(2) requires employers to notify workers when fixed extinguishing systems are not working. No burden is calculated for this information collection activity because it is considered normal and customary to notify workers of situations that may affect their safety.

Paragraph (c)(5) requires employers to post hazard warning signs and caution signs at both the entrance to and inside of areas protected by certain types of fixed extinguishing systems. OSHA estimates that there would be few situations (once in each of the 99 shipyards per year) where an employer would have to post hazard warning signs. In addition, it would be a usual and customary business practice for employers to have warning and caution signs readily available for posting. OSHA estimates it takes about 5 minutes (.08 hour) to post signs. The posting activity will be a one-time burden unless a sign becomes damaged and needs to be replaced. OSHA estimates that each shipyard may have one instance per year where the signs initially posted will need to be replaced. A production worker would perform this task.

Burden hours: 99 shipyard x .08 hour = 8 hours (replacement posting)

Cost: 8 burden hours x \$30.58 = \$245

- **Section 1915.508 – Training**

Paragraph (d)(1) requires employers to have a written training policy; paragraph (d)(2) requires employers to keep written standard operating procedures. OSHA believes a supervisor has prepared the written training policy and is maintaining the standard operating procedures. OSHA estimates it will take 1 minute (.02 hour) for the training plan and 1 minute (.02 hour) for the standard operations procedures for a total of 2 minutes (.03 hour). Thus, the burden hour formula should read as follows:

Burden hours: 294 employers x .03 = 9

Cost: 9 x \$44.08 = \$397

Paragraph (f) requires the employer to keep a record of the training. The record must include the worker's name; the trainer's name; the type of training; the dates of training. The employer must keep the training record for one year or until replaced, whichever is shortest. OSHA estimates that it will take 3 minutes (.05 hours) to generate and maintain the training record. Every worker will receive some type of training under this standard each year and at least once a year thereafter. In addition, fire response workers (2,242) are trained quarterly beginning in the second year on additional training elements.

Burden hours: 27,345 workers x .05 hour = 1,367 hours

2,242 fire response workers x 4 times a year x .05 hour = 448 hours

Cost: 1,815 burden hours x \$44.08 = \$80,005



## Disclosure of Safety Plans and Certification Records

OSHA believes that approximately 9 firms/employers covered by the Standard<sup>9</sup> will be subject to an OSHA inspection and be required to disclose certification records annually (see Item 14 below). OSHA routinely estimates that it takes 2 minutes (.03 hour) for an employer to disclose records, etc. However, because of the range of items which an OSHA compliance officer might request during an inspection, the Agency estimates that it will take a manager 10 minutes (.17 hour) to disclose the requested information.

Burden hours: 9 inspections x .17 hour = 2 hours

Cost: 2 burden hours x \$49.63 = \$99

**Total Burden Hours: 6,215**

**Total Cost: \$293,389**

**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 estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information in agencies may consult with a sample of respondent (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

All costs under this item for complying with the Standard are included under those cost in Item 12.

**14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as**

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<sup>9</sup> The Agency estimated the number of inspections by determining the inspection rate (1.4%) for all employers under the jurisdiction of the OSH Act (including both Federal OSHA and approved state-plan agencies) and then multiplying the total number of all firms/employers covered by the Standard (i.e., 639 firms/employers x 1.4% = 9 inspections).

**equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Item 12, 13, and 14 into a single table.**

OSHA estimates that a compliance officer (GS-12, step 5), with an hourly wage rate of \$37.74<sup>10</sup>, will spend about 10 minutes (.17 hour) during an inspection reviewing the documents required by the Standard. The Agency has determined that its compliance officers will inspect about 9 firms/employers regulated by the Standard during each year covered by this ICR (see footnote 5) OSHA considers other expenses, such as equipment, overhead, and support staff salaries, to be normal operating expenses that would occur without the paperwork requirements specified by the Standards. Therefore, the total cost of these paperwork requirements to the Federal government is:

Cost: 9 inspections x .17 hour x \$37.74 = \$58

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

OSHA is requesting an adjustment increase of 1,416 burden hours (from 4,635 to 6,051 burden hours). This adjustment increase is a result of the most recent industry data (see explanation under Item 12).

**16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection information, completion of report, publication dates, and other actions.**

OSHA will not publish the information collected under the Standard.

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

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

**18. Explain each exception to the certification statement in Item 19.**

OSHA is not seeking an exception to the certification statement.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

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

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<sup>10</sup> Source: U.S. Office of Personnel Management; *2010 General Schedule (GS) Locality Pay Tables*; Salary Table 2010-RUS, [http://www.opm.gov/oca/10tables/dpf/rus\\_h.pdf](http://www.opm.gov/oca/10tables/dpf/rus_h.pdf).

**TABLE 1**  
**Fire Protection in Shipyard Employment**  
**Proposed Burden Hour Chart**

<b>Information Collection Requirements</b>	<b>Current Burden Hours</b>	<b>Requested Burden Hours</b>	<b>Adjustment</b>	<b>Cost Under Item 12</b>	<b>Responses</b>	<b>Explanation of Adjustment</b>
1. General Provisions – Inform Contractors About the Fire Safety Plan (1915.501(d)(1)(i))	216	198	-18	8,728	396	The adjustment decrease is a result of an increase in the number of host employers from 108 to 99 based on updated information provided by OSHA’s Office of Regulatory Analysis.
2. Develop Fire Safety Plan (1915.502(a))	735	693	-42	34,394	297	The adjustment decrease in burden hours is a result of the decrease in the number of firms based on updated information provided by OSHA’s Office of Regulatory Analysis. The cost increase is a result of the most recent wage rate.
3. Review Fire Safety Plan w/Workers (1915.502(c))	669	1,785	1,116	88,590	7,134	An increase in the number of new hires/turnover workers and the number of workers affected.
4. Post Fire Safety Plan (1915.502(d)(1))	25	24	-1	1,058	294	The adjustment decrease in burden hours is a result of a decrease in the number of affected firms/employers from 317 to 294 based on updated information provided by OSHA’s Office of Regulatory Analysis. The cost increase is a result of the most recent wage rate.

<b>Information Collection Requirements</b>	<b>Current Burden Hours</b>	<b>Requested Burden Hours</b>	<b>Adjustment</b>	<b>Cost Under Item 12</b>	<b>Responses</b>	<b>Explanation of Adjustment</b>
5. Certification Record of Review of FSP (1915.502(d)(3))	135	358	223	15,781	7,134	The adjustment increase is a result of the increase in number of affected workers from 2,355 to 7,134 based on updated information provided by OSHA's Office of Regulatory Analysis.
6. Give Fire Safety Plan to Outside Fire Response Organization (1915.502(d)(4))	54	50	-4	2,204	294	The adjustment decrease is a result of a decrease in the number of affected firms/employer from 317 to 294 based on updated information provided by OSHA's Office of Regulatory Analysis. The cost increase is a result of the most recent wage rates.
7. Fire Watch Policy (1915.504(a))	735	693	-42	34,394	294	The adjustment decrease is a result of a decrease in the number of affected firms/employers from 317 to 294 based on updated information provided by OSHA's Office of Regulatory Analysis. The cost increase is a result of the most recent wage rates.
8. Fire Response Policies (1915.505(a)(2)(i) and (ii))	370	370	0	18,363	294	No change in burden hours. The cost increase is a result in the most recent wage rates.
9. Fire Response – Provide Information to Outside Fire Response Organizations (1915.505(d)(4))	52	46	-6	2,028	269	The adjustment decrease is a result of a decrease in the number of affected firms/employers from 317 to 294 based on updated information provided by OSHA's Office of Regulatory Analysis. The cost increase is a result of the most recent wage rates.

<b>Information Collection Requirements</b>	<b>Current Burden Hours</b>	<b>Requested Burden Hours</b>	<b>Adjustment</b>	<b>Cost Under Item 12</b>	<b>Responses</b>	<b>Explanation of Adjustment</b>
10. Training on Fixed Extinguishing Systems (1915.506(b)(2))	57	0	-57	0	0	The training requirements are no longer considered a collection of information under the PRA.
11. Landside Fire Protection Systems – Posting Hazard Warning and Caution Signs (1915.507(c)(5))	9	8	-1	245	99	The adjustment decrease is a result of a decrease in the number of affected firms/employers from 108 to 99. The cost increase is a result of the most recent wage rates.
12. Training Fire Response (1915.508(d))	480	9	-471	397	294	The adjustment decrease is a result of a decrease in the number affected firms/employers from 317 to 294 based on updated information provided by OSHA’s Office of Regulatory Analysis. The cost increase is a result of the most recent wage rates.
13. Training Certification Records (1915.508(f))	625	1,815	1,190	80,005	36,313	The adjustment is a result of an increase in the affected number of workers from 9,421 to 27,345 based on updated information provided by OSHA’s Office of Regulatory Analysis.
14. Training Fire Watch (1915.508(e))	471	0	-471	0	0	The training requirements are no longer considered a collection of information under the PRA.
15. Disclosure of Safety Plans and Certification Records	2	2	0	99	9	No change to the burden hours. The cost increase is a result of the most recent wage rates.
<b>Totals</b>	<b>4,635</b>	<b>6,051</b>	<b>1,416</b>	<b>286,286</b>	<b>53,121</b>	









