

TITLE OF INFORMATION COLLECTION:

OMB 2700-0160/Safety and Health Measures and Mishap Reporting, NASA FAR Supplement 1852.223-70

TYPE OF INFORMATION COLLECTION: Existing Information Collection in use without OMB Approval

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

This is a request for authorization to collect information under the NASA Federal Acquisition Regulation Supplement (NFS) clause, 1852.223-70, Safety and Health Measures and Mishap Reporting, formerly entitled “Safety and Health.” While the clause is proposed to be revised to eliminate some information collect requirements, two distinct information collection requirements will remain: 1) notification of a Type A, B, C, or D Mishap, or close call as defined in NASA Procedural Requirements (NPR) 8621.1, Mishap and Close Call Reporting, Investigating, and Recordkeeping, and 2) quarterly reports specifying lost-time frequency rate, number of lost-time injuries, exposure, and accident/incident dollar losses.

The work NASA does is inherently risky. NASA’s constant attention to safety is the cornerstone upon which we build mission success. NASA is committed to protecting the safety and health of the public, team members, and those assets that the Nation entrusts to NASA. It is NASA policy to report and track to resolution all corrective actions resulting from investigations of mishaps, incidents, nonconformances, anomalies, and safety and mission assurance audits and to distribute and use lessons learned to improve activities and operations. This is a vital component of NASA’s safety program. NASA is requesting approval to collect information from NASA contractors pertaining to contractor mishaps that occur on a NASA site.

The collection of information is necessary to comply with and implement the Occupational Safety and Health Administration’s (OSHA) 29 CFR 1960.28-.30 and to protect the Agency workforce and assets from harm and manage the risk to which they are exposed by preventing the recurrence of close calls and mishaps. OSHA’s 29 CFR 1960.28 details the procedure for employees seeking reports regarding hazardous and/or unhealthful working conditions to the appropriate authorities. NPR 8621.1, NASA Procedural Requirements for Mishap and Close Call Reporting, Investigating, and Recordkeeping contains NASA’s requirements and procedures for mishap reporting, investigating, and recordkeeping.

Under NFS clause, 1852.223-70, Safety and Health Measures and Mishap Reporting, formerly entitled “Safety and Health, NASA contractors are to immediately notify the contracting officer when a mishap (Type A, B, C, D or Close Call) occurs. The chart below, from NPR 8621.1,

Mishap and Close Call Reporting, Investigating, and Recordkeeping, defines the criteria for each type of mishap. The data the contractors provide to NASA includes incident location, date and time of incident, number of fatalities if known, number of hospitalized employees if known, type of injury if known, type of damage if known, contact person, contact person phone, number, and brief description of the incident.

Classification Level & Investigation Type	Property Damage	Injury
Type A Mishap	Total direct cost of mission failure and property damage equal to or greater than \$2,000,000 or more, or Crewed aircraft hull loss has occurred, or Unexpected crewed aircraft departure from controlled flight occurred (except high performance jet/test aircraft such as F-15, F-16, F/A-18, T-38, OV-10, and T-34, when engaged in flight test activities).	Occupational injury or illness that resulted in: A fatality, or A permanent total disability.
Type B Mishap	Total direct cost of mission failure and property damage equal to or greater than \$500,000 but less than \$2,000,000.	Occupational injury or illness that resulted in a permanent partial disability, or Hospitalization for inpatient care of three or more people within 30 workdays of the mishap.
Type C Mishap	Total direct cost of mission failure and property damage equal to or greater than \$50,000 but less than \$500,000.	Nonfatal occupational injury or illness that resulted in: Days away from work, not including the day or shift on which it occurred, or Restricted work, or transfer to another job not including the day or shift on which it occurred, or Hospitalization for inpatient care of one or two people within 30 workdays of the mishap..
Type D Mishap	Total direct cost of mission failure and property damage equal to or greater than \$20,000 but less than \$50,000.	Any nonfatal OSHA recordable occupational injury or illness that does not meet the definition of a Type C mishap.
Close Call	An event in which there is no equipment or property damage, or minor equipment property damage of less than \$20,000, but which possesses a potential to cause a mishap.	No injury or only minor injury requiring first aid, but which possesses a potential to cause a mishap.

NSF clause 1852.223-70 also requires quarterly reports from contractors that report number of mishaps, specifying lost time frequency rate, number of lost time injuries, exposure, and accident/incident dollar losses.

This information is collected so that NASA—

- Understands the scope of injury, damage, or destruction resulting from mishaps that occur on NASA property;
- Has necessary information to investigate mishaps that occur on NASA property;
- Can evaluate mishaps that occur on NASA property and determine how to prevent mishaps from occurring in the future; and
- Can analyze mishap data to look for mishap trends and determine ways to improve the safety

of its workforce and high-value assets and reduce the risk to its missions.

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.

Mishap notifications, under the NASA clause, are used by NASA mishap investigators and NASA officials to determine potential causes for mishaps, mitigate hazards, develop lessons learned and recommendations to prevent recurrence, evaluate Agency mishap trends, and ultimately improve the safety of its workforce and high-value assets and reduce the risk to its missions.

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.

NASA provides the contractor with the option of providing the data in electronic (e-mail) form or hard copy form.

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

As a matter of policy, NASA reviews the Federal Acquisition Regulation (FAR) to determine if adequate language already exists. This request for information applies to NASA and does not duplicate any other requirement. The nature of the data requested by NASA is different from the injury and illness data collected by OSHA in accordance 29 CFR 1960.70.

The information collected in accordance with OSHA regulations does not fulfill NASA requirements to determine the cause of mishaps to prevent recurrence. Also, OSHA data collection does not require any information regarding property damage or destruction.

There are some similarities in data that is collected by each contract employer in accordance with 29 CFR 1904 and 1910, which requires private industry to record and evaluate occupational injuries and fatalities. However, private industry does not have an obligation to share this information with any entity other than OSHA, unless specifically contracted to do so.

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

The burden on small business is the minimum consistent with applicable laws, Executive Orders, regulations, and prudent business practices.

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.

If this information was not collected, or collected less frequently, NASA would have less information to protect people and high value assets. This would result in a potential for—

- Increased risk of occupational injury or fatality to contractor or NASA personnel;
- Increased risk of catastrophic damage to NASA property and mission essential equipment;
- Increased cost and schedule burden to NASA associated with employee lost time or mission schedule impact due to mishap; and
- Increased risk of injury or fatality to the general public.

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

a. Requiring respondents to report information to the agency more often than quarterly;

There are no circumstances that would require respondents to report information to the agency more often than quarterly.

b. Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

There are no circumstances that would require respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

c. Requiring respondents to submit more than an original and two copies of any document;

There are no circumstances that would require respondents to submit more than an original and two copies of any document.

d. Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than 3 years;

There are no circumstances that would require respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than 3 years.

e. 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;

There are no circumstances where this information would be used 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.

f. Requiring the use of a statistical data classification that has not be reviewed and approved by OMB;

There are no circumstances that would require the use of a statistical data classification that has not be reviewed and approved by OMB.

g. 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.

There are no circumstances that would require 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.

h. 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.

There are no circumstances that would require 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.

8. Provide the date and page number of publication in the Federal Register for the 60-day and 30-day Federal Register notices, 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 comments. Specifically address comments received on cost and hour burden.

This information collection is consistent with the guidelines in 5 CFR 1320.5(d). A proposed rule, soliciting public comments, was published in the Federal Register on August 12, 2015, (80 FR 4822). The public comment period closed on October 13, 2015 and no public comments were received.

If the information collection instruments were pre-tested with members of the public, describe the process and the result of efforts to consult with persons outside the agency to obtain their views on any of the following: 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.

Information collection instruments were not pre-tested with members of the public.

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

No payments or gifts are provided to respondents, other than remuneration of contractors or grantees.

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

Occupational injury data is subject to compliance with 5 USC 552, Privacy Act of 1974. Mishap investigation information is subject to NASA policy for Sensitive But Unclassified provisions of NPR 1600.1, NASA Security Program Procedural Requirements, and mishap evidence control and information sensitivity confidentiality provisions of NPR 8621.1. Information associated with mishaps and injuries is controlled by automated features of the NASA Mishap Information System. NASA Center mishap reporting processes are coordinated by the NASA Office of Safety and Mission Assurance representatives trained in information security consistent with the Privacy Act, NPR 1600.1, and NPR 8621.1.

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.

This data collection does not contain any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This data collection does not require any information regarding race and ethnicity.

12. Provide estimates of the hour burden of the collection of information.

NSF clause 1852.223-70, Safety and health measures and mishap reporting. Under this clause, NASA contractors are to immediately notify the contracting officer when a mishap (Type A, B, C, D or Close Call) occurs. The data the contractors provide to NASA includes incident location, date and time of incident, number of fatalities if known, number of hospitalized employees if known, type of injury if known, type of damage if known, contact person, contact person phone, number, and brief description of the incident.

NASA estimates that the notification of a mishap will take a contractor approximately 4 hours, counting initial notifications, supervisory notifications, and contracting officer notifications. The chart below shows the number of mishaps, by category, reported by NASA contractors for

calendar years 2013 and 2014. The Federal Procurement Data System data for fiscal year 2015 shows award of approximately 154 contract actions involved performance on a NASA facility.

Classification	2013	2014
Type A	0	1
Type B	3	1
Type C	125	139
Type D	166	160
Total	294	301

The purpose of tracking mishaps is for oversight of safety measures of current contractors working on Federal facilities and data for future source selections. For purposes of calculating burden, we estimate a given contractor may submit two mishaps notifications in a year and that this will take each notification approximately 4 hours to collect the information needed, review it, and provide it to the contracting officer. Generally, the contractor’s supervisory personnel would collect the information. It is likely the firm’s safety manager or equivalent position would review the information before submitting it to the contracting officer.

NASA estimates that it will take a contractor approximately 5 hours to prepare and deliver the quarterly report.

Estimate of Public Burden and Associated Annualized Cost.

The estimated cost to the public is for the information collection requirements addressed by this supporting statement. The estimated costs include time and effort to—

- Gather and review information; and
- Notify the contracting officer or provide the report.

The estimates assume that not all efforts, such as retrieving and retaining records, are attributed solely to this information collection; only those actions resulting from this rule that are not customary to normal business practices are attributed to this estimate.

A. Annual Information Collection Reporting Burden

1852.223-70, Safety and Health Measures and Mishap Reporting					
<u>Reporting Requirement</u>	<u>Respondents</u>	<u>Responses per Respondent</u>	<u>Total Responses</u>	<u>Hours per Response</u>	<u>Hours Estimated</u>
1. Notification of a Type A, B, C, or D Mishap, or close call.	154	2	308	4	1,232

2. Quarterly reports Quarterly reports specifying lost-time frequency rate, number of lost-time injuries, exposure, and accident/incident dollar losses.	154	4	616	5	3,080
Total		6	924	5*	4,312

*This is an average for the total number of hours (4,313) divided by the total number of responses (924) resulting in 4.67 total hours per responses, rounded up to the nearest whole number or 5.

For notifying the contracting officer of a mishap, it is estimated a company supervisor would collect the information, then the company Occupational Health and Safety Specialist would review the information before it is submitted to the Government.

For calculating the quarterly reports, specifying lost-time frequency rate, number of lost-time injuries, exposure, and accident/incident dollar losses, it is estimated to take approximately 5 hours. This includes an Occupational Health and Safety Specialist gathering the records, analyzing the data, and a company official reviewing the data before the report is submitted to the Government.

Labor Category	Mishap Notification/year			Quarterly Report/year		
	Time (hours)	Hourly Rate	Total Cost	Time (hours)	Hourly Rate	Total Cost
Occupational Health and Safety Specialist	7	\$45.49	\$318.43	18	\$45.49	\$818.82
Manager	1	\$63.03	\$63.03	2	\$63.03	\$126.06
Total	8		\$381.46	20		\$944.88

Generally, two labor categories will be involved in the requirements of this information collection: Occupational Health and Safety Specialist and a company supervisor or manager. The Occupational Health and Safety Specialist is estimated to be equivalent to the mid-point (step 5) of the General Schedule (GS) GS-12 with an hourly rate of \$33.39 (from the 2015 OPM GS Salary Table). The manager/supervisor is estimated to be equivalent to the mid-point for a GS-14 at an hourly rate of \$46.92. For both labor categories, the overhead/burden rate of 36.25%, based on the OMB-mandated burden rate for A-76 public-private competitions, is added

(e.g., GS 12, Step 5 \$33.39/hour x 1.3625 = \$45.49 burdened hourly rate. For a manager/supervisor at a rate of \$46.92, the burdened hourly rate is \$63.03.

Estimated Summary of Annual Total Cost to the Public of Information Collection Reporting Burden

Number of respondents	154
Responses per respondent	6
Total annual responses	924
Average number of hours per response	4.67
Total hours	4,312
Rate per hour (average)	\$54
Total annual cost to public	\$232,848

It is estimated that approximately 154 respondents will provide a total of 308 notifications of Type A, B, C, or D Mishap, or Close Call notifications (approximately 2 notifications per respondent per year). Additionally, each of 154 respondents will submit one quarterly report four times a year. Thus, responses from respondents are estimated to include 2 mishap notifications and 4 quarterly reports for a total of 6 responses annually per respondent. Based on these figures, the combine total number of responses per year for all respondents will be 308 mishap reports and 616 quarterly reports for a total of 924 total responses for all respondents. It is estimated to take a respondent approximately 4 hours to gather the required information and notify the contracting officer of a Type A, B, C, or D Mishap or Close Call. It is estimated to take respondents approximately 5 hours to prepare and submit each quarterly report specifying lost-time frequency rate, number of lost-time injuries, exposure, and accident/incident dollar losses.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the of any hour burden shown in Items 12 and 14).

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

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, operation 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.

NASA estimates a total cost to the government of approximately \$70,055. This estimated cost is comprised of the effort required to review notifications and accident rate reports and complete a trend analysis. The preponderance of the review effort will be made by the NASA's center safety and occupational health official, usually a GS-12.

Estimated annual information collection reporting cost to the Government.

Clause Requirement	Responses	Hours per Response	Gov't Hours	\$/Hr.	Gov't \$
Mishap Notification	308	1	308	\$45.49	\$14,011
Quarterly Report	616	2	1,232	\$45.49	\$56,044
Total annual Gov't cost					

* The Government used a rate equivalent to a GS-12

Total Estimated Summary of the Annual Cost to the Government for Information Collection Reporting and Recordkeeping Burdens

Total hours	1,540
Total annual Government cost	\$70,055

* The Government used a rate equivalent to a GS-12

Total Estimated Summary of the Annual Cost to the Government for Information Collection Reporting and Recordkeeping Burdens

Total hours	1,540
Total annual Government cost	\$70,054.60

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS.

This is existing information collection in use without OMB approval.

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.

This data collection will not be published. The data is used internally to improve safety of NASA programs and operations.

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.

The expiration date on the information collection instrument will be posted in the NFA at 1801.106 OMB approval under the Paperwork Reduction Act.

18. Explain each exception to the Certification Statement identified in Item 19,

"Certification For Paperwork Reduction Act Submissions," as listed below.

The proposed collection of information –

(a) is necessary for the proper performance of the functions of NASA, including that the information to be collected will have practical utility;

(b) is not unnecessarily duplicative of information that is reasonably accessible to the agency;

(c) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:

(1) establishing differing compliance or reporting requirements or timelines that take into account the resources available to those who are to respond;

(2) the clarification, consolidation, or simplification of compliance and reporting requirements;

or

(3) an exemption from coverage of the collection of information, or any part thereof;

(d) is written using plain, coherent, and unambiguous terminology and is understandable to those who are targeted to respond;

(e) indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

(f) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

(g) when applicable, uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected;

(h) to the maximum extent practicable, uses appropriate information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public;

(i) will display the required PRA statement with the active OMB control number, as validated on www.reginfo.gov

NASA Takes no exceptions to the items identified above.

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