

**SUPPORTING STATEMENT FOR THE  
INFORMATION COLLECTION REQUIREMENTS OF THE  
REGULATION ON DEFINITION AND REQUIREMENTS FOR  
A NATIONALLY RECOGNIZED TESTING LABORATORY (29 CFR 1910.7)  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
CONTROL NUMBER 1218-0147**

**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 principal objective of the Occupational Safety and Health Act (OSH 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). In fulfilling this objective, the OSH Act authorizes “the Secretary of Labor to set mandatory occupational safety and health standards applicable to businesses affecting interstate commerce” (29 U.S.C. 651) and to “prescribe such rules and regulations as may [be] deem[ed] necessary to carry out [his/her] responsibilities under the Act . . .” (29 U.S.C. 657).

A number of standards issued by the Occupational Safety and Health Administration (OSHA or the Agency) specify that employers use only equipment, products, or material tested or approved by a Nationally Recognized Testing Laboratory (NRTL). This requirement ensures that employers use safe equipment, products, or materials in complying with the standards. Accordingly, OSHA promulgated its Program Regulation for NRTLs, 29 CFR 1910.7 (the Regulation). The Regulation specifies procedures that organizations must follow to apply for, and to maintain, OSHA’s recognition to test and certify equipment, products, or material for safe use in the workplace.

As part of the recognition process, the Regulation requires that organizations seeking recognition submit an initial-recognition application to OSHA (29 CFR 1910.7 Appendix A (App. A)). The Agency reviews the information provided in the initial-recognition application to determine if an organization meets the qualification criteria specified in the Regulation (App. A). These criteria address, among other things, an organization’s independence and capability to test and examine equipment, products, or material for safety (including fire or electrical safety) (29 CFR 1910.7). In this regard, the Agency evaluates an organization’s facilities, equipment, staff training, written testing procedures, and calibration and quality control programs necessary to test and examine equipment, products, and material for safety.

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Once recognized, an NRTL may apply to expand its current recognition to cover additional categories of NRTL testing (App. A). To do so, an NRTL must submit an expansion-of-recognition application that provides the Agency with information demonstrating that it meets the testing criteria specified by the Regulation for these additional categories (App. A). An NRTL may also revise its testing procedures, such as testing methods or pass-fail criteria, provided those revisions are in conformance with an appropriate test standard for which the NRTL is recognized. OSHA may review these revisions during assessments of the NRTL (discussed below).

Recognition is site-specific. However, an NRTL may apply to expand the number of sites for which it is recognized. To do so, an NRTL must submit an expansion of recognition application that provides the Agency with information demonstrating that the site for which it seeks recognition meets the qualification criteria specified in the Regulation.

Recognition by OSHA of an NRTL is valid for five years (App. A). To renew recognition for another five-year period, an NRTL must request renewal from the Agency not less than nine months and not more than one year before the current recognition expires (App. A). In some cases, OSHA may dispense with this renewal requirement provided the organization certifies its continuing compliance with the Regulation (App. A).

To ensure that NRTLs are meeting the requirements of the Regulation, the Agency attempts to conduct audits (assessments) of each NRTL annually. The Regulation provides for the conduct of these audits in 29 CFR 1910.7(f). OSHA also conducts assessments in conjunction with initial, expansion, and renewal applications (App. A). During assessments, an NRTL or applicant provides OSHA with standard written information to evaluate its compliance with the requirements for recognition. Assessments help ensure that equipment, products, or material used by employers to comply with OSHA's standards are safe to use.

The NRTL Program has a fee schedule associated with initial recognition, program expansion, renewals of recognition, and on-site audits (29 CFR 1910.7(f)). The current fee schedule for these activities can be found at <http://www.osha.gov/dts/otpca/nrtl/nrtlfees.html>. To facilitate the payment of fees and reduce the burden on NRTLs, the Agency intends to utilize an electronic payment mechanism on [Pay.gov](http://Pay.gov). For each transaction on this site, users will be required to complete a short payment form.

OSHA proposed revising the existing schedule of fees that the Agency charges to NRTLs and NRTL applicants and adopting new application acceptance and review procedures (80 FR 57222, September 22, 2015, Docket No. OSHA-2007-0031). OSHA intends to publish a Federal Register notice adopting a revised fee schedule and adopting the new procedures after receiving approval from OMB for this revision of the Paperwork Reduction Act authority for the Definition and Requirements for a Nationally Recognized Testing Laboratory (NRTL)

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information collection. The updated fee schedule and application acceptance and review procedures, as proposed, would result in shorter application processing times and significant improvements in efficiencies related to NRTL Program Administration.

The updated NRTL Program schedule of fees for the NRTL Program, as proposed, is listed in Item 13. If the final fees are different than what was proposed, we will update the ICR. For more detail on how OSHA derived the schedule of fees, please see OSHA's proposed schedule of fees, 80 FR 57222. As explained in detail in Item 13 of the supporting statement, OSHA derives the estimated cost burden to respondents or recordkeepers resulting from the collection of information in large part from the proposed schedule of fees.

**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.**

An initial recognition application, along with information obtained during a related assessment, allows the Agency to evaluate an organization's capability to test and examine equipment, products, or material for safety, and to meet other qualification requirements specified in the Regulation. An expansion of recognition application, along with information obtained during a related assessment, permits OSHA to determine whether an NRTL can perform additional categories of NRTL testing or whether additional sites should be recognized. A request for renewal, along with information obtained during a related assessment, permits OSHA to determine whether an NRTL's recognition should be renewed. Other assessments of NRTLs (i.e., audits) permit OSHA to determine whether NRTLs continue to meet the requirements of the NRTL Program regulation. The use of electronic fee submissions, through Pay.gov, will facilitate the payment of fees by, and reduce the burden, on NRTLs and reduce OSHA's administrative burden with respect to the processing of fee payments.

**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 burdens.**

OSHA provides respondents with the opportunity to reduce burdens through the use of information technology to prepare and submit collections of information required by the Regulation. To this end, OSHA has developed standardized optional forms (OMB Control No. 1218-0147), to facilitate and simplify the information collection process. The optional forms will be available on OSHA's website, and correspond to the application, expansion, and renewal processes described in item 1, above. Where practicable, the forms will provide for automations such as drop-down lists to increase ease of use and reduce the information collection burden.

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In some cases, OSHA supplements or replaces an on-site assessment of an NRTL with an electronic assessment using web technology and teleconferencing capabilities. This option, when used, reduces the cost burden on respondents. As explained more fully in Item 13, respondents bear costs resulting from the collections of information required by the Regulation in the form of fees paid to OSHA for the various NRTL-related services OSHA provides. These fees include payment for the time and expenses associated with OSHA personnel travel for the conduct of assessments. The use of electronic assessments reduces or eliminates these travel-related costs. OSHA notes that, for the purpose of computing costs in Item 13, OSHA assumes that all assessments involve travel. These are conservative estimates because, again, some assessments do not involve travel, or involve reduced travel.

Finally, forms posted on Pay.gov to facilitate fee collection will be in an electronic format only and will apply only when an NRTL is using the service to submit a fee.

**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 Item 2 above.**

The paperwork requirements of the Regulation involve the submission of information that is specific to each respondent involved. Therefore, no similar information is available, or can be made available, to OSHA that would duplicate the collections of information submitted by each respondent. For example, a respondent that chooses to voluntarily complete and submit an application for initial recognition, expansion of recognition, or renewal of recognition is the only source for the unique information that would be contained in that particular application.

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

Item 5 of OMB Form 83-I asks whether the collection of information will have a significant economic impact on a substantial number of small entities. OSHA concludes that the information collection requirements of the Regulation 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.**

Without the collections of information required by the Regulation, OSHA could not effectively and efficiently determine an organization's capability to test and examine equipment, products, or materials for safety, and to meet other qualification requirements specified in the Regulation. The Agency believes that the five-year span for submitting a renewal-of-recognition application

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provides NRTLs with an incentive to maintain their testing and certification capabilities.<sup>1</sup> These provisions help to ensure that equipment, products, or material used by employers in complying with the Agency's standards are safe.

**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.**

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<sup>1</sup>The Agency limits the scope of review during audits to an evaluation of some, but not all, of the testing and certification activities of an NRTL (e.g., the number of tests performed and the accuracy of testing documentation). During a few of these audits, OSHA also evaluates revisions made by the NRTL to its testing procedures. The review of renewal of recognition applications can involve a more extensive evaluation of a NRTL's testing and certification activities to ensure that it continues to meet the requirements specified by paragraph 29 CFR 1910.7(b).

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No special circumstances exist that require respondents to collect information in the manner described in this item. While respondents may submit proprietary trade secret, or other confidential information in responding to collections of information required by the Regulation, the relevant law, as well as OSHA and Department of Labor policies and procedures, fully protect that information's confidentiality to the extent permitted by law (see, e.g., 29 CFR Part 70 (Department of Labor regulations on the production or disclosure of information or materials, including Freedom of Information Act regulations); 29 U.S.C. 664 (Occupational Safety and Health Act provision protecting the confidentiality of trade secrets)).

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

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

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

As required by 5 CFR 1320.8(d), OSHA published a Federal Register notice on December 28, 2016 (81 FR 95650, Docket No. OSHA-2010-0007) requesting comments from the public and other interested parties on the information collection requirements described in the proposed supporting statement (available on regulations.gov under Docket Number OSHA-2010-0007). The notice was part of a preclearance consultation program that provided interested parties with an opportunity to comment on the current request for OMB approval of modification of the existing Paperwork Reduction Act package by the Office of Management and Budget (OMB). The previous approval of the existing information collection requirements by OMB and the current request for modification of that approval both address the information collection requirements found in the NRTL Program requirements (29 CFR 1910.7) (OMB Control Number 1218-0147).

This Federal Register notice generated two comments from the public. Both comments are available on regulations.gov under docket number OSHA-2010-0007.

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The first comment, from Curtis Strauss, LLC, an NRTL, generally supported the proposal, but cautioned that the optional standardized forms, referenced above, “should be carefully designed in order to facilitate their usefulness.” OSHA agrees with Curtis Strauss’s statement and has carefully designed the optional forms attached to this statement to facilitate their usefulness.

The second comment, from a member of the public, questioned “why OSHA undertakes to qualify NRTL’s through survey and audit” because “[i]nternationally, recognition of testing laboratories has been demonstrated through compliance and third party registration of testing and calibration programs to the IEC/ISO 17025:2005 standard” and because “a separate audit and qualification program of NRTL's by OSHA under 29 CFR 1910.7 seems a significant duplication of work already undertaken by others.” OSHA is not certain that this comment addresses the information collection requirements for which comment was requested. In any event, to the extent this comment touches on these collections of information, OSHA disagrees with the assertion that the collections of information associated with OSHA audits and assessments of NRTLs are duplicative of work already undertaken by others and unnecessary. The information that testing laboratories provide to third parties under the IEC/ISO 17025:2005 standard is not available to OSHA, and would not necessarily meet the requirements of the NRTL Program regulation. The collections of information for which OSHA is seeking approval are necessary to allow OSHA to fully and independently determine whether organizations meet the requirements for recognition under the NRTL Program regulation, 29 CFR 1910.7. It is for this reason that the NRTL Program regulation and Appendix A to that regulation both provide for the conduct of audits and on-site reviews, and for the collection of fees associated with those reviews. Without this information, OSHA would be unable to determine whether a testing organization meets the requirements of the NRTL regulation and therefore can credibly ensure that the equipment that the organization certifies is safe for employees to use.

Apart from publishing the Federal Register notice required by 5 CFR 1320.8(d), 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, OSHA published a Federal Register notice proposing the updated NRTL Fee Schedule on September 22, 2015 (80 FR 57222, Docket No. OSHA-2007-0031). The notice requested comments from the public and other interested parties about the proposed fee schedule.

In response to this Federal Register notice, the Agency received one comment from Curtis-Strauss LLC (see OSHA-2007-0031-0005, available on [www.regulations.gov](http://www.regulations.gov)). This comment supported OSHA’s proposal to “update the fees to more accurately reflect the true cost of OSHA’s effort to maintain the NRTL program.” OSHA is prepared to implement a revised NRTL Fee Schedule and will issue a final Federal Register notice to this effect after receiving

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approval under the Paperwork Reduction Act from OMB for the Definition and Requirements for a Nationally Recognized Testing Laboratory (NRTL) information collection.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration 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 Agency provides no assurance of confidentiality regarding the information included in paperwork required by the Regulation. However, while respondents may submit proprietary trade secret, or other confidential information in responding to collections of information required by the Regulation, the relevant law, as well as OSHA and Department of Labor policies and procedures, fully protect that information's confidentiality to the extent permitted by law (see, e.g., 29 CFR Part 70 (Department of Labor regulations on the production or disclosure of information or materials, including Freedom of Information Act regulations); 29 U.S.C. 664 (Occupational Safety and Health Act provision protecting the confidentiality of trade secrets)).

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

None of the provisions in the Regulation requires respondents to include sensitive information in their applications and notices.

**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,**

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**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 in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collection of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

Based on recent experience, OSHA estimates that each year, three organizations submit initial recognition applications, seven NRTLs submit expansion of recognition applications, and three NRTLs submit renewal of recognition applications. The expansion of recognition applications may entail the use of additional testing categories or the use of additional testing or certification facilities.

In addition, based on recent experience, the Agency estimates it conducts 57 annual assessments, including 44 audits. To derive the estimate of 57 assessments, OSHA assumed that it would also conduct an assessment in conjunction with each of the three applications for initial recognition, each of the seven applications for expansion of recognition, and each of the three applications for renewal of recognition OSHA estimates respondents file annually. This is a conservative estimate. In fact, the Agency knows, based on recent experience, that an assessment is only conducted in conjunction with one of the three applications for initial recognition, on average. The other two applications are usually rejected before the time for assessment arrives due to failure to comply with NRTL Program Requirements. In addition, OSHA generally does not conduct an on-site assessment for an expansion application unless the application involves new areas of testing for the NRTL or areas of concern to OSHA. Finally, OSHA generally does not conduct an on-site assessment in conjunction with the NRTL's application for renewal unless OSHA has not conducted an on-site assessment of both the NRTL headquarters and any recognized sites that have unique capabilities crucial to the NRTL's scope within the previous 18 months.

OSHA also estimates 70 electronic fee submissions per year. To derive this estimate, OSHA assumed there would be an electronic fee submission in conjunction with each of the three applications for initial recognition, each of the seven applications for expansion of recognition, and each of the three applications for renewal of recognition OSHA estimates respondents file annually, and each of the 57 assessments OSHA estimates it conducts annually.

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OSHA estimates the average burden hours per transaction (i.e., per each application, fee submission, or assessment), as follows: 160 hours per each initial recognition application; 10 hours per each expansion of recognition application (additional testing categories); 24 hours per each expansion of recognition application (additional testing sites); 5 hours per each renewal of recognition application; 15 minutes per each electronic fee submission; and 16 hours per each assessment. OSHA based its estimates of burden hours for applications and assessments on projections of time, effort or other resources needed by NRTLs or applicants to provide information needed to evaluate their applications. OSHA also believes, based on numerous trials during the initial testing phases of pay.gov that it will take no longer than 15 minutes to submit a fee electronically via Pay.gov. OSHA therefore believes its estimates of burden hours are reasonable.

Table 1 below provides a summary of the burden hour and cost estimates required for organizations to complete these paperwork requirements. The Agency’s currently approved burden hours estimate for these requirements is 1,623 hours, and this requested revision would decrease this amount by approximately 100 burden hours to 1,523.

Burden hours are based on not using the optional standardized forms referenced above. The Agency expects that the use of the optional standardized forms would marginally reduce the burden hours associated with information collection.

**Table A: Summary of Burden-Hour and Cost Estimates to Complete Paperwork**

<b>Information Collection Requirement</b>	<b>Number of Orgs.<sup>2</sup></b>	<b>Average Frequency (Average Number of Transactions<sup>1</sup> per Org.<sup>2</sup>)</b>	<b>Number of Responses</b>	<b>Burden Hour Per Transaction</b>	<b>Total Burden Hours</b> <i>E = C x D</i>	<b>Wage/Hour Cost<sup>3</sup></b>	<b>Total Cost</b> <i>G = E x F</i>
	<i>A</i>	<i>B = C/A</i>	<i>C</i>	<i>D</i>		<i>F</i>	
Initial Recognition Applications	3	1	3	160	480	\$47.41	\$22,756.80
Expansion of Recognition Applications (additional testing categories)	5	1	5	10	50	\$47.41	\$2,370.50

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Expansion of Recognition Applications (additional testing sites)	2	1	2	24	48	\$47.41	\$2,275.68
Renewal of Recognition Applications	3	1	3	5	15	\$47.41	\$711.15
Electronic Fee Submission	20	3.5	70	.25	18 <sup>4</sup>	\$47.41	\$853.38
Assessments	20	2.85	57	16	912	\$47.41	\$43,237.92
<b>Totals</b>			<b>140</b>		<b>1,523</b>		<b>\$72,205.43</b>

<sup>1</sup> A “transaction” is an application, a fee submission, or an assessment.

<sup>2</sup> “Org.” and “Orgs.” refer to “Organization” and “Organizations,” respectively. An organization that engages in more than one transaction per year is counted as a separate organization for each transaction for the purpose of this analysis.

<sup>3</sup> OSHA’s hourly rate estimate of \$47.41 is based on the average hourly rate for an electrical engineer. OSHA derived this rate from Occupational Employment Statistics data for electrical engineers (17-2071), issued by the Bureau of Labor Statistics in May, 2016 (available at [https://www.bls.gov/oes/current/oes\\_stru.htm](https://www.bls.gov/oes/current/oes_stru.htm), accessed December 14, 2017).

<sup>4</sup> Total burden hours for this category rounded up from 17.5.

**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 item 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**

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**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.**

Respondents bear costs resulting from the collections of information required by the Regulation in the form of fees paid to OSHA for the various NRTL-related services OSHA provides. Tables 2 through 5 summarize the fees associated with respondents filing the following applications associated with NRTL recognition, as well as the hours OSHA and Solicitor of Labor personnel spend to process these applications:

Table 1	NRTL Program Staff – Hourly Rate Calculation
Table 2	Initial Recognition Applications;
Table 3	Expansion of Recognition Applications (additional testing categories);
Table 4	Expansion of Recognition Applications (additional testing sites); and
Table 5	Renewal of Recognition Applications.

Tables 6 through 10 summarize the fees associated with the following assessments of respondents by OSHA personnel, as well as the hours OSHA personnel spend conducting these assessments:

Table 6	Assessments for Initial Recognition Applications;
Table 7	Assessments for Expansion of Recognition Applications (additional testing categories);
Table 8	Assessments for Expansion of Recognition Applications (additional testing sites);
Table 9	Assessments for Renewal of Recognition Applications; and
Table 10	Assessments for Audits.

Table 11 derives the total annual costs to respondents resulting from the collections of information required by the Regulation, as follows: OSHA estimates the total number of annual transactions for each transaction type in Tables 2 through 10 (i.e., applications or assessments); OSHA then derives the total annual cost for each transaction type by multiplying the total estimated transactions for each type by the corresponding cost for a single transaction of that type (as derived in Tables 2 through 10, as applicable); OSHA finally tallies the total annual costs to respondents by adding together the total annual cost for each type.

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Unless otherwise noted in the tables, all hours and costs are derived from OSHA's proposed fee schedule (80 FR 57222, Sept. 22, 2015). Where hours and costs are derived from the proposed fee schedule, any differences between costs or hours estimated for this analysis and fees or hours in the proposed fee schedule are due to differences in rounding methodology. OSHA considers any such differences to be negligible.

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**Table B: NRTL Proposed Program Fee Schedule**

<b>Fee Category</b>	<b>Fee Activity</b>	<b>Fee</b>
Administrative Evaluation	Initial application – Limited review	\$4,160
	Expansion application – Limited review	\$2,490
	Renewal request review	\$1,660
Technical Evaluation	Initial application – Detailed management procedures review	\$8,300
	Initial or Expansion application - Testing capability review (per standard)	\$2,490
	Initial or Expansion application - Site capability review (per site)	\$2,490
Assessment	Assessment preparation and close out (per lead auditor, per site)	\$5,610
	Assessment preparation and close out (per assistant auditor, per site)	\$3,320
	Assessment – per day at office, on-site, or on travel (per auditor, per site)	\$830 plus travel expenses
Federal Register Notices	Federal Register notices – initial application	\$5,500
	Federal Register notices – renewal or expansion application	\$3,180
Miscellaneous	Late Fees	\$210
	Other activities or services not specifically described (per hour)	\$104

**Table 1: NRTL Program Staff – Hourly Rate Calculation**

<b>Description</b>	
OSHA Direct Costs	\$579,383
OSHA Ancillary Costs	\$287,541
<i>OSHA Total Costs of NRTL Program, excluding travel (TPC)</i>	<i>\$866,924</i>
<i>OSHA Direct Staff Annual Hours (DSH)</i>	<i>8,352</i>
<b>OSHA Hourly rate (TPC divided by DSH)</b>	<b>\$104</b>

Source, Table 1, 80 FR 57222, 09/22/2015.

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**Table 2: Initial Recognition Applications**

Hours and Cost per Application (i.e., Transaction):

Category	Federal Government Hours	Hourly Rate (Rounded)	Cost
Initial Application - Limited review	40	\$104	\$4,160
Initial Application - Management Procedures review	80	\$104	\$8,320
Initial Application - Testing capability review (assuming two standards per transaction, on average, based on OSHA staff experience)	48	\$104	\$4,992
Initial Application - Site capability review (assuming one site per transaction, on average, based on OSHA staff experience)	24	\$104	\$2,496
Initial Application Federal Register notice preparation	20	\$104	\$4,080*
Initial Application Federal Register notice legal review	16	\$89	\$1,424
<b>TOTALS</b>	<b>228</b>		<b>\$25,472</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

\* Includes estimated Office of Federal Register (OFR) processing fees: \$2,000 per initial application notice, or \$810 per expansion and renewal notice, as applicable.<sup>2</sup>

**Table 3: Expansion of Recognition Applications (additional testing categories)**

Hours and Cost per Application (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Expansion Application - Limited review	24	\$104	\$2,496
Expansion Application - Testing capability review (assuming one standard per transaction, on average, based on OSHA staff experience)	24	\$104	\$2,496
Expansion Application Federal Register notice preparation	16	\$104	\$2,474*
Expansion Application Federal Register notice legal review	8	\$89	\$712
<b>TOTALS</b>	<b>72</b>		<b>\$8,178</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

\* Includes estimated Office of Federal Register (OFR) processing fees: \$2,000 per initial application notice, or \$810 per expansion and renewal notice, as applicable.

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<sup>2</sup>The OFR charges Federal agencies a per column rate for publishing Federal Register notices. See <http://www.archives.gov/federal-register/write/conference/publishing-billing.pdf>. OSHA derived an estimated average processing fee based on the number of columns in typical Federal Register notices published for the NRTL Program.

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**Table 4: Expansion of Recognition Applications (additional testing sites)**  
 Hours and Cost per Application (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Expansion Application - Limited review	24	\$104	\$2,496
Expansion Application - Site capability review (assuming one site per transaction, on average, based on OSHA staff experience)	24	\$104	\$2,496
Expansion Application Federal Register notice preparation	16	\$104	\$2,474*
Expansion Application Federal Register notice legal review	8	\$89	\$712
<b>TOTALS</b>	<b>72</b>		<b>\$8,178</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

\* Includes estimated Office of Federal Register (OFR) processing fees: \$2,000 per initial application notice, or \$810 per expansion and renewal notice, as applicable.

**Table 5: Renewal of Recognition Applications**  
 Hours and Cost per Application (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Renewal request review	16	\$104	\$1,664
Renewal Application Federal Register notice preparation	16	\$104	\$2,474*
Renewal Application Federal Register notice legal review	8	\$89	\$712
<b>TOTALS</b>	<b>40</b>		<b>\$4,850</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015.

\* Includes estimated Office of Federal Register (OFR) processing fees: \$2,000 per initial application notice, or \$810 per expansion and renewal notice, as applicable.

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**Table 6: Assessments for Initial Recognition Applications**  
 Hours and Cost, Initial Recognition Application, per Assessment (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Assessment preparation and close out, lead auditor	54	\$104	\$5,616
Assessment preparation and close out, assistant auditor(s) (assuming 1 assistant auditor, on average, see Table 2, 76 FR 10500, 02/05/2011)	32	\$104	\$3,328
Each day on-site or at office (assuming 2 auditors for 3 days, on average, see Table 2, 76 FR 10500, 02/05/2011)	48	\$104	\$4,992
Travel time (assuming 2 auditors, on average, see Table 2, 76 FR 10500, 02/05/2011, and 1 day travel for each auditor, on average, based on OSHA staff experience) <sup>1</sup>	16	\$104	\$1,664
Travel expenses (assuming travel for 2 auditors, on average, see Table 2, 76 FR 10500, 02/05/2011, for 3 nights, on average, based on OSHA staff experience) <sup>2</sup>	N/A		\$3,252
<b>TOTALS</b>	<b>150</b>		<b>\$18,852</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

<sup>1</sup> Estimates for travel time and expenses are conservative, as not every transaction involves travel.

<sup>2</sup> Travel expenses include expenses for hotel, air transportation, ground transportation, and per diem. See Table B, 80 FR 57222, 09/22/2015. OSHA estimates average travel expenses of \$1,000 per auditor for air transportation, \$142 per auditor per day for hotel and per diem, and \$100 for ground transportation for each day on-site and each travel day (assuming all auditors share ground transportation).

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**Table 7: Assessments for Expansion of Recognition Applications (additional testing categories)**

Hours and Cost, Expansion of Recognition Application (additional testing categories), per Assessment (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Assessment preparation and close out, lead auditor	54	\$104	\$5,616
Assessment preparation and close out, assistant auditor(s) (assuming -0- assistant auditors, on average, based on OSHA staff experience)	0		\$0
Each day on-site or at office (assuming 1 auditor, on average, based on OSHA staff experience, for 1 day, on average, see Table 4, 76 FR 10500, 02/05/2011)	8	\$104	\$832
Travel time (assuming 1 auditor, on average, based on OSHA staff experience, and 1 day travel for each auditor, on average, based on OSHA staff experience) <sup>1</sup>	8	\$104	\$832
Travel expenses (assuming travel for 1 auditor, on average, based on OSHA staff experience, for 1 night, on average, based on OSHA staff experience) <sup>2</sup>	N/A		\$1,342
<b>TOTALS</b>	<b>70</b>		<b>\$8,622</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

<sup>1</sup> Estimates for travel time and expenses are conservative, as not every transaction involves travel.

<sup>2</sup> Travel expenses include expenses for hotel, air transportation, ground transportation, and per diem. See Table B, 80 FR 57222, 09/22/2015. OSHA estimates average travel expenses of \$1,000 per auditor for air transportation, \$142 per auditor per day for hotel and per diem, and \$100 for ground transportation for each day on-site and each travel day (assuming all auditors share ground transportation).

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**Table 8: Assessments for Expansion of Recognition Applications (additional testing sites)**  
 Hours and Cost, Expansion of Recognition Application (additional testing sites), per Assessment  
 (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Assessment preparation and close out, lead auditor	54	\$104	\$5,616
Assessment preparation and close out, assistant auditor(s) (assuming -0- assistant auditors, on average, see Table 3, 76 FR 10500, 02/05/2011)	0		\$0
Each day on-site or at office (assuming 1 auditor for 3 days, on average, see Table 3, 76 FR 10500, 02/05/2011)	24	\$104	\$2,496
Travel time (assuming 1 auditor, on average, see Table 3, 76 FR 10500, 02/05/2011, and 1 day travel for each auditor, on average, based on OSHA staff experience) <sup>1</sup>	8	\$104	\$832
Travel expenses (assuming travel for 1 auditor, on average, see Table 3, 76 FR 10500, 02/05/2011, for 3 nights, on average, based on OSHA staff experience) <sup>2</sup>	N/A		\$1,826
<b>TOTALS</b>	<b>86</b>		<b>\$10,770</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

<sup>1</sup> Estimates for travel time and expenses are conservative, as not every transaction involves travel.

<sup>2</sup> Travel expenses include expenses for hotel, air transportation, ground transportation, and per diem. See Table B, 80 FR 57222, 09/22/2015. OSHA estimates average travel expenses of \$1,000 per auditor for air transportation, \$142 per auditor per day for hotel and per diem, and \$100 for ground transportation for each day on-site and each travel day (assuming all auditors share ground transportation).

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**Table 9: Assessments for Renewal of Recognition Applications**

Hours and Cost, Renewal of Recognition Application, per Assessment (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Assessment preparation and close out, lead auditor	54	\$104	\$5,616
Assessment preparation and close out, assistant auditor(s) (assuming -0- assistant auditors, on average, based on OSHA staff experience)	0		\$0
Each day on-site or at office (assuming 1 auditor, on average, based on OSHA staff experience, for 3 days, on average, see Table 4, 76 FR 10500, 02/05/2011)	24	\$104	\$2,496
Travel time (assuming 1 auditor, on average, based on OSHA staff experience, and 1 day travel for each auditor, on average, based on OSHA staff experience) <sup>1</sup>	8	\$104	\$832
Travel expenses (assuming travel for 1 auditor, on average, based on OSHA staff experience, for 3 nights, on average, based on OSHA staff experience) <sup>2</sup>	N/A		\$1,826
<b>TOTALS</b>	<b>86</b>		<b>\$10,770</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

<sup>1</sup> Estimates for travel time and expenses are conservative, as not every transaction involves travel.

<sup>2</sup> Travel expenses include expenses for hotel, air transportation, ground transportation, and per diem. See Table B, 80 FR 57222, 09/22/2015. OSHA estimates average travel expenses of \$1,000 per auditor for air transportation, \$142 per auditor per day for hotel and per diem, and \$100 for ground transportation for each day on-site and each travel day (assuming all auditors share ground transportation).

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**Table 10: Assessments for Audits**

Hours and Cost, Audit, per Assessment (i.e., Transaction):

Category	Hours	Wage Hour Estimate (Rounded)	Cost
Assessment preparation and close out, lead auditor	54	\$104	\$5,616
Assessment preparation and close out, assistant auditor(s) (assuming -0- assistant auditors, on average, see Table 5, 76 FR 10500, 02/05/2011)	0		\$0
Each day on-site or at office (assuming 1 auditor for 2 days, on average, see Table 5, 76 FR 10500, 02/05/2011)	16	\$104	\$1,664
Travel time (assuming 1 auditor, on average, see Table 5, 76 FR 10500, 02/05/2011, and 1 day travel for each auditor, on average, based on OSHA staff experience) <sup>1</sup>	8	\$104	\$832
Travel expenses (assuming travel for 1 auditor, on average, see Table 5, 76 FR 10500, 02/05/2011, for 2 nights, on average, based on OSHA staff experience) <sup>2</sup>	N/A		\$1,584
<b>TOTALS</b>	<b>78</b>		<b>\$9,696</b>

Source, Tables 2 thru 5 and Table B, 80 FR 57222, 09/22/2015, except where noted.

<sup>1</sup> Estimates for travel time and expenses are conservative, as not every transaction involves travel.

<sup>2</sup> Travel expenses include expenses for hotel, air transportation, ground transportation, and per diem. See Table B, 80 FR 57222, 09/22/2015. OSHA estimates average travel expenses of \$1,000 per auditor for air transportation, \$142 per auditor per day for hotel and per diem, and \$100 for ground transportation for each day on-site and each travel day (assuming all auditors share ground transportation).

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**Table 11: Total Costs to Respondents Resulting from Collections of Information**

Category	Total Number Of Transactions per Category <sup>1</sup>	Cost Per Transaction <sup>2</sup>	Total Cost
	<i>A</i>	<i>B</i>	$C = A \times B$
Initial Recognition Applications	3	\$25,472	\$76,416
Expansion of Recognition Applications (additional testing categories)	5	\$8,178	\$40,890
Expansion of Recognition Applications (additional testing sites)	2	\$8,178	\$16,356
Renewal of Recognition Applications	3	\$4,850	\$14,550
Assessments for Initial Recognition Applications	3	\$18,852	\$56,556
Assessments for Expansion of Recognition Applications (additional testing categories)	5	\$8,622	\$43,110
Assessments for Expansion of Recognition Applications (additional testing sites)	2	\$10,770	\$21,540
Assessments for Renewal of Recognition Applications	3	\$10,770	\$32,310
Assessments for Audits	44	\$9,696	\$426,624
<b>Totals</b>	<b>70</b>		<b>\$728,352</b>

<sup>1</sup> For information on how OSHA derived the total number of transactions per category (i.e., per category of application or assessment, as applicable), please see Table 1 and the associated text describing that table.

<sup>2</sup> For information on how OSHA derived the cost per transaction, please see Tables 2 through 10.

Respondents bear costs resulting from the collections of information required by the NRTL Program Regulation in the form of fees paid to OSHA for the various NRTL-related services OSHA provides. Table 11, above, provides a summary of these estimated annual costs,

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including costs to respondents associated with OSHA's processing initial-recognition, expansion-of-recognition, and renewal-of-recognition applications, as well as assessments associated with these applications and assessments for audits.

The total annual burden cost to respondents under the existing, previous approval of the existing information collection requirements by OMB is \$348,192 (see 82 FR 12370, March 2, 2017). Thus, as shown in Table 11 above, the Agency requests a \$380,160 program change increase in the total annual cost burden to respondents resulting from the collection of information, bringing the total cost burden to respondents to \$728,352.

**14. Provide estimates of the annualized cost to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into single table.**

There are no costs to the Federal Government, as all costs are passed through to respondents (see Item 13).

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

The Agency intends to revise the NRTL Program's fee schedule associated with initial recognition, program expansion, renewals of recognition, and on-site audits. The existing fee schedule for these activities can be found at <http://www.osha.gov/dts/otpca/nrtl/nrtlfees.html>. To facilitate the payment of fees and reduce the burden on NRTLs, the Agency is in the process of establishing an electronic payment mechanism on [Pay.gov](http://Pay.gov). For each transaction on this site, users would be required to complete a short payment form. OSHA believes that the on-line process and associated form will simplify fee transactions and facilitate flexibility in payment options. This accounts for the reduction in burden hours from 1,623 to 1,523.

OSHA is also requesting an increase in costs associated with OSHA's planned increase in filing and assessment fees. As explained fully in the September 22, 2015 Federal Register notice proposing the updated NRTL Fee Schedule (80 FR 57222, Docket No. OSHA-2007-0031), the fees charged by OSHA under the existing fee schedule have been far lower than the costs of performing the activities for which OSHA charges fees. OSHA is required to set fees at a level that cover its full costs in reviewing NRTL applications (29 CFR 1910.7(f)(2)). The proposed fee schedule will rectify this flaw and more accurately reflect the full cost of performing the activities for which OSHA charges fees.

**16. For collections of information whose results will be published, outline plans for tabulations and publication. Address any complex analytical techniques that will be used.**

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**Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of the report, publication dates, and other actions.**

OSHA will not publish tabulations or compilations of the information collected under the Regulation.

**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.**

OSHA is not seeking such approval.

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

OSHA is not seeking an exception to the certification statement.