

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS OF THE
STANDARD FOR WELDING, CUTTING, AND BRAZING
(29 CFR PART 1910, SUBPART Q)¹
OFFICE OF MANAGEMENT AND BUDGET
(OMB) CONTROL NO. 1218-0207 (July 2020)**

This ICR seeks to extend authorization for this collection without change.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

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

Under the authority granted by the Act, the Occupational Safety and Health Administration (i.e., "OSHA" or "the Agency") published a standard on Welding, Cutting and Brazing (29 CFR part 1910, subpart Q) (the "Standard") for general industry. The Standard includes several provisions pertaining to welding equipment. Items 2 and 12 below describe the specific information collection requirements of the Standard.

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

The information collected is used by employers and workers whenever welding, cutting and brazing are performed. The purpose of the information is to ensure that employers evaluate hazards associated with welding and ensure that adequate measures are taken to make the process safe.

¹The purpose of this Supporting Statement is to analyze and describe the burden hours and costs associated with a provision of this standard that contains a paperwork requirement; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, the Standard.

Section 1910.255(e) requires that a periodic inspection of resistance welding equipment be made by qualified maintenance personnel, and a certification record generated and maintained. The certification shall include the date of the inspection, the signature of the person who performed the inspection and the serial number, or other identifier, for the equipment inspected. The record shall be made available to an OSHA inspector upon request. The maintenance inspection ensures that welding equipment is in safe operating condition while the maintenance record provides evidence to workers and Agency compliance officers that employers performed the required inspections.²

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

Employers may use improved information technology whenever appropriate when reporting or maintaining records. The standard only requires “what” data to record not “how” to record the data.

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

The information collection requirement in the Standard is specific to each employer and worker involved, and no other source or agency duplicates the requirements or can make the required information available to OSHA (i.e., the required information is only available from, or applies only to, the employers covered by the Standard).

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

The information collection requirement specified by the Standard does not have a significant impact on a substantial number of small entities.

²The ICR does not account for the paperwork burden associated with several provisions of the standard either because manufacturers typically provide the required information (i.e., §§ 1910.252(b)(2)(ii)(G), (c)(1)(i)(A), (c)(1)(i)(B), (c)(1)(i)(C), 1910.253(b)(1)(ii), (d)(4)(ii), (d)(4)(iii), (e)(6)(iii), (f)(1)(i), (g)(1)(ii), and 1910.254(b)(4)(iv)); the Agency believes that the paperwork requirement was a usual and customary business practice among the industry prior to publication of the standard (i.e., §§ 1910.252(a)(2)(xiii)(D), (a)(2)(xiv)(D), 1910.253(b)(5)(iii)(G), (c)(3)(v), and (f)(7)(i)(A)); or the Agency believes that the implied training provisions are performance-oriented and, therefore, not subject to PRA-95 (i.e., §§ 1910.252(a)(2)(xiii)(C) and 1910.253(a)(4)).

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

The information collection frequencies specified by the Standard are the minimum frequencies that the Agency believes are necessary to assure OSHA compliance officers that workers are safe while performing welding, cutting and brazing duties.

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 collection, 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.

Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the *Federal Register* on November 21, 2019 (84 FR 64348, Docket No. OSHA-2010-0037) soliciting comments from the public and other interested parties on the information collection requirements contained in the Welding, Cutting, and Brazing Standard (29 CFR part 1910, subpart Q). The notice was part of a preclearance consultation program that provided interested parties with an 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 did not receive any public comments regarding this proposed information collection request.

9. Explain any decision to provide any payments 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 paperwork requirement specified by the Standard does not require the collection of 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 paperwork requirement specified by the Standard does not require the collection of sensitive information.

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

- **Show 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 burdens, and explain the reasons for the variance. General 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 burdens estimates for each form and aggregate the hour burden.**
- **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

Information regarding the number of workers performing welding, cutting and brazing is from the *Occupational Employment Statistics, May 2019 Occupational Profiles, United States*, Bureau of Labor Statistics, U.S. Department of Labor (Standard Occupational Classification (SOC) code 51-4121) <https://www.bls.gov/oes/current/oes514121.htm>. This data estimates there are 410,750 welders, cutters, solderers and brazers in general industry. Based on previous ICRs, OSHA estimates that the number of resistance welders is approximately 5.3 percent (21,770) of all welders, cutters, solderers, and brazers.

The Agency determined the wage rate from mean hourly wage earnings to represent the cost of employee time. The following hourly wage rates for the relevant occupational categories have been derived from the *National Occupational Employment and Wage Estimates United States, May 2018*, published by the Bureau of Labor Statistics. For the relevant standard occupational

classification category, OSHA used the wage rates reported in the Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Employment Statistics (OES), May 2017* [date accessed: September 25, 2019]. (OES data is available at <https://www.bls.gov/oes/tables.htm>. To access a wage rate, select the year, “Occupation Profiles,” and the Standard Occupational Classification (SOC) code.)

To account for fringe benefits, the Agency used the Bureau of Labor Statistics’ (BLS) March 2019 National Compensation Survey. Fringe markup is from the following BLS release: *Employer Costs for Employee Compensation* news release text; released 10:00 AM (EDT), September 2019 (<https://www.bls.gov/news.release/ecec.nr0.htm>). BLS reported that for civilian workers, fringe benefits accounted for 31.4 percent of total compensation and wages accounted for the remaining 68.6 percent. To calculate the loaded hourly wage for each occupation, the Agency divided the mean hourly wage by 1 minus the fringe benefits. See Table 1.

These hourly wages are:

Occupational Title	Standard Occupation Code	Mean Hourly Wage Rate (A)	Fringe Benefits (B) ³	Loaded Hourly Wage Rate (C) = (A)/((1-(B)))
Welder or Cutter Maintenance Worker	51-4121	\$21.33	0.314	\$31.09
Secretary and Administrative Assistant	43-6014	\$18.18	0.314	\$26.65

Inspection and Certification of Resistance Welding Equipment (§1910.255(e))

OSHA assumes that each resistance welder has one complete resistance welding unit and

³ Source: Employer costs for Employee Compensation Supplementary Table 2. U.S. Department of Labor, Bureau of Labor statistics, June 2019

that it takes five minutes (5/60 hour) to perform the inspection periodically (semi-annually), two minutes (2/60 hour) to generate the inspection record, and one minute (1/60 hour) to maintain the inspection certification record (this can be performed by a secretary). Therefore, the annual burden hours and cost of this paperwork requirement are:

Burden hours: 21,770 resistance welding units x 7/60 hour to perform inspection and generate inspection certification record x 2 times annually = 5,080 hours

Cost: 5,080 burden hours x \$31.09 = \$157,937

Burden hours: 21,770 resistance welding units x 1/60 hour) to maintain the certification record x 2 times annually = 726 hours

Cost: 726 burden hours x \$26.65 = \$19,348

Table 2: Estimated Respondent Hour and Cost Burden

Form/ Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (In hrs.)	Total Burden Hours	Avg. Hourly Wage	Total Burden Costs
Inspection and Certification of Resistance Welding Equipment (1910.255(e))							
Welder	21,770	2	43,540	7/60	5,080	\$31.09	\$157,937
Clerical/ Administrative Assistant	21,770	2	43,540	1/60	726	\$26.65	\$ 19,348
Total	20,627	--	87,080	--	5,806	--	177,285

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

Other than the estimates of the total annual cost burden to respondents or record keepers resulting from this collection of information included in Item 12, there are no additional costs to the respondent.

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), 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 a single table.

There is no cost to the Federal Government.

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

The Agency requests an adjustment decrease of 74 burden hours (from 5,732 burden hours to 5,806 burden hours) associated with the collections of information in the Welding, Cutting, and Brazing Standard. There was an increase of 24,510 welders, cutters, solders, and brazers in general industry from the previous estimates, but the burden has decreased. The burden adjustment is due primarily to the way the burden hours are calculated. The hours are calculated using fractions instead of decimals, as the agency believes that it is easier for the public to follow our methodology of a fraction instead of a decimal. The adjustment is primarily due to updated data which indicates an increase in the number of resistant welders from 386,240 in the last ICR to 410,750.

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

OSHA will not publish the information collected under the standard.

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

OSHA lists current valid control numbers in §§1910.8, 1915.8, 1917.4, 1918.4 and 1926.5 and publishes the expiration date in a Federal Register notice announcing OMB approval of the information collection requirement (see 5 CFR 1320.3(f)(3)). OSHA believes that this is the most appropriate and accurate mechanism to inform interested parties of these expiration dates.

WELDING, CUTTING, & BRAZING STANDARD (29 CFR part 1910, subpart Q)
1218-0207
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18. Explain each exception to the certification statement

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.