

Hazardous Energy Control Standard (Lockout/Tagout) (29 CFR 1910.147)
OMB Control Number 1218-0150
OMB Expiration Date: April 30, 2021

**SUPPORTING STATEMENT FOR
INFORMATION COLLECTION REQUIREMENTS CONTAINED IN
THE HAZARDOUS ENERGY CONTROL STANDARD (LOCKOUT/TAGOUT) (29 CFR
1910.147)¹
OMB CONTROL NO. 1218-0150 (April 2021)**

This ICR is requesting the extension of a currently approved data collection.

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

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

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

¹ The purpose of this Supporting Statement analyzes and describes burden hours and cost associated with provisions of this standard that contain information collection ; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, these provisions.

Under the authority granted by the Act, the Occupational Safety and Health Administration (i.e., “OSHA” or “the Agency”) published at 29 CFR 1910.147 a safety standard for general industry titled “Control of Hazardous Energy (Lockout/Tagout)” (i.e., “the LO/TO Standard” or “the Standard”). The Standard regulates the control of hazardous-energy sources using lockout or tagout procedures while workers service, maintain, or repair machines or equipment when activation, start-up, or release of energy from an energy source is possible.

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

The Standard specifies several information collection requirements. The following sections describe who uses the information collected under each requirement, as well as how they use it. The purpose of these requirements is to control the release of hazardous-energy sources while workers service, maintain, or repair machines or equipment when activation, start-up, or release of energy from an energy source is possible; proper control of hazardous-energy sources prevent death or serious injury among these workers.

Energy-Control Procedure (paragraph (c)(4)(i) and (c)(4)(ii)). With limited exception, employers must document the procedures used to isolate from its energy source and render inoperative, any machine or equipment before servicing, maintenance, or repair by workers. These procedures are necessary when activation, start-up, or release of stored energy from the energy source is possible, and such release could cause injury to the workers.

Paragraph (c)(4)(ii) states that the required documentation must clearly and specifically outline the scope, purpose, authorization, rules, and techniques workers are to use to control hazardous energy, and the means to enforce compliance. The document must include at least the following elements:

- A) A specific statement regarding the use of the procedure;
- B) Detailed procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;
- C) Detailed procedural steps for placing, removing, and transferring lockout or tagout devices, including the responsibility for doing so; and
- D) Requirements for testing a machine or equipment to determine and verify the effectiveness of lockout or tagout devices, as well as other energy control measures.

The employer uses the information in this document as the basis for informing and training workers about the purpose and function of the energy control procedures, and the safe application, use, and removal of energy controls. Also, this information enables employers to effectively identify operations and processes in the workplace that require energy-control procedures.

Protective Materials and Hardware (paragraph (c)(5)(ii)(D) and paragraph (c)(5)(iii)).

Paragraph (c)(5)(ii)(D) requires that lockout and tagout devices indicate the identity of the employee applying it. Paragraph (c)(5)(iii) requires that tags warn against hazardous conditions if the machine or equipment is energized. Also, the tag must include a legend such as one of the following: Do Not Start; Do Not Open; Do Not Close; Do Not Energize; Do Not Operate.

These provisions provide a safe work practice to authorized workers applying the lockout/tagout devices by giving the identity of the person applying it and warning against hazards that might exist.

Periodic Inspection Certification Records (paragraphs (c)(6)(i) and (c)(6)(ii)). Under paragraph (c)(6)(i), employers are to conduct inspections of energy control procedures at least annually. An authorized worker other than an authorized worker using the energy-control procedure that is the subject of the inspection is to conduct the inspection and correct any deviations or inadequacies identified. For procedures involving either lockout or tagout, the inspection must include a review, between the inspector and each authorized worker, of that worker's responsibilities under the procedure; for procedures using tagout systems, the review also involves affected workers and includes an assessment of the workers' knowledge of the training elements required for these systems. Paragraph (c)(6)(ii) requires employers to certify the inspection by documenting the date of the inspection and identifying the machine or equipment inspected, the workers included in the inspection, and the worker who performed the inspection.

Training Certification Records (paragraph (c)(7)(iv)).

The requirements that employers provide training to workers under paragraph (c)(7)(i),(ii), and (iii) are not considered to be an information collection requirement. OSHA is not taking burden for this activity under Item 12 of this Supporting Statement.

Under paragraph (c)(7)(iv), employers are to certify that workers have completed the required training and that this training is up-to-date. The certification is to contain each worker's name and the training date. Written certification of the training assures the employer that workers receive the training specified by the Standard.

Disclosure of Inspection and Training Certification Records (paragraphs (c)(6)(ii) and (c)(7)(iv)). Under these provisions, employers subject to an OSHA inspection are required to disclose inspection and training certification records to the OSHA compliance officer. The inspection records provide employers with assurance that workers can safely and effectively service, maintain, and repair machines and equipment covered by the Standard. These records also provide the most efficient means for an OSHA compliance officer to determine that an employer is complying with the Standard and that the machines and equipment are safe for servicing, maintenance, and repair. The training records provide the most efficient means for an OSHA compliance officer to determine whether an employer has performed the required training.

The Agency has no annualized records disclosure costs associated with enforcing the Standard. OSHA would only review records in the context of an investigation of a particular employer to determine compliance with the Standard. These activities are outside the scope of the PRA. See 5

CFR 1320.4(a)(2).

Notification of Employees (paragraph (c)(9)). This provision requires the employer or authorized worker to notify affected workers before applying, and after removing, a lockout or tagout device from a machine or equipment. Such notification informs workers of the impending interruption of the normal production operation and serves as a reminder of the restrictions imposed on them by the energy-control program. Also, this requirement ensures that workers do not attempt to reactivate a machine or piece of equipment after an authorized worker isolates its energy source and renders it inoperative. Notifying workers after removing an energy-control device alerts them that the machines and equipment are no longer safe for servicing, maintenance, and repair.²

Offsite Personnel (Contractors, etc.) (paragraph (f)(2)(i)). When the onsite employer uses an offsite employer (e.g., a contractor) to perform the activities covered by the scope and application of the Standard, the two employers must inform each other regarding their respective lockout or tagout procedures. This provision ensures that each employer knows about the unique energy-control procedures used by the other employer; this knowledge prevents any misunderstanding regarding the implementation of lockout or tagout procedures, and the use of lockout or tagout devices for a particular application.

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

Employers may use automated, electronic, mechanical, or other technological information-collection techniques, or other forms of information technology (e.g., electronic submission of responses), when establishing and maintaining the required records. The Agency wrote the information collection requirements of the Standard in performance-oriented language (i.e., in terms of what data to collect, 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 purposes described in Item A.2 above.

The requirements to collect and maintain information are specific to each employer and worker involved, and no other source or agency duplicates these requirements or can make the required information available to OSHA (i.e., the required information is available only from employers).

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

²Paragraph (e)(2) requires similar notification; because of this similarity, the Agency is taking no burden hours or cost for this provision.

The information collection requirements specified by the Standard do not have a significant impact on a substantial number of small entities. The Agency has published *OSHA Instruction, Directive Number CPL 02-00-147, The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures, February 11, 2008*. Although this directive establishes OSHA’s enforcement policy for the standards addressing the control of hazardous energy, the Agency has made the directive available to the public to assist them in complying with and understanding the requirements of the LO/TO Standard.

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

The Agency believes that the information collection frequencies required by the Standard are the minimum frequencies necessary to effectively regulate hazardous-energy sources, and thereby fulfill its mandate “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” as specified by the Act at 29 U.S.C. 651. Accordingly, when employers do not perform the required information collections or delay in providing this information, workers may not use energy-control procedures effectively and safely, thereby increasing their probability of death and serious injury caused by the uncontrolled release of hazardous energy.

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 demonstrate that it has instituted procedures to protect the information's confidentially 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 outlined 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 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 the Paperwork Reduction Act (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice on December 23, 2020 in the Federal Register (85 FR 84004) soliciting public comments on its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Control of Hazardous Energy Standard (Lockout/Tagout) (29 CFR 1910.147). This notice was part of a preclearance consultation program that provided the general public and government agencies with an opportunity to comment. The Agency received one comment in response to this notice.

The commenter, Mr. Miles Free, Director, Industry Research and Technology, on behalf of the Precision Machined Products Association (PMPA), raised questions about certain elements of this Supporting Statement primarily related to burden calculations and estimates. Mr. Miles also references PMPA comments submitted in response to a Request For Information (RFI) published in May, 2019.

The Agency recognizes that from time to time, existing regulations require revisiting due to evolving technology. In this vein, the Agency developed the RFI (May 20, 2019; 84 FR 22756) on certain aspects of the LOTO rule (see: U.S. DOL-OSHA, Lock-out Tag-out Update (RIN: 1218-AD00); <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202010&RIN=1218-AD00>). The RFI provided an opportunity for commenters to cite changes to industry which may have changed the relevant underlying industry profile in a way to significantly alter the burden to industry. Also, to obtain a more accurate representation of the NAICS codes that fall under the LOTO rule, the Agency asked stakeholders to identify their industry (by NAICS code, where possible) when responding. The agency is considering holding a stakeholder meeting and opening

a public docket to explore the issue. OSHA encourages the commenter to continue participating in this process.

The commenter's requests with regard to changes in regulatory requirements, including those related to the Minor Service Exemption (MSE), are not relevant to this ICR. The agency received PMPA's comments on the RFI and continues reviewing all RFI comments at this time.

The comment is discussed in additional detail below.

1. PMPA comment: *"...[M]anufacturers in NAICS are currently classified as "high impact," not all industries have the same operations, therefore a one size fits all LOTO that may be effective in the food manufacturing business could render a metalworking manufacturing machine completely inoperable."*

OSHA Response: This ICR is not related to any change in the existing requirements of the standard. The agency believes the ICR conservatively estimates existing notification burden for "affected employees" under 29 CFR 1910.147(b) and 29 CFR 1910.147(c)(9). To the extent PMPA seeks changes to the regulatory requirements, this is a matter that would need to be addressed during rulemaking.

2. PMPA comment: *"The PMPA also cautions regulators against using the current burden standards as a baseline to estimate the burden upon stakeholders when developing a possible new LOTO standard and regulation. Flawed baseline assumptions will lead to flawed outcomes that may not improve safety, but would likely reduce productivity, costing American manufactures the resources needed to invest in their facilities and hire more employees. The PMPA is extremely concerned that OSHA may use any of the burden assumptions accompanying the ICR when developing new LOTO regulations. This estimation is a review of OSHA's previous data, and not only do we disagree with the inputs used, as described below, but also do not believe OSHA should use the burden estimations in the establishment of any future LOTO regulations."*

OSHA Response: This ICR is not related to any change in the existing requirements of the standard or any new Lockout/Tagout standard. Revised burden hour assumptions for new or changed requirements would be developed based on a rulemaking record. This is a matter that would need to be addressed during rulemaking.

3. PMPA Comment: *"The PMPA does not believe the collection of LOTO information is necessary for a process that is routine, repetitive, and integral to the process, especially when a single individual is involved in the operation of that machine. According to PMPA's analysis, a typical shop within NAICS 332721 has two machines per employee. No other individual is involved in the tooling adjustment/changeout process and that employee has full operational and safety control during a routine tool adjustment, which can occur 1,600 times per week, per shop, 52 weeks per year. An individual would not disconnect the battery of a vehicle prior to a tire change or a windshield wiper replacement as no risk exists for another operator to inadvertently place a coworker at risk. In our precision machining industry, simple tool adjustments and replacements on jobs that are in process could easily reach into the thousands per shop per week. We might need to replace a multi-edge insert or other indexable tool every ten or fifteen minutes on each machine. This could rise as high as 1,600 tool changes per shop per week; 4 changes per machine per hour times 8 hours times 50 machines = 1,600 changes. This is clearly a routine procedure integral to the machine's operation and conducted by 0.5-1.0 FTE per machine. A Texas*

manufacturer falling under the high-impact category reported to PMPA in February 2021 that their shop undergoes 1,300 tool changes and adjustments per week.”

OSHA Response: Some servicing operations performed during normal production operations are excepted from coverage under the Lockout/Tagout standard. This exception is referred to as the minor servicing exception. The Lockout/Tagout standard does not cover minor servicing activities that are necessary to carry out the production process provided that associated danger zones are properly guarded. The Lockout/Tagout standard contains specific criteria that must be met for the minor servicing exception to apply. Minor tool changes and adjustments, and other minor servicing activities that take place during normal production operations, are not covered by the standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternative measures which provide effective protection. Because the Lockout/Tagout standard does not apply to these types of routine, repetitive, and integral processes, there are no information collections associated with these processes.

As stated above, this ICR is not related to any change in the existing requirements of the standard. Revised burden hour assumptions for new or changed requirements would be developed based on a rulemaking record. To the extent PMPA seeks changes to the regulatory requirements, this is a matter that would need to be addressed during rulemaking.

4. PMPA Comment: *“The PMPA believes that OSHA is significantly undercounting the number of covered establishments and also the burden on high-impact establishments by focusing on the loss of employee time and cost of their wages as the primary calculation of a “burden” in monetary and time. However, especially given today’s automation of improved efficiency of industrial machinery, OSHA should factor in the hourly rate for the machine’s loss production in addition to the individual FTE. PMPA members can typically estimate a billable hourly rate of \$100 per machine, with a typical 50-employee shop having 80 machines and those with 100-employees will typically have 160 machines. Downtime for added LOTO requirements will not only cost the small business employer lost productivity for the employee but also for the multiple machines each FTE often operates.*

In OSHA’s Supporting Statement released January 5, 2021 (Document ID OSHA-2011-0033-0015), the size category of “small”, 20-99 employees would apply to the majority of PMPA with virtually all the remainder being considered “medium”, or as having 100-249 employees. When filing the 2019 RFI comments, PMPA provided an attached chart, included with these comments as an addendum as well, that calculated the impact of the current (Minor Service Exemption) MSE use, time to apply, confirm, and remove LOTO (3 additional minutes per machine), and anticipated revenue loss per machine if MSE is eliminated and replaced by LOTO. Should the agency eliminate the minor servicing exemption, we believe that OSHA will put businesses within NAICS 332721 at a 20 percent or more disadvantage compared with foreign competitors. Examining the impact on NAICS 332 Fabricated Metal Product Manufacturing if OSHA were to eliminate the MSE, we estimate a loss of nearly \$70 billion due to the reduced equipment availability and uptime.”

OSHA Response: This Supporting Statement accounts for the estimated labor hour cost for each information collection requirement of the standard. Unlike the economic analysis in a rulemaking action, which typically addresses all costs arising from a standard, the PRA analysis only addresses the burden hours and costs of the information collection requirements of the standard; that is “the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or

provide information to or for a Federal agency” 5 C.F.R. § 1320.3(b)(1). Lost productivity costs are not included in the Information Collection Request (ICR) analysis under the PRA. See responses above related to the RFI and minor servicing exception. See response below regarding the 3 additional minutes per machine comment.

5. PMPA Comment: *“In the LOTO Supporting Statement, “OSHA assumes that an authorized worker is a non-supervisory manufacturing worker who requires 15 seconds (.25/60 hours) to provide the required notification (i.e., 10 seconds for applying a lockout/tagout device, and five seconds for removing the device).” OSHA also “OSHA estimates that there are approximately 91,459 authorized workers in very small, high-impact establishments who would have to notify affected workers of the application and removal of lockout/tagout devices (since this practice was not customary and normal in these facilities before the promulgation of the standard) (see Table 1). (91,459 workers = 201,909 establishments x .45297 workers/establishment.)” As it relates to the question of the number of workers in high-impact manufacturing establishments deemed “small” (25-99 FTE), OSHA estimates 91,459 authorized workers. According to PMPA’s industry data for NAICS 332721, 80 percent of employees of establishments between 25 and 100 employees are in production, meaning manufacturing positions. Using the same 2017 County Business Patterns Survey referenced by the OSHA LOTO Supporting Statement, NAICS 332721 on its own has 103,249 employees at 3,791 establishments. Using PMPA’s ratio of 80 percent of employees being in production, for our NAICS alone, that amounts to 82,599 production workers, many of whom operate machinery subject to the regulation. On its own, NAICS 332721 nears the total OSHA estimates for the category of high-impact small establishments. We advise OSHA to review the number of covered establishments and more accurately predict the number of employees affected.”*

OSHA Response: The commenter also questions several of the agency’s assumptions and estimates as undercounted. OSHA’s Information Collection Requests (ICRs) generally mirror the economic assumptions contained in the economic analyses (referred to as the Regulatory Impact Analysis, or RIA) for the rulemaking; OSHA does not have the resources nor OMB approval to collect new data for the purposes of extending OMB approval for its ICRs. The Agency’s underlying legal authority for regulatory action, the Occupational Safety and Health Act, calls for acting on safety and health issues based on the best available evidence. It is not possible in all cases to obtain empirically-based data on all elements of a regulatory action. In the case of the LOTO standard, the Agency followed its normal practice and issued a proposed rule and a supporting preliminary economic analysis, took public comments on them, including public hearings, in which a variety of issues were raised, but these assumptions and estimates regarding time estimates were considered to be reasonable.

The commenter discusses a 6-digit NAICS code that has emerged within the manufacturing sector. The Regulatory Impact Analysis for this final rule was dealing with manufacturing at a very aggregated level (2-digit level). The commenter’s industry was included in the original RIA, and by extension, all subsequent ICR analyses.

6. PMPA Comment: *“Not only does PMPA disagree with the number of establishments affected, but also OSHA’s estimated 15-seconds for applying a lockout/tagout device and removing. PMPA’s evidence shows that under the Minor Service Exception alone, the typical 332721 shop employee spends one full minute of an hour, or 1.0/60. If MSE is replaced by LOTO, the estimate is three minutes to apply, confirm, and remove LOTO per action per machine – a rate of 3.0/60 – well above the OSHA .25/60 burden estimation. While often larger businesses, others throughout the three-digit NAICS of 332, Fabricated Metal Product Manufacturing, with 54,066 establishments will also report a much higher burden than*

OSHA estimates. Extrapolating the 3.0 minutes reported by PMPA members and multiplying that by the 1,118,211 production employees (80 percent of 1,397,764 employees in the 2017 County Business Patterns Survey), clearly demonstrates OSHA's undercounting the number of establishments and employees affected and the time burden assessed on NAICS 31-33.

Taking that real-world example from the Texas manufacturer in February 2021 with 1,300 tool adjustments and changes per week at 3-minutes per action, that amounts to 65 hours of lost productivity per week for one company – consuming collective time of 1.625 FTEs. PMPA respectfully questions the method used to calculate the estimated time under LOTO as 15-seconds. Were an employee in our industry attempt a full LOTO within 15-seconds they would not only risk their own safety but possibly those of others and damage to machinery and equipment as they physically attempt to maneuver around large equipment. PMPA believes that the estimates provided by OSHA are seriously understated, lack any basis in available fact, and when examined at the finest level of detail, amount to less than the cost of a single tag. Therefore, we question the methods and results justifying OSHA's request for an adjustment decrease of burden hours or the reduction in the number of high-impact establishments.”

OSHA Response: The commenter disagrees with the agency’s 15 second time estimate for applying and removing a lock. The commenter references “evidence shows that under the Minor Service Exception alone, the typical 332721 shop employee spends one full minute of an hour, or 1.0/60.” The commenter states, “If MSE is replaced by LOTO, the estimate is three minutes to apply, confirm, and remove LOTO per action per machine – a rate of 3.0/60 – well above the OSHA .25/60 burden estimation.” The comment also suggests that the burden time for activity under the standard is 3 minutes for the majority of establishments in the 6 digit NAICS code 332721, and suggests that this is also the case for other establishments in the 3 digit NAICS code 332. Without more specific information about the 3 minute estimate for LOTO activities, the agency cannot determine the validity of this estimate and how it should be applied to all covered activities. Regardless, as indicated in #4 above, the ICR reflects the burden created by the required *collection of information*, not the entire time to perform the LOTO operation, as the commenter is describing. For purposes of the ICR, only the time it takes a worker to notify other affected workers that they will be applying a lockout or tagout device is factored into the burden.

While OSHA will take the commenter’s suggestion under advisement for potential future rulemakings, it believes that the current analysis accurately captures the current paperwork burden.

7. PMPA Comment: *“Production employees, supervisors, and management are always looking for ways to reduce the burden, particularly on smaller employers. However, actions taken under the auspices of reducing the burden should not come at the expense of sound policy, privacy, and safety. There is a significant belief among industry that proposals to move more reporting online are seen as hostile to business interests and employees, and appear to minimize the upcoming escalation of such costs in our shops as we deal with changes likely as the agency revisits its lockout/tagout regulations. The PMPA is on record concerned about the use of electronic data submissions by regulators that the federal government subsequently makes public with little or no explanation. A prime example is the public release of 300A information, which does not in any way improve workplace safety but does create a false impression of unsafe industries, lead to increased insurance costs, and most importantly, steer young people away from family-sustaining careers in manufacturing by falsely reinforcing the misperception of manufacturing as dark, dirty, and dangerous. While using automated and other technologies to transmit information may at first look appear to relieve the immediate reporting burden on the establishment, the*

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collection, use, and possible release of such information remains a significant concern and business and privacy risk to both employees and employers.”

OSHA Response: The scope of the ICR includes only the information collection requirements of 29 CFR 1910.147. There are no OSHA submission requirements in 29 CFR 1910.147 and this ICR does not create any new requirements. The ICR is simply noting the use of electronic recordkeeping for employer use as a potential method for reducing burden. OSHA allows for various methods of compliance and does not require the use of technology identified by the commenter.

The OSHA 300A form is an information collection requirement of 29 CFR 1904, which is approved under OMB Control Number 1218-0176. (See: <https://www.reginfo.gov/public/do/PRAOMBHistory?ombControlNumber=1218-0176>). We have referred this aspect of the comment to OSHA’s recordkeeping office for further consideration.

9. Explain any decision to provide any payments or gifts 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 information collection requirements specified by the Standard do not involve confidential information.

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

None of the provisions in the Standard require sensitive information.

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

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. 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 burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

Respondent Burden Hour and Cost Burden Determinations

For this Information Collection Request (ICR), in deriving establishment and employment figures for the three impact groups affected by the standard (described below), the Agency updated the total number of establishments from the previous ICR using U.S. Census Bureau 2019 data (2017 County Business Patterns).³ The Agency applied percentages obtained from the Regulatory Impact Analysis (RIA) performed on the final Standard to these updated figures to estimate the number of high- and low-impact establishments having authorized workers, as well as the number of authorized and affected workers at these establishments. These estimates are available at the end of this Supporting Statement in Tables 1, “Establishments and Employment for the Manufacturing Sector (High-Impact Industries)” and 2, “Establishments and Employment in Low-Impact Industries.”

In Tables 1 and 2, OSHA uses an industry-classification scheme from the RIA.⁴ This scheme classifies industries covered by the Standard into the following three groups: high-impact, low-impact, and zero- or negligible-impact. The high-impact group consists of all manufacturing industries (i.e., North American Industrial Classification System (NAICS) Codes 31-33 while the low-impact group includes industries in the following sectors: transportation, communications, utilities, wholesale-trade, retail-food, and several industries in the service sector (i.e., personal services, business services, automotive repair, miscellaneous repair, and amusement services. See Table 2 for a detailed listing of the specific industries included in each sector. Also note that electrical generation, transmission, and distribution industries are excluded from the utility sector as establishments in these industries are explicitly not in scope for the standard. Finally, included in the zero- or negligible-impact group is industries found to have little potential for an accident involving hazardous-energy release. These industries include retail trade, finance, insurance, real estate, service, and public-administration industries not classified as high- or low-impact groups.

Regarding the time estimates for performing the wide variety of information collections required

³ Source: 2017 County Business Patterns Survey. U.S. Census Bureau, 2019. (<https://www.census.gov/data/datasets/2017/econ/cbp/2017-cbp.html>).

⁴ *Regulatory Impact and Regulatory Flexibility Analysis of 29 CFR 1910.147 (The Control of Hazardous Energy Sources—Lockout/Tagout)*, U.S. Department of Labor, OSHA, Office of Regulatory Analysis, August, 1989. The source of these data was a contract report titled, *Industry Profile Study of a Standard for Control of Hazardous Energy Sources Including Lockout/Tagout Procedures*, the Eastern Research Group, May 1985.

by the Standard, OSHA is using the estimates from the previous ICR. These estimates appear to be reasonable because the Agency based them on the data from the RIA which was available for public review and comment when it was published in the final Standard. Also, most of the establishments engaged in performing these information collections have many years of experience in doing so; therefore, these times probably are upper-bound estimates.

Wage Rate Determinations

The Agency determined the wage rate from mean hourly wage earnings to represent the cost of employee time. 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 2019 [date accessed: September 22, 2020]. (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 derive the loaded hourly wage rate presented in the table below, the agency used data from the Bureau of Labor Statistics’ (BLS) *Occupational Employment Statistics* (OES), as described in the paragraph above. Then, the agency applied to the wage rates a fringe benefit markup based on data found in Table 2 of the following BLS release: *Employer Costs for Employee Compensation* news release text, released 10:00 AM (EDT), June 2020 (https://www.bls.gov/news.release/archives/ecec_06182020.htm) BLS reported that for civilian workers, fringe benefits accounted for 31.3 percent of total compensation and wages accounted for the remaining 68.7 percent. To calculate the loaded hourly wage for each occupation, the agency divided the mean hourly wage rate by 1 minus the fringe benefits. These results are summarized in table 1

Table 1: WAGE HOUR ESTIMATES (2020)				
Occupational Title	Standard Occupation Code	Mean Hour Wage Rate (A)	Fringe Benefits (B)	Loaded Hourly Wage Rate (C) = (A)/((1-(B)))
First-Line Supervisors of Production and Operating Workers (Supervisor)	51-1011	\$31.35	.313	\$45.63
Production Occupations (Non-supervisory manufacturing worker)	51-0000	\$19.30	.313	\$28.09
Secretaries and Administrative Assistants, Except Legal, Medical, and Executive (Secretary)	43-6014	\$18.84	.313	\$27.42

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

(A) Energy-Control Procedure (paragraph (c)(4)(i))

OSHA estimates that 25,092 high-impact establishments develop new procedures annually. The time to perform this activity ranges from 2 to 80 hours. Also, 48,266 low-impact establishments will develop new procedures. The time for low-impact establishments to develop procedures is estimated at 2 hours. (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments; the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

The Agency also estimates that every year, a supervisor takes from 30 minutes (30/60 hours) to 20 hours to update procedures in the 250,917 high-impact establishments and 30 minutes to update procedures in the 482,649 low-impact establishments affected. (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments; the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

Burden Hours: 25,092 high-impact establishments (new procedures) x range of 2 to 80 hours = **183,276.00** (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments; the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

48,266 low-impact establishments (new procedures) x 2 hours = **96,532.00 hours** (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments, the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

250,917 high-impact establishments (updating) x range of 30/60 to 20 hours = **532,092.50 hours** (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments; the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

482,649 low-impact establishments x 30/60 hour = **241,324.50 hours** (See Table 3 for a specific number of establishments in each size category for both high- and low-impact establishments; the burden hour for each size establishment; and details as to how OSHA arrived at the number of establishments.)

Total Burden Hours for (A): 183,276.00 + 96,532.00 + 532,092.50 + 241,324.50 = **1,053,225.00**

Cost: 1,053,225.00 burden hours x \$45.63 = **\$48,058,656.75**

(B) Periodic Inspection (Paragraph (c)(6)(ii))

OSHA assumes that a supervisor takes 20 minutes (20/60 hours) to inspect an establishment's energy-control procedure once a year and to prepare and maintain the inspection certificate. Therefore, the estimated total yearly burden hours and cost resulting from this information collection requirement are:

Burden Hours: 290,560 high-impact establishments x 20/60 hour = 96,853.33 **hours**

Cost: 96,853.33 burden hours x \$45.63 = \$4,419,417.60

Burden Hours: 482,649 low-impact establishments x 20/60 hour = 160,883.00 hours

Cost: 160,883.00 burden hours x \$45.63 = \$7,341,091.29

(C) Training Certification Records (Paragraph (c)(7)(iv))

The Agency estimates that 5.59 million workers (i.e., 5,594,964) covered by the Standard require training each year (i.e., the total number of authorized and affected workers in high- and low-impact establishments listed in Tables 1 and 2). This provision specifies that employers must prepare, maintain, and disclose training records. The Agency assumes that each year, employers have to prepare and maintain training records for 23 percent, or 1,286,842 of (1,286,842 = 773,209 establishments x 1.6642874) these workers (i.e., new workers and workers who require training), as well as maintain training records for the remaining 4,308,122 workers (4,308,122 = 773,209 establishments x 5.57174322).⁵ In this regard, OSHA believes that a secretary spends 3 minutes (3/60 hour) preparing and maintaining the record for the 23 percent of workers who are new or require retraining; and, another 1 minute (1/60 hour) maintaining the already prepared record for the remaining workers (77 percent). Accordingly, the annual burden hour and cost estimates for the information collection requirements associated with this training requirement are:

Burden Hours: (1,286,842 training records – new/retraining x 3/60 hour) + (4,308,122 training records – remaining workers x 1/60 hour) = 136,144.13 **hours**

Cost: 136,144.13 burden hours x \$27.42 = **\$3,733,072.13**

(D) Notification of Employees (Paragraph (c)(9))

OSHA has determined that the average number of lockout or tagout events that occur annually varies by the size of the establishment and whether the establishment is in a high-impact or low-impact industry. OSHA estimates that there are approximately 91,459 authorized workers⁶ in very small, high-impact establishments who would have to notify affected workers of the application

⁵ Because the number of authorized workers and establishments are fixed numbers based on data, as displayed in Tables 1 and 2 of this analysis, the decimal used to back-calculate the ratio of establishments to workers cannot be rounded in this equation and similar equations below.

⁶ To calculate burden hours and cost, OSHA assumes that every authorized worker will notify the affected workers. The Standard requires only that one of the authorized workers (or an employer representative) notify the affected workers. Thus, OSHA likely overestimates the burden hours and cost associated with this requirement.

and removal of lockout/tagout devices (since this practice was not customary and normal in these facilities before the promulgation of the standard) (see Table 1). (91,459 workers = 201,909 establishments x .45297 workers/establishment.)

OSHA estimates that, on average, there are 75 maintenance or servicing operations conducted annually in each very small, high-impact establishment. For other high-impact establishments, it is estimated that there are approximately 273,173 authorized workers in establishments who would have to notify affected workers of the application and removal of lockout/tagout devices (see Table 1). It is estimated that, on average, there will be 150 such maintenance or service operations conducted annually in each of these establishments. (273,173 workers = 88,651 high-impact, other than very small establishments x 3.08144 workers/establishment.)

Additionally, 716,948 authorized workers in low-impact establishments would have to notify affected workers of the application and removal of lockout/tagout devices (see Table 2). These workers are estimated to perform, on average, 12 maintenance or servicing operations annually for each low-impact establishment. (716,948 workers = 482,649 low-impact establishments x 1.4854439 workers/establishment.)

OSHA estimates that a total of 56,438,691 lockout or tagout events occur annually where notification (not customarily performed) is needed. OSHA assumes that an authorized worker is a non-supervisory manufacturing worker who requires 15 seconds (.25/60 hours) to provide the required notification (i.e., 10 seconds for applying a lockout/tagout device, and five seconds for removing the device). Accordingly, the total annual burden hour and cost estimates for this notification are:

High-impact, very small establishments:

(201,909 establishments x .45297 workers/establishments) x 75 operations/year =
6,859,404 events/year

High-impact, other than very small establishments:

(88,651 establishments x 3.08144 workers/establishment) x 150 operations/year =
40,975,911 events/year

Low-impact establishments:

(482,649 establishments x 1.4854439 workers/establishment) x 12 operations/year
= 8,603,376 events/year

Burden Hours: 56,438,691 notifications x 0.25/60 hour = **235,161.21 hours**

Cost: 235,161.21 burden hours x \$28.09 = **\$6,605,678.43**

(E) Outside Personnel (Contractors, etc.) (Paragraph (f)(2)(i))

Paragraph (f)(2)(i) requires onsite and outside (contractor) employers to notify each other of their respective LO/TO procedures. Notification of respective LO/TO procedures takes 5 minutes (5/60 hours) for the onsite and outside contractor to meet and discuss respective LO/TO procedures. As both the onsite employer and outside contractor attend the five-minute meeting, the Agency

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assumes a total of 10 minutes (10/60 hours) for this requirement.

A supervisor/manager, at a wage rate of \$45.63 per hour will perform the notifications. Further, OSHA believes that contractors are involved in 10 percent of all lockout/tagout events. As determined above, there are **56,438,691** lockout/tagout events annually that require workers to be notified (**56,438,691** x 10% = **5,643,869** notifications) (5,643,869 notifications = 773,209 establishments x 7.29928001 notifications per establishment).

Burden Hours: **5,643,869** x 10/60 hour = **940,644.83 hours**
Cost: **940,644.83** hours x \$45.63 = **\$42,921,623.72**

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Table A12 - Estimated Annualized Respondent Cost and Hour Burden							
Information Collection Requirements	No. of Respondents	No of Responses per Respondent	Total Responses	Avg. Burden (In Hours)	Total Burden Hours	Hourly Wage Rate	Total Burden Cost
(A) Energy-Control Procedure (paragraph (c) (4)(i))							
<i>1. High-impact establishments (new procedures)</i>							
<i>Very Small</i>	18,374	1	18,374	2	36,748.00	\$45.63	\$1,676,811.24
<i>Small</i>	5,064	1	5,064	12	60,768.00	\$45.63	\$2,772,843.84
<i>Medium</i>	1,164	1	1,164	40	46,560.00	\$45.63	\$2,124,532.80
<i>Large</i>	490	1	490	80	39,200.00	\$45.63	\$1,788,696.00
<i>Sub-total</i>	25,092	-	25,092	-	183,276.00	-	\$8,362,883.88
<i>2. Low-impact establishments (new procedures)</i>							
<i>Transportation</i>	26,718	1	26,718	2	53,436.00	\$45.63	\$2,438,284.68
<i>Communications</i>	6,047	1	6,047	2	12,094.00	\$45.63	\$551,849.22
<i>Utilities</i>	1,344	1	1,344	2	2,688.00	\$45.63	\$122,653.44
<i>Wholesale Trade</i>	3,564	1	3,564	2	7,128.00	\$45.63	\$325,250.64
<i>Food Stores</i>	1,559	1	1,559	2	3,118.00	\$45.63	\$142,274.34
<i>Services</i>	9,034	1	9,034	2	18,068.00	\$45.63	\$824,442.84
<i>Sub-total</i>	48,266	-	48,266	-	96,532.00	-	\$4,404,755.16
<i>3. High-impact establishments (updating procedures)</i>							
<i>Very Small</i>	183,737	1	183,737	30/60	91,868.50	\$45.63	\$4,191,959.66
<i>Small</i>	50,641	1	50,641	4	202,564.00	\$45.63	\$9,242,955.32
<i>Medium</i>	11,640	1	11,640	12	139,680.00	\$45.63	\$6,373,598.40
<i>Large</i>	4,899	1	4,899	20	97,980.00	\$45.63	\$4,470,827.40
<i>Sub-total</i>	250,917	-	252,917	-	532,092.50	-	\$24,279,380.78

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Table A12 - Estimated Annualized Respondent Cost and Hour Burden							
Information Collection Requirements	No. of Respondents	No of Responses per	Total Responses	Avg. Burden (In	Total Burden Hours	Hourly Wage Rate	Total Burden Cost
<i>4. Low-impact establishments (updating procedures)</i>							
<i>Transportation</i>	267,181	1	267,181	30/60	133,590.50	\$45.63	\$6,095,734.52
<i>Communications</i>	60,469	1	60,469	30/60	30,234.50	\$45.63	\$1,379,600.24
<i>Utilities</i>	13,440	1	13,440	30/60	6,720.00	\$45.63	\$306,633.60
<i>Wholesale Trade</i>	35,635	1	35,635	30/60	17,817.50	\$45.63	\$813,012.53
<i>Food Stores</i>	15,589	1	15,589	30/60	7,794.50	\$45.63	\$355,663.04
<i>Services</i>	90,335	1	90,335	30/60	45,167.50	\$45.63	\$2,060,993.03
<i>Sub-total</i>	482,649		482,649		241,324.50	-	\$11,011,636.94
Total for (A)	-	-	808,924	-	1,053,225.00	-	\$48,058,656.75
(B) Periodic Inspection (paragraph (c)(6)(ii))							
<i>High-impact establishments</i>	290,560	1	290,560	20/60	96,853.33	\$45.63	\$4,419,417.60
<i>Low-impact establishments</i>	482,649	1	482,649	20/60	160,883.00	\$45.63	\$7,341,091.29
Total for (B)	-	-	773,209	-	257,736.33	-	\$11,760,508.89
(C) Training Certification Records (paragraph (c)(7)(iv))							
<i>Establishments with new/retrained workers</i>	773,209	1 x 1.6642874	1,286,842	3/60	64,342.10	\$27.42	\$1,764,260.38
<i>Establishments with remaining workers</i>	773,209	1 x 5.57174322	4,308,122	1/60	71,802.03	\$27.42	\$1,968,811.75
Total for (C)	-	-	5,594,964	-	136,144.13	-	\$3,733,072.13
(D) Notification of Employees (paragraph (c)(9))							
<i>High-impact, very small establishments</i>	201,909	75 x .45297	6,859,404	0.25/60	28,580.85	\$28.09	\$802,836.07

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Table A12 - Estimated Annualized Respondent Cost and Hour Burden							
Information Collection Requirements	No. of Respondents	No of Responses per	Total Responses	Avg. Burden (In	Total Burden Hours	Hourly Wage Rate	Total Burden Cost
<i>High-impact, other than very small establishments</i>	88,651	150 x 3.08144	40,975,911	0.25/60	170,732.96	\$28.09	\$4,795,888.91
<i>Low-impact establishments</i>	482,649	12 x 1.4854439	8,603,376	0.25/60	35,847.40	\$28.09	\$1,006,953.46
Total for (D)			56,438,691		235,161.21		\$6,605,678.45
(E) Outside Personnel (Contractors, etc.) (paragraph (f)(2)(i))	773,209	1 x 7.29928001	5,643,869	10/60	940,644.83	\$45.63	\$42,921,623.72
GRAND TOTAL	773,209 (unduplicated)	-	69,257,657	-	2,622,911.51	-	\$113,079,539.95

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

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service components. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Paragraph (c)(5)(ii)(D) requires that each lock and tag indicate the identity of the authorized worker applying it. Paragraph (c)(5)(iii) requires that tags warn against hazardous conditions that could arise if the machine, equipment, or system is energized. Also, the tag must include a legend such as one of the following: Do Not Start; Do Not Open; Do Not Close; Do Not Energize; Do Not Operate.

OSHA estimates that a total of 56,438,691 lockout or tagout events occur annually where notification is needed. The Agency is estimating the cost of tags based on the average use of 7 times per tag. The cost for each tag and tie is 0.17 cents. Therefore, OSHA estimates that employers will incur a cost for tags of \$1,370,653.92

Cost: 56,438,691 (notifications)/ 7 (average use of tag) x .17 cents = **\$1,370,653.92**

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.

The Agency has no annualized cost associated with enforcing the Standard. OSHA would only review records in the context of an investigation of a particular employer to determine compliance with the Standard. These activities are outside the scope of the PRA. See 5 CFR 1320.4(a)(2).

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

OSHA is requesting an adjustment decrease of 126,403.49 burden hours (from 2,749,315.00 hours to 2,622,911.51 hours). This decrease is a result of updated data showing a decrease in the number of affected high-impact establishments (from 292,825 establishments to 290,560 establishments).

Also, OSHA is requesting an adjustment decrease of \$108,032.08 in operation and maintenance costs (from \$1,478,686.00 to \$1,370,653.92) associated with the purchase of tags and ties by employers. This decrease is also a result of updated data showing a reduction in the number of high-impact establishments.

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 the 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 the 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

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 information collection requirements that employ statistical methods.

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Table 1: Establishments and Employment for the Manufacturing Sector (High-Impact Industries)

Size Category	Employment Size	Total Number of Establishments	Number of Establishments Employing Authorized Workers	Total Number of Employees	Number of Authorized Employees			Number of Additional Employees Covered		
					Total	In Establishments with Compliant Lockout/Tagout Programs When the Standard Published	In Establishments without Lockout/Tagout Programs When the Standard Published	Total	In Establishments with Compliant Lockout/Tagout Programs When the Standard Published	In Establishments without Lockout/Tagout Programs When the Standard Published
Very Small	<20	201,909	201,909	1,143,243	114,324	22,865	91,459	114,324	22,865	91,459
Small	20-99	63,860	63,860	2,808,096	280,810	126,364	154,445	561,619	252,729	308,891
Medium	100-249	16,558	16,558	2,540,984	254,098	165,164	88,934	508,197	330,328	177,869
Large	250+	8,233	8,233	2,979,328	297,933	268,140	29,793	595,866	536,279	53,628
Total		290,560	290,560	9,471,651	947,165	582,533	364,632	1,780,006	1,142,200	631,847

Source: 2017 County Business Patterns Survey. U.S. Census Bureau, 2019. (<https://www.census.gov/data/datasets/2017/econ/cbp/2017-cbp.html>).

Table 2: Establishments and Employment in Low-Impact Industries

Industry	Total Number of Establishments	Number of Establishments Employing Authorized Workers	Total Number of Employees	Number of Authorized Employees			Number of Additional Employees Covered		
				Total	In Establishments with Compliant Lockout / Tagout Programs When the Standard Published	In Establishments without Lockout / Tagout Programs When the Standard Published	Total	In Establishments with Compliant Lockout / Tagout Programs When the Standard Published	In Establishments without Lockout / Tagout Programs When the Standard Published
Transportation (a)	267,181	267,181	4,266,850	224,228	112,114	112,114	224,228	112,114	112,114
Communications (b)	60,469	60,469	920,222	579,861	289,930	289,930	579,861	289,930	289,930
Utilities (c)	13,440	13,440	199,273	57,070	28,535	28,535	57,070	28,535	28,535
Wholesale Trade (d)	409,593	35,635	5,437,986	177,054	88,527	88,527	177,054	88,527	88,527
Food Stores (e)	232,669	15,589	4,230,718	16,380	8,190	8,190	16,380	8,190	8,190
Services (f)	1,050,410	90,335	15,211,091	379,304	189,652	189,652	379,304	189,652	189,652
Total	2,033,762	482,649	30,266,140	1,433,896	716,948	716,948	1,433,896	716,948	716,948

Source: 2017 County Business Patterns Survey. U.S. Census Bureau, 2019. (<https://www.census.gov/data/datasets/2017/econ/cbp/2017-cbp.html>)

(a) The transportation sector is comprised of industries in the following NAICS codes: 481, 484, 485, 4861, 4869, 4871, 4879, 488, 492, 532411, 561510, 561520, 5621, 621910, and 713930.

(b) The communications sector is comprised of industries in NAICS code 517.

(c) The utility sector is comprised of industries in the following NAICS codes: 221210, 221310, 221320, 221330, 486210, 562211, 562212, 562213, 562219, and 562920. Establishments in electrical generation, transmission, and distribution industries are excluded as they are not in scope for this standard.

(d) The wholesale trade sector is comprised of industries in the following NAICS codes: 423, 424, and 425.

(e) The food store sector is comprised of industries in the following NAICS codes: 4451, 4452, 446191, 447110, and 452910.

(f) The service sector is comprised of industries in the following NAICS codes: 511199, 512110, 512240, 512290, 517919, 518210, 519110, 5321, 532220, 53229, 5323, 5324, 541213, 541340, 541350, 5414, 5415, 5418, 541921, 541922, 541930, 541990, 5613, 5614, 56159, 5616, 561710, 561720, 561740, 561790, 5619, 562991, 611511, 611620, 711, 713, 81111, 81112, 811198, 8112, 8113, 8114, 8121, 812210, 8123, 81292, 812990.

Note: A complete list of NAICS codes and their descriptions is available at <https://www.census.gov/eos/www/naics/>.

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Table 3: Written Procedures Assuming Half of the Original "Percent of establishments in Compliance When the Rule was Published"									
Establishment Calculations -- High Impact Establishments									
Establishment Size	Number of Establishments	Percent of Establishments in Compliance when Rule Published	Existing Establishments Originally Lacking LOTO Program	Existing Establishments with LOTO Procedures when Rule Published	Percent of Establishments with Procedures but without Written Plans	Existing Establishments with Unwritten Plans when Rule Published	Total Existing Establishments Requiring Revision	Annual Firm Turnover	New Establishments Requiring Revision
Very Small	201,909	10%	181,718	20,191	10%	2,019.09	183,737.19	10%	18,373.72
Small	63,860	23%	49,172	14,688	10%	1,469.78	50,640.98	10%	5,064.10
Medium	16,558	33%	11,094	5,464	10%	546.41	11,640.27	10%	1,164.03
Large	8,233	45%	4,528	3,705	10%	370.49	4,898.64	10%	489.86
Total	290,560		246,512	44,048		4,404.77	250,917.08		25,091.71
Calculation of Hours for New Establishments (No Existing Program) -- High-Impact Establishments									
Establishment Size	Number of Establishments	First Year Hours	Total Hours First Year						
Very Small	18,374	2	36,748.00						
Small	5,064	12	60,768.00						
Medium	1,164	40	46,560.00						
Large	490	80	39,200.00						
Total	25,092		183,276.00						
Calculation of Hours for Recurring Burden in Existing Establishments -- High-Impact Establishments									
Establishment Size	Number of Establishments	Hours	Existing Establishment Hours	Total Hours High Impact					
Very Small	183,737	0.5	91,868.50	128,616.50					
Small	50,641	4	202,564.00	263,332.00					
Medium	11,640	12	139,680.00	186,240.00					
Large	4,899	20	97,980.00	137,180.00					

Table 3: Written Procedures Assuming Half of the Original "Percent of establishments in Compliance When the Rule was Published"

Total	250,917		532,092.50	715,368.50	
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Calculation of Hours for New Establishments (No Existing Program) -- Low-Impact Establishments

	Number of Establishments	First Year Hours	Total Hours First Year
Transportation	26,718	2	53,436.00
Communications	6,047	2	12,094.00
Utilities	1,344	2	2,688.00
Wholesale Trade	3,564	2	7,128.00
Food Stores	1,559	2	3,118.00
Services	9,034	2	18,068.00
Total	48,266		96,532.00

Calculation of Hours for Recurring Burden in Existing Establishments -- Low-Impact Establishments

	Number of Establishments	Hours	Existing Establishment Hours	Total Hours Low Impact
Transportation	267,181	0.5	133,590.50	187,026.50
Communications	60,469	0.5	30,234.50	42,328.50
Utilities	13,440	0.5	6,720.00	9,408.00
Wholesale Trade	35,635	0.5	17,817.50	24,945.50
Food Stores	15,589	0.5	7,794.50	10,912.50
Services	90,335	0.5	45,167.50	63,235.50
Total	482,649		241,324.50	337,856.50

Grand Totals				
	Total Hours			

Hazardous Energy Control Standard (Lockout/Tagout) (29 CFR 1910.147)

OMB Control Number 1218-0150

OMB Expiration Date: April 30, 2021

Table 3: Written Procedures Assuming Half of the Original "Percent of establishments in Compliance When the Rule was Published"

High-Impact Establishments	715,368.50	
Low-Impact Establishments	337,856.50	
Grand Total Hours:	1,053,225.00	

Table 4: Requested Burden-Hour Adjustments

Information Collection Requirement	Current Burden Hours	Requested Burden Hours	Adjustment to Hours	Cost Under Item 12	Responses	Explanation of Adjustment
(A) Energy-Control Procedure (paragraph (c)(4)(i))						
High-impact establishments developing new procedures	185,040.00	183,276.00	-1,764.00	\$8,362,883.88	25,092.00	The estimated number of high-impact establishments developing new procedures decreased from 25,281 to 25,092 based on new data derived from the 2017 County Business Patterns. The estimated burden also declined because the number of remaining high-impact establishments was smaller as well (see Table 3).
Low-impact establishments developing new procedures	92,306.00	96,532.00	4,226.00	\$4,404,755.16	48,266.00	The estimated number of low-impact establishments developing new procedures increased from 46,153 to 48,266 based on new data derived from the 2017 County Business Patterns.
High-impact establishments updating procedures	537,285.00	532,092.50	-5,192.50	\$24,279,380.77	252,917.00	The estimated number of high-impact establishments updating existing procedures decreased from 252,814 to 250,917 based on new data derived from the 2017 County Business Patterns. This resulted in a decline in the estimated burden (see Table 3).

Table 4: Requested Burden-Hour Adjustments

	Current	Requested		Cost Under		
Information Collection Requirement			Adjustment to Hours		Responses	Explanation of Adjustment
Low-impact establishments updating procedures	230,763.00	241,324.50	10,561.50	\$11,011,636.93	482,649.00	The estimated number of low-impact establishments updating existing procedures increased from 461,523 to 482,649 based on new data from the 2017 County Business Patterns.
(B) Periodic Inspection Certification Records (paragraph (c)(6)(ii))	248,935.00	257,736.33	8,801.33	\$11,760,508.89	773,209.00	The estimated number of high-impact establishments being inspected annually decreased from 252,814 to 290,560; this increase was off-set by the number of low-impact establishments being inspected annually, which increased from 461,523 to 482,649 based on new data from the 2017 County Business Patterns.
(C) Training Certification Records (paragraph (c)(7)(iv))	176,359.00	136,144.13	-40,214.87	\$3,733,072.13	5,594,964.00	Based on new data, the number of employees covered by the Standard who require training annually decreased from 6.56 million to 5.59 million.
(D) Notification of Workers (paragraph (c)(9))	243,547.00	235,161.21	-8,385.79	\$6,605,678.45	56,438,691.00	There was a decrease in the estimated number of employee notifications from 60,887,058 to 56,438,691.
(E) Offsite Personnel (Contractors, etc.) (paragraph (f)(2)(i))	1,035,080.00	940,644.83	-94,435.17	\$42,921,623.72	5,643,869.00	Lockout/Tagout notifications decreased 6,088,706 to 5,643,869.
TOTALS	2,749,315.00	2,622,911.51	-126,403.49	\$113,079,539.95	69,257,657.00	