

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS OF THE
STANDARD ON MECHANICAL POWER PRESSES
(29 CFR 1910.217(e)(1))¹
OFFICE OF MANAGEMENT AND BUDGET (OMB)
CONTROL NO. 1218-0229 (February 2021)**

This ICR seeks to extend the clearance 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).

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

Under the authority granted by the Act, the Occupational Safety and Health Administration (i.e., “OSHA” or “the Agency”) published at 29 CFR 1910.217 a safety standard for general industry regulating the use of mechanical power presses (i.e., “the Standard”). The paperwork provisions of the Standard specify requirements for developing and maintaining inspection, maintenance, and repair records.

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.

Collection of Information Requirement:

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.

§1910.217 Mechanical power presses.

(e) *Inspection, maintenance, and modification of presses*—(1) *Inspection and maintenance records*. The employer shall establish and follow an inspection program having a general component and a directed component.

(i) Under the general component of the inspection program, the employer shall:

(A) Conduct periodic and regular inspections of each power press to ensure that all of its parts, auxiliary equipment, and safeguards, including the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism, are in a safe operating condition and adjustment;

(B) Perform and complete necessary maintenance or repair, or both, before operating the press; and

(C) Maintain a certification record of each inspection, and each maintenance and repair task performed, under the general component of the inspection program that includes the date of the inspection, maintenance, or repair work, the signature of the person who performed the inspection, maintenance, or repair work, and the serial number, or other identifier, of the power press inspected, maintained, and repaired.

(ii) Under the directed component of the inspection program, the employer shall:

(A) Inspect and test each press on a regular basis at least once a week to determine the condition of the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism;

(B) Perform and complete necessary maintenance or repair, or both, on the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism before operating the press; and

(C) Maintain a certification record of each maintenance task performed under the directed component of the inspection program that includes the date of the maintenance task, the signature of the person who performed the maintenance task, and the serial number, or other identifier, of the power press maintained.

Purpose:

The maintenance certification record provides OSHA the name of the individuals who perform maintenance and repair work on the presses. This information can verify that the employer performed the requisite maintenance and repair on presses. In addition, it will enable the Agency, during compliance inspections, to identify and interview the individuals responsible for maintaining and repairing the presses so that it can determine whether employees are operating safe equipment.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and

the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Employers may use automated, electronic, mechanical, or other technological information collection techniques, or other forms of information technology (e.g., electronic submission of responses) when establishing and maintaining the required records. The Agency wrote the paperwork requirements of the Standard in performance-oriented language (i.e., in terms of what 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 reduce the burden.

The information collection requirements specified by the Standard 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.

The Agency believes that the information collection frequencies required by the Standard are the minimum frequencies necessary to effectively regulate mechanical power presses, and thereby fulfill its mandate “to assure so far as possible every working man and woman in the nation safe and healthful working conditions and to preserve our human resources” as specified in the Act at 29 U.S.C. 651. Accordingly, if employers do not perform the required information collections, or delay in providing this information, workers may operate mechanical power presses incorrectly and unsafely, thus increasing their risk of death and serious injury.

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 prove that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

The information collection would not implicate any of these special circumstances.

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.

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 October 28, 2020 (85 FR 68371, Docket No. OSHA-2010-0026) soliciting comments from the public and other interested parties on the information collection requirements contained in the Mechanical Power Presses Standard (29 CFR 1910.217(e)(1)). The notice is part of a preclearance consultation program that provides

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 comments in response to this notice.

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

The Agency will not provide payment 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.

OSHA will offer no assurance of confidentiality in connection with this information collection. The 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 request 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. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13.**
- **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.

Burden-Hour and Cost Determination

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 2019*, 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 2019* [date accessed: October 5, 2020]. (OES data is available at https://www.bls.gov/oes/current/oes_nat.htm#51-0000. 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 2020 National Compensation Survey. Fringe markup is from the following BLS release: *Employer Costs for Employee Compensation – June 2020*, news released 10:00 AM September 17, 2020 (https://www.bls.gov/news.release/archives/ecec_09172020.pdf). BLS reported that for civilian workers, fringe benefits accounted for 30.0 percent of total compensation and wages accounted for the remaining 70.0 percent. To calculate the loaded hourly wage for each occupation, the Agency divided the mean hourly wage by 1 minus the fringe benefits.

Table 1 -- WAGE HOUR ESTIMATES				
Occupational Title	Standard Occupation Code	Mean Hourly Wage Rate	Fringe Benefits²	Loaded Hourly Wage Rate (C)=(A)/((1-(B)))
Print Press Operator (51-5112)	51-5112	\$18.80	.300	\$26.86

The Agency estimates the total number Mechanical Power Presses to be 104,035.³ The current available data does not distinguish between mechanical and non-mechanical power presses. After careful consideration and deliberation, OSHA decided to adopt a method published in the 610

² Source: Employer costs for Employee Compensation Supplementary Table 2. U.S. Department of Labor, Bureau of Labor statistics, June 2019. The fringe benefits is 30.0 percent. The multiplier for the fringe benefits is calculated by dividing one minus the fringe benefit into one. For example: 1/1-.300=.700 (Converting the percentage into decimal.)

³ Source: Office of Regulatory Analysis. The 104,035 and 19% are ORA estimates that are based off of methods and information in the 610 PSDI review.

Lookback Review of OSHA's Presence Sensing Device Initiation (PSDI) Standard [29 CFR 1910.217(h)] to estimate the number of mechanical power presses in service. Using that method, OSHA estimates that 19% of all power presses in service are mechanical. Using data in BLS' Occupational Employment Survey⁴ (May 2019 data), OSHA calculates that there are 547,550 employees using power presses. Applying the 19% estimate, OSHA estimates that there is a total of 104,035 employees operating mechanical power presses.

OSHA is using the number of employees as a proxy for the number of power presses in service. This change in calculation methods accounts for the large decrease in the agency's estimate of mechanical power presses currently in service. The Agency notes that this is likely an overestimate as employers might run multiple shifts on a single machine.

Certification Records of Inspection (§ 1910.217(e)(1)(i) and (ii))

Paragraph (e)(1)(i) of the standard states the general component requirements for inspection and maintenance. Paragraph (e)(1)(i)(A) requires employers to conduct periodic and regular inspections of all parts of each power press including auxiliary equipment, and safeguards, including the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism. Paragraph (e)(1)(i)(B) requires employers to perform and complete any maintenance and repair, or both, before workers operate the power press. Paragraph (e)(1)(i)(C) requires employers to maintain certification of each inspection and maintenance and repair task performed on the power press.

OSHA believes it is a usual and customary practice for employers to conduct and document the inspection, maintenance, and repair of presses. However, the Agency acknowledges that some employers are not inspecting, maintaining, and repairing the mechanical power presses as proposed. Therefore, OSHA assumes that 5% of employers may not be conducting and documenting inspections, maintenance, and repairs.

Based on discussions with OSHA field staff, it is reasonable to assume that employers conduct an inspection of each mechanical power press once a month (i.e., 12 times a year). In addition, the Agency estimates that a press operator takes 20 minutes (20/60 hour) to inspect the parts, auxiliary equipment, and safeguards, including the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism of each press. Included in the 20 minutes is the employer time needed to prepare and maintain the inspection certificate and to document maintenance and repair performed on a press.

Burden hours: 104,035 presses x 5% x 12 monthly inspections x 20/60
hour = 20,807 hours

Cost: 20,807 hours x \$26.86 = \$558,876.02

⁴ The OES survey data was used to calculate the total number of all power press users, which were then manipulated using methods from the 610 review, as previously mentioned, to calculate the number of those employees that use mechanical power presses.

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Paragraph (e)(1)(ii) of the standard states the directed component requirements for inspection and maintenance. Paragraph (e)(1)(ii)(A) requires that employers inspect and test each press on a regular basis at least once a week to determine the condition of the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism. Paragraph (e)(1)(ii)(B) requires that employers perform and complete necessary maintenance or repair, or both, on the clutch/brake mechanism, anti-repeat feature, and single-stroke mechanism before operating the press, while paragraph (e)(1)(ii)(C) requires that employers maintain a certification record of each maintenance task performed under the directed component of the inspection program.

OSHA believes it is usual and customary for employers to document the maintenance and repair performed on mechanical power presses. Further, OSHA believes that employers will perform maintenance and repair tasks associated with mechanical power presses under paragraph (e)(1)(i), which requires certification of maintenance and repair task performed; paragraph (e)(1)(i), therefore, includes the burden hours and costs for these tasks.

Disclosure of Test Certification Records

OSHA determined that employers disclosing information to OSHA during an inspection is outside the scope of the PRA because OSHA would only review records in the context of an open investigation of a particular employer to determine compliance with the Standard. See 5 CFR 1320.4(a)(2).

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TABLE 2-- RESPONDENTS, RESPONSES, BURDEN HOURS AND ANNUAL BURDEN COST FOR PRIVATE SECTOR									
Information Collection Requirement	Type of Respondent*	No. of Respondents	Non-Compliance	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (In Hrs.)	Total Burden Hours (rounded)	Avg. Hourly Wage Rate	Total Burden Costs (rounded)
Certification Records	Print Press Operator	104,035	.05	12	62,421	20/60	20,807	\$26.86	\$558,876.02

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 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 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.**

Item 12 above provides the total cost of the information collection requirements specified by the Standard. Therefore, there is no cost to the respondent other than their time.

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 a single table.

There is no cost to the Federal Government.

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

OSHA is requesting a burden hour adjustment decrease of 17,160 hours from 37,967 hours to 20,807 hours. This change in calculation methods accounts for the large decrease in the agency's estimate of mechanical power presses currently in service, still an overestimation.

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

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. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS.

This supporting statement does not contain any collection of information requirements that employ statistical methods.