HAZARD COMMUNICATION STANDARD
OMB Control Number: 1218-0072
Expiration Date: February 29, 2024

Note to Reviewer

OSHA is revising the Hazard Communication Standard (HCS), 29 CFR 1910.1200, which contains collection of information requirements previously approved by the Office of Management and Budget (OMB) under OMB control number 1218-0072. OSHA is submitting a revised Information Collection Request (ICR) to OMB to include those changes to the collection of information requirements contained in the final rule.

The final rule will improve worker protection with regard to hazard communication by incorporating new hazard classes and categories, improving and streamlining precautionary statements, and providing additional clarification of the regulatory requirements with respect to the labeling and transport of hazardous chemicals.

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SUPPORTING STATEMENT FOR THE INFORMATION COLLECTION REQUIREMENTS IN THE HAZARD COMMUNICATION STANDARD[1](29 CFR 1910.1200) [2] OFFICE OF MANAGEMENT AND BUDGET (OMB) CONTROL NUMBER 1218-0072 (November 2023)

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 (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 states that any occupational safety or health standard promulgated by the Secretary of Labor using section 6(b) rulemaking authority "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." The Secretary of Labor (Secretary) has followed this Congressional directive when promulgating substance-specific rules to address the hazards of particular chemicals. However, given the universe of chemicals present in American workplaces, and the time-consuming nature of OSHA's rulemaking process, it became clear that little information would be available to employees if the agency took only a substance-by-substance approach. Workers exposed to chemicals would continue to encounter a myriad of hazards. Many chemicals can cause acute injuries or illnesses such as rashes, burns and poisoning, or chronic effects such as cancer or liver damage. Also, chemicals can pose physical hazards to workers by contributing to accidents such as fires and explosions. To prevent such occupational hazards, the agency addressed the issue of hazard information transmittal on a generic basis in the Hazard Communication Standard (HCS) (29 CFR 1910.1200).

Under the authority granted by the OSH Act, the Secretary, through the Occupational Safety and Health Administration (OSHA or the agency) is issuing a final rule to revise the HCS. The purpose of this revision is to improve worker protection with regard to

[1] The purpose of this Supporting Statement is to analyze and describe the burden hours and costs associated with the proposed revisions to the existing Hazard Communication Standard information collection request.

[2] This supporting statement also covers sections 1915.1200, 1917.28, 1918.90, 1926.59, and 1928.21.

hazard communication by incorporating new hazard classes and categories, improving and streamlining precautionary statements, and providing additional clarification of the regulatory requirements with respect to the labeling and transport of hazardous chemicals.

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 HCS standard affects employers and employees in many different industries. The HCS covers over five million workplaces in which employees are potentially exposed to hazardous chemicals.

The following paragraphs identify the paperwork requirements contained in the HCS. Estimated burden hours and costs are discussed under Item 12.

Hazard Classification §1910.1200(d)

§1910.1200(d)(1) - Chemical manufacturers and importers shall evaluate chemicals produced in their workplaces or imported by them to classify the chemicals in accordance with this section. For each chemical, the chemical manufacturer or importer shall determine the hazard classes, and where appropriate, the category of each class that apply to the chemical being classified. The hazard classification shall include any hazards associated with the chemical's intrinsic properties including:

(i) a change in the chemical's physical form and;

(ii) chemical reaction products associated with known or reasonably anticipated uses or applications.

Employers are not required to classify chemicals unless they choose not to rely on the classification performed by the chemical manufacturer or importer for the chemical to satisfy paragraph (d)(1).

§1910.1200(d)(2) - Chemical manufacturers, importers or employers classifying chemicals shall identify and consider the full range of available scientific literature and other evidence concerning the potential hazards. There is no requirement to test the chemical to determine how to classify its hazards. Appendix A to §1910.1200 shall be consulted for classification of health hazards, and Appendix B to §1910.1200 shall be consulted for the classification of physical hazards.

Mixtures. §1910.1200(d)(3)(i) - Chemical manufacturers, importers, or employers evaluating chemicals shall follow the procedures described in Appendices A and B to § 1910.1200 to classify the hazards of the chemicals, including determinations regarding when mixtures of the classified chemicals are covered by this section.

§1910.1200(d)(3)(ii) - When classifying mixtures they produce or import, chemical manufacturers and importers of mixtures may rely on the information provided on the current safety data sheets of individual ingredients except where the chemical manufacturer or importer knows, or in the exercise of reasonable diligence should know, that the safety data sheet misstates or omits information required by this section.

Written Hazard Communication Program § 1910.1200(e)

Written hazard communication program. §1910.1200(e)(1) - Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h)[3] of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following:

§1910.1200(e)(1)(i) - A list of the hazardous chemicals[4] known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and,

§1910.1200(e)(1)(ii) - The methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with chemicals contained in unlabeled pipes in their work areas.

§1910.1200(e)(2) Multi-employer workplaces. Employers who produce, use, or store hazardous chemicals at a workplace in such a way that the employees of other employer(s) may be exposed (for example, employees of a construction contractor working on-site) shall additionally ensure that the hazard communication programs developed and implemented under this paragraph (e) include the following:

§1910.1200(e)(2)(i) - The methods the employer will use to provide the other employer(s) on-site access to safety data sheets for each hazardous chemical the other employer(s)' employees may be exposed to while working;

§1910.1200(e)(2)(ii) - The methods the employer will use to inform the other employer(s) of any precautionary measures that need to be taken to protect employees during the workplace's normal operating conditions and in foreseeable emergencies; and,

§1910.1200(e)(2)(iii) - The methods the employer will use to inform the other employer(s) of the labeling system used in the workplace.

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[3] OSHA is not taking a burden for the training requirements specified by paragraph (h) of the HCS because these requirements are no longer considered collection of information requirements.

[4] Hazardous chemical means any chemical which is classified as a physical hazard or a health hazard, a simple asphyxiant, combustible dust, or hazard not otherwise classified.

§1910.1200(e)(3) - The employer may rely on an existing hazard communication program to comply with these requirements, provided that it meets the criteria established in this paragraph (e).

§1910.1200(e)(4) - The employer shall make the written hazard communication program available, upon request, to employees, their designated representatives, the Assistant Secretary and the Director, in accordance with the requirements of §1910.1020(e).

§1910.1200(e)(5) - Where employees must travel between workplaces during a workshift, *i.e.*, their work is carried out at more than one geographical location, the written hazard communication program may be kept at the primary workplace facility.

Labels and other forms of warning §1910.1200(f)

(f)(1) - Labels on shipped containers. The chemical manufacturer, importer, or distributor shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked. Hazards not otherwise classified and hazards identified and classified under (d)(1)(ii) do not have to be addressed on the container. Where the chemical manufacturer, importer, or distributor is required to label, tag or mark the following information shall be provided:

§1910.1200(f)(1)(i) - Product identifier;

§1910.1200(f)(1)(ii) - Signal word;

§1910.1200(f)(1)(iii) - Hazard statement(s);

§1910.1200(f)(1)(iv) - Pictogram(s);

§1910.1200(f)(1)(v) - Precautionary statement(s); and

§1910.1200(f)(1)(vi) - Name, U.S. address, and U.S. telephone number of the chemical manufacturer, importer, or other responsible party.

§1910.1200(f)(2) - The chemical manufacturer, importer, or distributor shall ensure that the information provided under (f)(1)(i) through (v) of this section is in accordance with Appendix C to § 1910.1200 [Allocation of Label Elements], for each hazard class and associated hazard category for the hazardous chemical, prominently displayed, and in English (other languages may also be included if appropriate).

§1910.1200(f)(3) - The chemical manufacturer, importer, or distributor shall ensure that the information provided under paragraphs (f)(1)(ii) through (iv) of this section is located together on the label, tag, or mark.

§1910.1200(f)(4) Solid Materials

§1910.1200(f)(4)(i) - For solid metal (such as a steel beam or a metal casting), solid wood, or plastic items that are not exempted as articles due to their downstream use, or shipments of whole grain, the required label may be transmitted to the customer at the time of the initial shipment, and need not be included with subsequent shipments to the same employer unless the information on the label changes;

§1910.1200(f)(4)(ii) - The label may be transmitted with the initial shipment itself, or with the safety data sheet that is to be provided prior to or at the time of the first shipment; and,

§1910.1200(f)(4)(iii) - This exception to requiring labels on every container of hazardous chemicals is only for the solid material itself, and does not apply to hazardous chemicals used in conjunction with, or known to be present with, the material and to which employees handling the items in transit may be exposed (for example, cutting fluids or pesticides in grains).

Transportation. *§1910.1200(f)(5)(i)* - Chemical manufacturers, importers, or distributors shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked in accordance with this section in a manner which does not conflict with the requirements of the Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq.) and regulations issued under that Act by the Department of Transportation.

§1910.1200(f)(5)(ii) - The label for bulk shipments of hazardous chemicals must be on the immediate container, transmitted with the shipping papers or the bills of lading, or, with the agreement of the receiving entity, transmitted by technological or electronic means so that it is immediately available to workers in printed form on the receiving end of shipment.

§1910.1200(f)(5)(iii) - Where a pictogram required by the Department of Transportation under Title 49 of the Code of Federal Regulations appears on a shipped container, the pictogram specified in appendix C.4 of this section for the same hazard is not required on the label.

Workplace labeling. §1910.1200(f)(6) - Except as provided in paragraphs (f)(7) and (f)(8) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either:

§1910.1200(f)(6)(i) - The information specified under paragraphs (f)(1)(i) through (v) of this section for labels on shipped containers; or,

§1910.1200(f)(6)(ii) - Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to

employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

§1910.1200(f)(7) - The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers, as long as the alternative method identifies the containers to which it is applicable and conveys the information required by paragraph (f)(6) of this section to be on a label. The employer shall ensure the written materials are readily accessible to the employees in their work area throughout each work shift.

§1910.1200(f)(8) - The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer. For purposes of this section, drugs which are dispensed by a pharmacy to a health care provider for direct administration to a patient are exempted from labeling.

§1910.1200(f)(9) - The employer shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

§1910.1200(f)(10) - The employer shall ensure that workplace labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers having employees who speak other languages may add the information in their language to the material presented, as long as the information is presented in English as well.

Label Updates. §1910.1200(f)(11) - Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical shall revise the labels for the chemical within six months of becoming aware of the new information, and shall ensure that labels on containers of hazardous chemicals shipped after that time contain the new information. For chemicals that have been released for shipment and are awaiting future distribution, chemical manufacturers, importers, distributors, or employers have the option not to relabel those containers; however, if they do not relabel the containers, they must either provide the updated label for each individual container with each shipment or, with the agreement of the receiving entity, transmit the labels by electronic or other technological means. If the chemical is not currently produced or imported, the chemical manufacturer, importer, distributor, or employer shall add the information to the label before the chemical is shipped or introduced into the workplace again.

Small container labelling. §1910.1200(f)(12)(i) - This paragraph (f)(12) applies where the chemical manufacturer, importer, or distributor can demonstrate that it is not feasible to use pull-out labels, fold-back labels, or tags containing the full label information required by paragraph (f)(1) of this section.

§1910.1200(f)(12)(ii) - For a container less than or equal to 100 ml capacity, the chemical manufacturer, importer, or distributor must include, at a minimum, the following information on the label of the container:

§1910.1200(f)(12)(ii)(A) Product identifier;

§1910.1200(f)(12)(ii)(B) Pictogram(s);

§1910.1200(f)(12)(ii)(C) Signal word;

§1910.1200(f)(12)(ii)(D) Chemical manufacturer's name and phone number; and

§1910.1200(f)(12)(ii)(E) A statement that the full label information for the hazardous chemical is provided on the immediate outer package.

§1910.1200(f)(12)(iii) - For a container less than or equal to 3 ml capacity, where the chemical manufacturer, importer, or distributor can demonstrate that any label interferes with the normal use of the container, no label is required, but the container must bear, at a minimum, the product identifier.

§1910.1200(f)(12)(iv) - For all small containers covered by paragraph (f)(12)(ii) or (iii) of this section, the immediate outer package must include:

§1910.1200(f)(12)(iv)(A) The full label information required by paragraph (f)(1) of this section for each hazardous chemical in the immediate outer package. The label must be not be removed or defaced, as required by paragraph (f)(9) of this section.

§1910.1200(f)(12)(iv)(B) A statement that the small container(s) inside must be stored in the immediate outer package bearing the complete label when not in use.

Safety Data Sheets §1910.1200(g)

§1910.1200(g)(1) - Chemical manufacturers and importers shall obtain or develop a safety data sheet for each hazardous chemical they produce or import. Employers shall have a safety data sheet in the workplace for each hazardous chemical which they use.

§1910.1200(g)(2) - The chemical manufacturer or importer shall ensure that the safety data sheet is in English (although the employer may maintain copies in other languages as well), and includes at least the following section numbers and headings, and associated information under each heading, in the order listed (See Appendix D to this section for the specific content of each section of the safety data sheet.)

§1910.1200(g)(2)(i) - Section 1, Identification;

§1910.1200(g)(2)(ii) - Section 2, Hazard(s) identification;

§1910.1200(g)(2)(iii) - Section 3, Composition/information on ingredients;

§1910.1200(g)(2)(iv) - Section 4, First-aid measures;

§1910.1200(g)(2)(v) - Section 5, Fire-fighting measures;

§1910.1200(g)(2)(vi) - Section 6, Accidental release measures;

§1910.1200(g)(2)(vii) - Section 7, Handling and storage;

§1910.1200(g)(2)(viii) – Section 8, Exposure controls/personal protection;

§1910.1200(g)(2)(ix) - Section 9, Physical and chemical properties;

§1910.1200(g)(2)(x) - Section 10, Stability and reactivity;

§1910.1200(g)(2)(xi) - Section 11, Toxicological information.

§1910.1200(g)(2)(xii) - Section 12, Ecological information;

§1910.1200(g)(2)(xiii) - Section 13, Disposal considerations;

§1910.1200(g)(2)(xiv) - Section 14, Transport information;

§1910.1200(g)(2)(xv) - Section 15, Regulatory information; and

§1910.1200(g)(2)(xvi) – Section 16, Other information, including date of preparation or last revision

> Note 1 to paragraph (g)(2): To be consistent with the GHS, an SDS must also include the headings in paragraphs (g)(2)(xii) through (g)(2)(xv) in order.
>
> Note 2 to paragraph (g)(2): OSHA will not be enforcing information requirements in sections 12 through 15, as these areas are not under its jurisdiction.

§1910.1200(g)(5) - The chemical manufacturer, importer or employer preparing the safety data sheet shall ensure that the information provided accurately reflects the scientific evidence used in making the hazard classification. If the chemical manufacturer, importer or employer preparing the safety data sheet becomes newly aware of any significant information regarding the hazards of a chemical, or ways to protect against the hazards, this new information shall be added to the safety data sheet within three months. If the chemical is not currently being produced or imported, the chemical

manufacturer or importer shall add the information to the safety data sheet before the chemical is introduced into the workplace again.

§1910.1200(g)(11) - Safety data sheets shall also be made readily available, upon request, to designated representatives, the Assistant Secretary, and the Director, in accordance with the requirements of §1910.1020(e).

Trade Secrets (§1910.1200(i))

Trade secrets. §1910.1200(i)(1) - The chemical manufacturer, importer, or employer may withhold the specific chemical identity, including the chemical name, other specific identification of a hazardous chemical, and/or the exact percentage (concentration) or concentration range of the substance in a mixture, from section 3 of the safety data sheet, provided that:

§1910.1200(i)(1)(i) - The claim that the information withheld is a trade secret can be supported;

§1910.1200(i)(1)(ii) - Information contained in the safety data sheet concerning the properties and effects of the hazardous chemical is disclosed;

§1910.1200(i)(1)(iii) - The safety data sheet indicates that the specific chemical identity and/or concentration or concentration range of composition is being withheld as a trade secret;

§1910.1200(i)(1)(iv) - If the concentration or concentration range is being claimed as a trade secret, then the safety data sheet provides the ingredient's concentration as one of the prescribed ranges below in paragraphs (i)(1)(iv) (A) through (M) of this section.

§1910.1200(i)(1)(iv)(A) From 0.1% to 1%;

§1910.1200(i)(1)(iv)(B) From 0.5% to 1.5%;

§1910.1200(i)(1)(iv)(C) From 1% to 5%;

§1910.1200(i)(1)(iv)(D) From 3% to 7%;

§1910.1200(i)(1)(iv)(E) From 5% to 10%;

§1910.1200(i)(1)(iv)(F) From 7% to 13%;

§1910.1200(i)(1)(iv)(G) From 10% to 30%;

§1910.1200(i)(1)(iv)(H) From 15% to 40%;

§1910.1200(i)(1)(iv)(I) From 30% to 60%;

§1910.1200(i)(1)(iv)(J) From 45% to 70%;

§1910.1200(i)(1)(iv)(K) From 60% to 80%;

§1910.1200(i)(1)(iv)(L) From 65% to 85%; and

§1910.1200(i)(1)(iv)(M) From 80% to 100%.

§1910.1200(i)(1)(v) - The prescribed concentration range used must be the narrowest range possible. If the exact concentration range falls between 0.1% and 30% and does not fit entirely into one of the prescribed concentration ranges, a single range created by the combination of two applicable consecutive ranges (e.g., between (i)(1)(iv) (A) and (G)) may be disclosed instead, provided that the combined concentration range does not include any range that falls entirely outside the exact concentration range in which the ingredient is present.

§1910.1200(i)(1)(vi) - Manufacturers may provide a range narrower than those prescribed in (i)(1)(v).

§1910.1200(i)(1)(vii) - The specific chemical identity and exact concentration or concentration range is made available to health professionals, employees, and designated representatives in accordance with the applicable provisions of this paragraph (i).

§1910.1200(i)(2) - Where a treating PLHCP determines that a medical emergency exists and the specific chemical identity and/or specific concentration or concentration range of a hazardous chemical is necessary for emergency or first-aid treatment, the chemical manufacturer, importer, or employer shall immediately disclose the specific chemical identity or percentage composition of a trade secret chemical to that treating PLHCP, regardless of the existence of a written statement of need or a confidentiality agreement. The chemical manufacturer, importer, or employer may require a written statement of need and confidentiality agreement, in accordance with the provisions of paragraphs (i)(3) and (4) of this section, as soon as circumstances permit.

§1910.1200(i)(3) - In non-emergency situations, a chemical manufacturer, importer, or employer shall, upon request, disclose a specific chemical identity or exact concentration or concentration range, otherwise permitted to be withheld under paragraph (i)(1) of this

section, to a health professional (*e.g.*, PLHCP, physician, industrial hygienist, toxicologist, or epidemiologist) providing medical or other occupational health services to exposed employee(s), and to employees or designated representatives, if:

§1910.1200(i)(3)(i) - The request is in writing;

§1910.1200(i)(3)(ii) - The request describes with reasonable detail one or more of the following occupational health needs for the information:

§1910.1200(i)(3)(ii)(A) To assess the hazards of the chemicals to which employees will be exposed;

§1910.1200(i)(3)(ii)(B) To conduct or assess sampling of the workplace atmosphere to determine employee exposure levels;

§1910.1200(i)(3)(ii)(C) To conduct pre-assignment or periodic medical surveillance of exposed employees;

§1910.1200(i)(3)(ii)(D) To provide medical treatment to exposed employees;

§1910.1200(i)(3)(ii)(E) To select or assess appropriate personal protective equipment for exposed employees;

§1910.1200(i)(3)(ii)(F) To design or assess engineering controls or other protective measures for exposed employees; and,

§1910.1200(i)(3)(ii)(G) To conduct studies to determine the health effects of exposure.

§1910.1200(i)(3)(iii) - The request explains in detail why the disclosure of the specific chemical identity or percentage composition is essential and that, in lieu thereof, the disclosure of the following information to the health professional, employee, or designated representative, would not satisfy the purposes described in paragraph (i)(3)(ii) of this section:

§1910.1200(i)(3)(iii)(A) The properties and effects of the chemical;

§1910.1200(i)(3)(iii)(B) Measures for controlling workers' exposure to the chemical;

§1910.1200(i)(3)(iii (C) Methods of monitoring and analyzing worker exposure to the chemical; and,

§1910.1200(i)(3)(iii)(D) Methods of diagnosing and treating harmful exposures to the chemical;

§1910.1200(i)(3)(iv) - The request includes a description of the procedures to be used to maintain the confidentiality of the disclosed information; and,

§1910.1200(i)(3)(v) - The health professional, and the employer or contractor of the services of the health professional (*i.e.*, downstream employer, labor organization, or individual employee), employee, or designated representative, agree in a written confidentiality agreement that the health professional, employee, or designated representative, will not use the trade secret information for any purpose other than the health need(s) asserted and agree not to release the information under any circumstances other than to OSHA, as provided in paragraph (i)(6) of this section, except as authorized by the terms of the agreement or by the chemical manufacturer, importer, or employer.

§1910.1200(i)(4) - The confidentiality agreement authorized by paragraph (i)(3)(iv) of this section:

§1910.1200(i)(4)(i) - May restrict the use of the information to the health purposes indicated in the written statement of need;

§1910.1200(i)(4)(ii) - May provide for appropriate legal remedies in the event of a breach of the agreement, including stipulation of a reasonable pre-estimate of likely damages; and,

§1910.1200(i)(4)(iii) - May not include requirements for the posting of a penalty bond.

§1910.1200(i)(6) - If the health professional, employee, or designated representative receiving the trade secret information decides that there is a need to disclose it to OSHA, the chemical manufacturer, importer, or employer who provided the information shall be informed by the health professional, employee, or designated representative prior to, or at the same time as, such disclosure.

§1910.1200(i)(7) - If the chemical manufacturer, importer, or employer denies a written request for disclosure of a specific chemical identity or percentage composition, the denial must:

§1910.1200(i)(7)(i) - Be provided to the health professional, employee, or designated representative, within thirty days of the request;

§1910.1200(i)(7)(ii) - Be in writing;

§1910.1200(i)(7)(iii) - Include evidence to support the claim that the specific chemical identity or percent of composition is a trade secret;

§1910.1200(i)(7)(iv) - State the specific reasons why the request is being denied; and,

§1910.1200(i)(7)(v) - Explain in detail how alternative information may satisfy the

specific medical or occupational health need without revealing the trade secret.

§1910.1200(i)(8) - The health professional, employee, or designated representative whose request for information is denied under paragraph (i)(3) of this section may refer the request and the written denial of the request to OSHA for consideration.

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.

To the extent practical, OSHA standards minimize burdens on employers, including technical and legal burdens. The agency is aware that employers have developed a number of options to sort, collect, and store hazard communication information, and that many software programs have been marketed to assist employers in accomplishing these tasks.

The Standard allows for electronic access, and other alternatives to maintaining paper copies of the SDSs, so long as no barriers to immediate employee access are created by such options. There are no known technical or legal obstacles to reducing the information collection burden through improved information technology.

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 2 above.

Within the U.S., several regulatory authorities exercise jurisdiction over chemical hazard communication. In addition to OSHA, the Department of Transportation (DOT) regulates chemicals in transport, the Consumer Product Safety Commission (CPSC) regulates consumer products, and the Environmental Protection Agency (EPA) regulates pesticides and has other authority over labeling under the Toxic Substances Control Act. OSHA has an MOU with the EPA dated April 12, 2012, that addresses EPA's Federal Insecticide, Fungicide, and Rodenticide Act's labels and safety data sheets. Each of these regulatory authorities operates under different statutory mandates, and has adopted distinct hazard communication requirements.

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

OSHA evaluated the impact of compliance costs on the revenue and profit of small entities in affected industries. The final rule imposes costs on impacted industries for training; for reclassification of aerosols, desensitized explosives, and flammable gases; and to become familiar with the rule. The final rule also allows further abbreviated

labeling for some very small containers and more flexible relabeling requirements for packaged chemicals released for shipment.

OSHA believes that the final rule will not have a significant economic impact on a substantial number of small entities and the estimated costs are a one-time cost that will be incurred during the first year of the transition period after the rule is promulgated.

In addition, there will be annual cost savings due to the flexibilities introduced in the final rule for further abbreviated labeling for very small containers and the release for shipment provision.

6. Describe the consequences 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 information required under the HCS concerning the hazards of chemicals and appropriate protective measures reduces the incidence of chemical-source illnesses and injuries in workers exposed to chemical hazards. Making this information available to workers provides some protection to them in the absence of substance-specific rules; the vast majority of hazardous chemicals to which workers are exposed are not regulated by a substance-specific standard. A reduction in the number of incidents of chemical-source illnesses and injuries in workers exposed to chemical hazards occurs from the improved protections implemented by employers because of the HCS, and from workers who understand these measures better and, therefore, will take effective steps to protect themselves.

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 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 uses; or

requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

No special circumstances exist that would require employers to collect information using the procedures specified by this item. The requirements of the standard are within the guidelines set forth in 5 CFR 1320.5.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection 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.

On February 16, 2021, OSHA published a proposed rule (86 FR 9576) to modify the Hazard Communication Standard (HCS)(29 CFR 1910.1200) to conform to the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Revision 7 (GHS, Rev. 7), to address issues that arose during the implementation of the 2012 update to HCS, and to improve alignment with other U.S. agencies and international trading partners, without lowering overall protections of the standard. The 2021 proposal would revise the collections of information contained in the HCS that were approved by OMB. Specifically, OSHA proposed to (1) add to paragraph (d)(1) that the chemical manufacturer or importer shall determine for each chemical the hazard classes, and where appropriate, the category of each class that apply to the chemical being classified under normal conditions of use and foreseeable emergencies; (2) add language to paragraph (f)(1) requiring that the chemical manufacturer, importer, or distributor

ensure labels on shipped containers bear the date the chemical is released for shipment; (3) revise paragraph (f)(5) by adding two new provisions related to bulk shipments of chemicals; (4) revise paragraph (f)(11) by adding a provision related to release for shipment that requires updated labels accompany each shipment; and (5) add new labeling requirements for small containers at paragraph (f)(12). The agency prepared and submitted to OMB an ICR for the 2021 proposed rule for review in accordance with 44 U.S.C. 3507(d).

In accordance with the PRA (44 U.S.C. 3506(c)(2)), OSHA solicited public comments on the collection of information contained in the 2021 proposed rule. OSHA encouraged commenters to submit their comments on the information collection requirements contained in the proposed rule under docket number OSHA-2019-0001, along with their comments on other parts of the proposed rule. In addition to generally soliciting comments on the collection of information requirements, the proposed rule indicated that OSHA and OMB were particularly interested in comments that addressed the following:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

On August 4, 2021, OMB issued a Notice of Action (NOA) stating, "Terms of the previous clearance remain in effect. Prior to publication of the final rule, the agency should provide to OMB a summary of all comments received on the proposed information collection and identify any changes made in response to these comments." A copy of the proposed ICR is available to the public at http://www.reginfo.gov/public/do/PRAOMBHistory?ombControlNumber=1218-0072.

No public comments were received in response to the proposed ICR submitted to OMB for review. However, the agency did receive 383 public comments in response to the proposed rule during the initial comment period. In addition, OSHA held public hearings on the proposal September 21, 22, and 23, 2021, where the agency heard testimony from stakeholders. Participants who filed notices of intention to appear at the hearing were permitted to submit additional evidence and data relevant to the proceedings for a period of 90 days following the hearing. The post-hearing comment period closed on December 22, 2021. The record remained open for the submission of final briefs, arguments, and summations. OSHA received an additional 42 post-hearing comments. The comments submitted in response to the proposed rule and the hearing proceedings did relate to the provisions containing collections of information. These responses were considered when OSHA prepared the revised ICR for the final rule.

Attachment A provides a discussion of the significant public comments related to the final rule's information collection requirements and the agency response.

Attachment B lists the comments submitted in response to the proposed rule and the hearing proceedings.

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

The agency will not provide payments or gifts to the respondents.

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

The HCS requires that the specific chemical identity of a hazardous chemical be disclosed, but if such information is a valid trade secret, the rule permits chemical manufacturers, importers, or employers to limit disclosure of this information based on their need and ability to maintain confidentiality. 29 CFR 1910.1200(i).

In addition to the provisions of this final rule, the OSH Act requires the agency to maintain the confidentiality of trade secret information provided directly to its representatives. 29 U.S.C. 664.

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

The paperwork requirements specified by the HCS do not require collection of 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.

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

RESPONDENT BURDEN-HOUR AND COST BURDEN DETERMINATIONS

The burden hours and cost determinations are based on OSHA's Final Economic Analysis (FEA) for the final rule, including the spreadsheets that support the FEA.

Explanation of Method of Estimating the Annual Burden

As with the currently approved ICR, OSHA is maintaining some of the previous assumptions for this ICR that rely on an older Regulatory Impact Analysis (RIA) (58 FR 51735, September 30, 1993). Other assumptions rely on data specific to this rulemaking. See Charts A-1 and A-2.

Chart A-1. **Sources for the Analysis Values**
Number of affected establishments: The number of affected establishments is based on the data from the FEA.
New establishments as a percentage of all establishments (rate of entry): The percentage of new establishments is carried over from the RIA and the previous ICR.
Total number of workers: The total number of workers is based on the FEA.
Number of chemical products: The number of chemical products was taken from the FEA.
Percentage of new chemical products annually[5]: Based on the RIA, new chemical products are assumed to be 8 percent of all chemical products.
Number of chemical products per establishment: The RIA estimated that the typical manufacturing establishment has 22 hazardous chemicals, and that the typical non-

[5] This estimate includes those instances when chemical manufacturers, importers, distributors or employers become aware of any significant information regarding the hazards of a chemical and they are required to revise labels for the chemical.

Chart A-1. **Sources for the Analysis Values**
manufacturing establishment has 15 hazardous chemicals.
Number of Shipped Containers of Hazardous Chemicals:[6] Based on the FEA, the number of shipped containers of hazardous chemicals is 1,950 million.
Number of in-plant containers: Based on the RIA, the number of containers of hazardous chemicals used entirely in-plant was assumed to be 10 percent of the number of shipped containers of hazardous chemicals.
Percentage of establishments already in compliance: The RIA found that 60 percent of all establishments were in compliance with the basic provisions of the HCS, primarily as a result of state laws existing prior to the OSHA standard. Hence, the HCS is assumed to account for 40 percent of the burdens and costs since, in the absence of the HCS, 60 percent of the burden would continue as a result of state statutes.

Chart A-2 **Basic Values for the Analysis[7]**	
Number of Affected Establishments	Manufacturing 77,144
	Non-Manufacturing 5,503,762
New Establishments as a percentage of all Establishments	Manufacturing 5,554 (7.2%)
	Non-Manufacturing 698,978 (12.7%)
Total Workers[8]	152,337,433
Number of Chemical Products/Affected SDSs	1,453,774
Percentage of New Chemical Products Annually	8.0%
Number of Hazardous Chemical Products per Establishment	Manufacturing 22 Non-Manufacturing 15
Number of Shipped Containers of Hazardous Chemicals	1,950,015,026

[6] The number of shipped containers of hazardous chemicals is based on data supporting the FEA (see Document ID 0481, tab "ICR", cell B27).
[7] For purposes of this ICR, the number of establishments and workers include manufacturers and non-manufacturers that are not affected by the rule.
[8] Figures in these columns for two-digit and three-digit NAICS codes represent totals for the entire industry at the specified level and may exceed the total sum of the data for the affected six-digit NAICS industries that fall within the aggregated levels. This occurs because two-digit and three-digit NAICS codes may encompass some six-digit NAICS industries not covered by OSHA. (For example, NAICS 21 encompasses Mining, which is not covered by OSHA regulations.)

Chart A-2 Basic Values for the Analysis	
Number of In-Plant Containers	195,001,503
Percentage of Establishments Already in Compliance as a Result of State Standards	60%[9]

Wage Rates

In determining the wage rates and as part of the final rule, the agency adopted the median wage rates from "May 2021 National Occupational Employment and Wage Estimates," U.S. Department of Labor, Bureau of Labor Statistics. Total compensation for these occupational categories includes an adjustment of 31.03 percent (*Employment Costs Index, June 2022 https://www.bls.gov/news.release/archives/ecec_09172019.pdf)* for fringe benefits; this figure represents the average level of fringe benefits in the private sector. Also, OSHA added overhead cost to the wages. The estimated hourly wages are:

Table 1 – Estimated Wage Rate*

Occupational Title	Standard Occupation Code	Median Hourly Wage	Fringe Benefits	Overhead	Loaded hourly Wage Rate
Manager	11-0000	$51.62	31.03%	11.73%	$83.62
Logistics Personnel	13-1081	$37.27	31.03%	11.73%	$60.37
Production Worker	51-0000	$19.19	31.03%	11.73%	$31.09
Occupational Health & Safety Specialist	19-5011	$37.77	31.03%	11.73%	$61.18
Clerical Worker	43-6014	$19.71	31.03%	11.73%	31.93

*Wage rate estimates are from the ORA excel spreadsheets under the wage tab for FEA.

1. Written Hazard Communication Programs (§ 1910.1200(e)) (New Establishments)

Written Hazard Communication Program: All affected establishments must have a written hazard communication program explaining how the establishment meets the criteria of the standard with respect to labeling, SDSs, and worker information and training as discussed under paragraph (e) of the standard. The RIA estimates manufacturing plants take an average of 5 hours (4 professional hours and 1 clerical hour) to develop a written hazard communication program while non-manufacturing facilities take an average of 2.5 hours (2 hours professional and 0.5 clerical).

[9] The agency uses 40% in burden hour and cost equations to reflect that 60% of the establishments are already in compliance with state law.

To determine the total number of *new* manufacturing and non-manufacturing establishments the agency multiplied the total number of manufacturing and non-manufacturing establishments by the rate of entry.

In addition, since 60% of establishments were in compliance prior to the promulgation of the HCS as a result of state standards, the total number of new establishments was multiplied by 40% to reflect burden hours and costs attributed to the HCS.

Number of new establishments affected:

New manufacturing establishments: 77,144 manufacturing establishments x 0.072 (rate of entry) x 40% = 2,222 affected new manufacturing establishments.

New non-manufacturing establishments: 5,503,762 non-manufacturing establishments x .127 (rate of entry) x 40% = 279,591 affected new non-manufacturing establishments.

Burden Hours and Costs:

Manufacturing:

Burden hours:
2,222 affected new establishments x 4 hours professional = 8,888 hours
2,222 affected new establishments x 1 hour clerical = 2,222 hours
Total burden hours = 11,110 hours

Cost:
8,888 hours x $83.62 professional wage rate hour = $743,215
2,222 hours x $31.93 clerical wage rate = $70,948
Total cost = $814,163

Non-Manufacturing:

Burden hours:
279,591 affected new establishments x 2 hours professional = 559,182 hours
279,591 affected new establishments x .5 clerical = 139,796 hours
Total burden hours = 698,978 hours

Cost:
559,182 hours x $83.62 professional wage rate = $46,758,799
139,796 hours x $31.93 clerical wage rate = $4,463,686
Total cost: $51,222,485

Total Burden Hours and Costs:

	Manufacturing	Non-Manufacturing	TOTAL

Burden hours:	11,110	698,978	710,088
Cost:	$814,163	$51,222,485	$52,036,648

2. Written Hazard Communication Program (§ 1910.1200(e)) (Existing Establishments)

OSHA estimates existing manufacturing establishments take 1 hour and non-manufacturing establishments 0.5 hour to update and maintain their hazard communication programs. Forty percent of the establishments incur burden hours and costs as a result of the HCS.

Number of Existing Establishments Affected:

Existing manufacturing establishments affected: 77,144 manufacturing establishments – 5,554 new manufacturing establishments affected = 71,590 existing establishments; then 71,590 affected existing establishment x 40% = 28,636 existing affected establishments.

Existing non-manufacturing establishments affected: 5,503,762 non-manufacturing establishments – 698,978 new non-manufacturing establishments affected = 4,804,784 existing establishments affected; then 4,804,784 existing establishments x 40% = 1,921,914 affected establishments.

Manufacturing:

Burden hours: 28,636 existing establishments x 1 hour = 28,636 hours
Cost: 28,636 hours x $83.62 = $2,394,542

Non-Manufacturing:

Burden hours: 1,921,914 establishments x 0.5 hour = 960,957 hours
Cost: 960,957 hours x $83.62 = $80,355,224

Total Burden hours and costs

	Manufacturing	Non-Manufacturing	TOTAL
Burden hours:	28,636	960,957	989,593
Costs:	$2,394,542	$80,355,224	$82,749,767

3. Hazard Classification (§ 1910.1200(d))

Chemical manufacturers and importers must evaluate chemicals produced in their workplaces or imported by them to classify the chemicals in accordance with the standard. For each chemical, the chemical manufacturer or importer must determine the hazard classes, and, where appropriate, the category of each class that apply to the chemical being classified. Employers are not required to classify chemicals unless they

choose not to rely on the classification performed by the chemical manufacturer or importer for the chemical to satisfy this requirement. On average, a professional takes 8 hours to conduct the hazard classification and to develop the necessary labels and SDSs for each chemical.

The total number of affected chemical products, 116,302, is determined by multiplying the total number of chemical products, 1,453,774, by the percentage of new chemical products annually, which is 8% of the total affected chemical products = 116,302 and then multiplying the total by the non-compliance rate of 40% = 46,521.

Burden hours: 46,521 new hazardous products x 8 hours = 372,168 hours
Cost: 372,168 hours x $83.62 = $31,120,688

4. Revisions to SDSs and Labels (§ 1910.1200(f))

The rule requires establishments to revise their electronic templates for SDSs and labels to conform to formatting and language criteria in precautionary statements and related mandatory language specified in the Appendices. Under the final rule, affected establishments must update labels and SDSs for select hazardous chemicals to include updated product identifier, signal word(s), hazard statement(s), pictogram(s), and precautionary statement(s) for each hazard class and associated hazard category. The modification of SDSs and labels under the revisions in Appendices C and D involves conforming to formatting and language standards, but does not require any additional testing, studies, or research to be conducted. Chemical manufacturers and importers generally review, revise, and update SDSs and labels periodically. Therefore, there is a regular cycle of change for these documents. The proposed rule requires only minimal changes to the electronic content of SDSs and labels, and OSHA expects that the phase-in period for the proposed changes to the standard would allow chemical manufacturers and importers to take advantage of the normal cycle of change to phase in the revisions for their products, and therefore that it would not be necessary to replace existing labels or SDSs.

Labels - Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical must revise the labels for the chemical within six months of becoming aware of the new information and must ensure that labels on containers of hazardous chemicals shipped after that time contain the new information.

SDSs - Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical must revise the SDS for the chemical within three months of becoming aware of the new information and must ensure that SDSs of hazardous chemicals shipped after that time contain the new information.

Table 2 - Burden Hours and Costs for Revisions to

Safety Data Sheets and Labeling Requirements

Establishment Size	# of SDSs	% Not in Compliance	Total Responses	Time per Response	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
1-19	97,861	99%	96,882	0.70	67,818	$61.18	$4,096,534
20-99	118,360	95%	112,442	0.70	78,709	$61.18	$4,754,450
100-499	232,674	75%	174,506	0.50	87,253	$61.18	$5,270,512
500+	1,004,879	25%	251,220	0.30	75,366	$61.18	$4,552,489
Total	**1,453,774**		**635,050**		**309,146**		**$18,673,985**

5. Sending of SDSs (§ 1910.1200(g))
(Sending SDSs for new hazardous chemicals to existing establishments)

Manufacturers, importers, or employers distributing hazardous chemicals or products must send SDSs to establishments receiving the new hazardous chemical or product. OSHA estimates a manufacturer, importer, or employer generating the SDS takes .14 clerical hours to distribute an SDS. OSHA recognizes that the time it takes for manufacturers, importers, or employers to transmit SDSs is overestimated because some are sent electronically. Only 8% of the hazardous chemicals will be new annually.

To determine the number of new hazardous chemicals existing establishments receive, OSHA estimated that, on average, each manufacturing establishment has 22 hazardous chemicals. Therefore, the number of new chemicals per manufacturing establishment averages 1.76 new chemicals.

Manufacturing:

Burden hours: 28,636 establishments x 1.76 new hazardous chemicals x .14 hour = 7,056 hours
Cost: 7,056 hours x $31.93 = $225,298

Each non-manufacturing establishments has an average of 15 hazardous chemicals; assuming an 8% new chemical rate, the number of new chemicals for non-manufacturing establishments is 1.2.

Non-Manufacturing:

Burden hours: 1,921,914 establishments x 1.2 new hazardous chemicals x .14 hour = 322,882 hours
Cost: 322,882 hours x $31.93 = $10,309,622

Total Burden hours and cost:

	Manufacturing	Non-Manufacturing	Total
Burden Hours:	7,056	322,882	329,938
Cost:	$225,298	$10,309,622	$10,924,339

6. Sending of SDSs (§ 1910.1200(g))
(Sending SDSs for all hazardous chemicals to new establishments)

Manufacturers, importers, or employers developing SDSs must distribute SDSs to new establishments for all initial hazardous chemicals and for new chemical products they may receive during the year. The clerical time required to send SDSs to new establishments is the same as for existing establishments, 0.14 hours. OSHA recognizes that the time it takes for manufacturers, importers, or employers to transmit SDSs is overestimated because some are sent electronically.

Manufacturing:

OSHA estimates that new manufacturing establishments receive an average of 23.76 SDSs: 22 for hazardous chemicals initially plus 1.76 for new hazardous chemicals annually.

Burden hours: 2,222 new establishments x 23.76 hazardous chemicals x 0.14 hour = 7,391 hours
Cost: 7,391 hours x $31.93 = $235,995

Non-manufacturing:

Non-manufacturing establishments receive an estimated 16.2 SDSs: (15 initial plus 1.2 new hazardous chemicals)

Burden hours: 279,591 new non-manufacturing establishments x 16.2 hazardous chemicals x .14 hour = 634,112 hours
Cost: 634,112 hours x $31.93= $20,247,196

Total Burden hours and cost:

	Manufacturing	Non-Manufacturing	Total
Burden hours:	7,391	634,112	641,503
Cost:	$235,995	$20,247,196	$20,483,191

7. Sending of SDSs (§ 1910.1200(g))
(Sending SDSs for existing hazardous chemicals to existing establishments)

Manufacturers, importers, or employers distributing hazardous chemicals or products must send SDSs to establishments receiving the hazardous chemical or product. OSHA estimates a manufacturer, importer, or employer generating the SDS takes .14 clerical hours to distribute an existing SDS to a manufacturer deciding to use an existing hazardous chemical that they had not previously used. OSHA estimates that, on average, half of establishments (the equivalent of every existing establishment newly using 0.5 existing chemicals) will newly use an existing chemical.

Manufacturing:

Burden hours: 28,636 establishments x .5 existing hazardous chemicals x 0.14 hour = 2,005 hours
Cost: 2,005 hours x $31.93 = $64,020

For non-manufacturing establishments, OSHA also estimates that, on average, half of establishments (the equivalent of every existing establishment newly using 0.5 existing chemicals) will newly use an existing chemical.

Non-Manufacturing:

Burden hours: 1,921,914 establishments x .5 new hazardous chemicals x .14 hour = 134,534 hours
Cost: 134,534 hours x $31.93 = $4,295,671

Total Burden hours and cost:

	Manufacturing	Non-Manufacturing	Total
Burden Hours:	2,005	134,534	136,539
Cost:	$64,020	$4,295,671	$4,359,690

8. Obtaining & Maintaining SDSs (§ 1910.1200(g))
(Existing Establishments)

All existing establishments that have hazardous chemicals must maintain SDSs, and may need to obtain SDSs. Smaller establishments or establishments with fewer chemicals spend less time to obtain and maintain SDSs, while larger companies, companies with a greater number of chemicals, and construction companies having to keep SDSs at various job sites take a greater amount of time obtaining and maintaining SDSs. To account for this variance in time, OSHA estimates an average of 1 hour of clerical time per establishment is needed to obtain and maintain SDSs. OSHA assumes 40 percent of the establishments incur burden hours and costs as a result of the HCS.

Manufacturing:

Burden hours: 28,636 existing establishments affected x 1 hour = 28,636 hours
Cost: 28,636 hours x $31.93 = $914,347

Non-Manufacturing:

Burden hours: 1,921,914 existing establishments affected x 1 hour = 1,921,914 hours
Cost: 1,921,914 hours x $31.93 = $61,366,714

Total Burden hours and costs:

	Manufacturing	Non-Manufacturing	Total
Burden hours:	28,636	1,921,914	1,950,550
Costs:	$914,347	$61,366,714	$62,281,062

9. Obtaining & Maintaining SDS (§ 1910.1200(g))
(New Establishments)

All new establishments receive and maintain SDSs for hazardous chemicals at their locations. On occasion new establishments may need to obtain SDSs. A clerical worker spends an average of 0.14 hour per SDS to obtain and maintain the SDSs. The agency recognizes that the 0.14 hour is an overestimate given numerous employers receive, obtain, and maintain SDSs electronically.

The number of new manufacturing establishments affected by the HCS is 2,222, and the number of new non-manufacturing establishments affected is 279,591. OSHA estimates that new manufacturing establishments require a total of 23.76 SDSs, and new non-manufacturing establishments require 16.2 SDSs. The burden hours are determined by multiplying the number of establishments by the total number of SDSs per establishment by the time to obtain and maintain SDSs.

Manufacturing:

Burden hours: 2,222 establishments x 23.76 SDSs x 0.14 hour = 7,391 hours
Cost: 7,391 hours x $31.93 = $235,995

Non-Manufacturing:

Burden hours: 279,591 establishments x 16.2 SDSs x 0.14 hour = 634,112 hours
Cost: 634,112 hours x $31.93 = $20,247,196

Total Burden hours and costs

	Manufacturing	Non-Manufacturing	Total

Burden hours:	7,391	634,112	641,503
Cost:	$235,995	$20,247,196	$20,483,191

10. Labeling Shipped Containers (§ 1910.1200(f))

There is no burden for affixing labels to shipped containers because it is usual and customary practice for manufacturers to affix labels to containers being shipped.

11. Labeling of In-Plant Containers (§ 1910.1200(f)(6))

Labeling in-plant containers: Employers must ensure that portable containers that are transferred from the workers who filled them to other workers are labeled. It is estimated this task takes approximately 12 seconds (0.0033 hour) of worker time per container. OSHA assumes 40% of the containers incur burden hours and costs as a result of the HCS.

Burden hours: 195,001,503 (# of containers) x 40% x 0.0033 hours per container = 257,402 hours
Cost: 257,402 hours x $60.37 (worker) = $15,539,359

12. Access to Trade Secrets (§ 1910.1200(i))

Burden hours are estimated for employers to respond to requests from workers, their representatives, and health professionals for trade secret information. The agency estimates an average of 7 situations requiring access to trade secrets per 10,000 workers working in establishments with hazardous chemicals. OSHA estimates there are 152,337,433 workers covered by the HCS, therefore, the agency estimates there are 106,636 access requests (152,337,433 workers/10,000 workers x 7 situations), and that a professional requires 4 hours to respond to each request.

Burden hours: 106,636 requests x 4 hours = 426,544 hours
Cost: 426,544 hours x $83.62 = $35,667,609

13. Employee Access (§ 1910.1200(e)(4) and (g)(8))

OSHA estimates an average of 1.5 requests per establishment for worker access to the written programs and SDSs. OSHA estimates a clerk takes 10 minutes (0.167 hour) to show the worker the relevant documents and to return them to a file after the worker has examined them. OSHA assumes 40 percent of the establishments (5,580,906 establishments x 40% = 2,232,362 establishments) incur burden hours and costs for providing workers access as a result of the HCS.

Burden hours: 2,232,362 establishments x 1.5 response x 0.167 hours = 559,207 hours
Cost: 559,207 hours x $31.93 = $17,855,480

14. Federal Access

Usually, OSHA requests access to records during an inspection. Information collected by the agency during the investigation is not subject to the PRA under 5 CFR 1320.4(a)(2). Therefore, OSHA takes no burden hours or cost.

15. Reclassification

The proposed rule requires aerosols, desensitized explosives, and flammable gases to be classified into the appropriate hazard classes and categories based on the best available information about these chemicals. In addition, the HCS requires chemical manufacturers and importers to update SDSs and labels within three months and six months, respectively, of becoming aware of new developments regarding the hazards of the chemicals they produce or import.

The revisions to the HCS continue to require firms that sell hazardous chemicals to employers to provide information about the associated hazards. Information is required to be presented on an SDS in the format specified in the standard, and some information is also required to be presented on product labels. The proposed rule requires affected chemical manufacturers to revise SDSs and labels for select hazardous chemicals to reflect chemical reclassifications and to conform to language criteria in precautionary statements and related mandatory language.

Table 2 – Burden Hours and Cost for Reclassification

Establishment Size	Responses	% Not in Compliance	Total Responses	Time per Response	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
1-19	8,022	100%	8,022	2.10	16,846	$61.18	$1,030,651
20-99	9,213	100%	9,213	2.10	19,347	$61.18	$1,183,668
100-499	19,500	100%	19,500	1.50	29,250	$61.18	$ 1,789,515
500+	76,386	100%	76,386	0.90	68,747	$61.18	$ 4,205,966
Total	**113,121**	**—**	**113,121**		**134,191**	**—**	**$ 8,209,799**

16. Familiarization of HCS

The agency expects that the employer will assign responsibility for investigating the details of the rule, and for determining how to implement it, to one or more supervisors. OSHA assumes that the time supervisors will require for rule familiarization will be based on a number of factors, including establishment size and whether they are affected by other provisions. The agency estimates that supervisors in small establishments will

require 15 minutes to 1 hour to become familiar with the rule, while supervisors in medium establishments will require 1 to 4 hours and those in large establishments will require 4 to 16 hours. OSHA's estimate of familiarization costs reflects the total health and safety specialist familiarization time for each covered employer, with the number of employees at each establishment also serving as a proxy to represent the diversity of hazard communication activities. The estimates of the different sizes of affected establishments and the numbers of affected employees are identified in Table VI-15 of the FEA.

a. Establishments affected by other provisions:

Small establishment (fewer than 20 employees)

Burden hours: 35,114 affected small establishments x 1.0 (compliance rate) x 1.0 (hours of Health and Safety Specialist Time) = 35,114 **hours**
Cost: 35,114 x $61.18 (Health and Safety Specialist Wage) = $2,148,275

Medium establishment (20 to 499 employees)

Burden hours: 11,353 affected medium establishments x 1.0 (compliance rate) x 4.0 (hours of Health and Safety Specialist Time) = 45,412 **hours**
Cost: 45,412 x $61.18 (Health and Safety Specialist Wage) **=** $2,778,306

Large establishment (500 or more employees)

Burden hours: 404 affected establishments in large establishments x 1.0 (compliance rate) x 16.0 (hours of Health and Safety Specialist Time) = 6,464 **hours**
Cost: 6,464 x $61.18 (Health and Safety Specialist Wage) = $395,468

b. Establishments not Affected by other Provisions:

Small establishment (fewer than 20 employees)

Burden hours: 77,572 affected small establishments x 1.0 (compliance rate) x 0.25 (hours of Health and Safety Specialist Time) = 19,393 **hours**
Cost: 19,393 x $61.18 (Health and Safety Specialist Wage) = $1,186,464

Medium establishment (20 to 499 employees)

Burden hours: 22,891 affected medium establishments x 1.0 (compliance rate) x 1.0 (hours of Health and Safety Specialist Time) = 22,891 **hours**

Cost: 22,891 x $61.18 (Health and Safety Specialist Wage) = $1,400,471

Large establishment (500 or more employees)

Burden hours: 498 affected establishments in large establishments x 1.0 (compliance rate) x 4.0 (hours of Health and Safety Specialist Time) = 1,992 **hours**
Cost: 1,992 x $61.18 (Health and Safety Specialist Wage) = $121,871

Table 3 -- Summary of Burden Hours and Burden-Hour Cost Under Item 12*

Information Collection Requirement	Base Response	% Not in Compliance	Frequency per response	Total Responses	Time per Response	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
1.Written Hazard Communication Program (New Establishments)								
Manufacturing	77,144	40%	0.072	2,222	4 hours	8,888	$83.62	$743,215
	77,144	40%	0.072	2,222	1 hour	2,222	$31.93	$70,948
Non-Manufacturing	5,503,762	40%	0.127	279,591	2 hours	559,182	$83.62	$46,758,799
	5,503,762	40%	0.127	279,591	0.5 hour	139,796	$31.93	$4,463,686
Subtotal				**563,626**		**710,088**		**$52,036,648**
2. Written Hazard Communication Program (Existing Establishments)								
Manufacturing	71,590	40%	1	28,636	1 hour	28,636	$83.62	$2,394,542
Non-Manufacturing	4,804,784	40%	1	1,921,914	0.5 hour	960,957	$83.62	$80,355,224
Subtotal				**1,950,550**		**989,593**		**$82,749,767**
3.Hazard Classification								
	1,453,774	40%	0.08	46,521	8 hours	372,168	$83.62	$31,120,688
Subtotal				**46,521**		**372,168**		**$31,120,688**
4. Revision to SDSs and Labels								
1-19	97,861	99%	1	96,882	0.70	67,818	$61.18	$4,149,105
20-99	118,360	95%	1	112,442	0.70	78,709	$61.18	$4,815,417
100-499	232,674	75%	1	174,506	0.50	87,253	$61.18	$5,338,139
500+	1,004,879	25%	1	251,220	0.30	75,366	$61.18	$4,610,892
Subtotal				**635,050**		**309,146**		**$18,913,553**
5. Sending SDSs for new hazardous chemicals existing establishments								
Manufacturing	28,636	40%	1.76	50,399	0.14 hour	7,056	$31.93	$225,298
Non-Manufacturing	1,921,914	40%	1.2	2,306,296	0.14 hour	322,882	$31.93	$10,309,622
Subtotal				**2,356,695**		**329,938**		**$10,534,920**
6. Sending SDSs (New Establishments)								
Manufacturing	5,554	40%	23.76	52,785	0.14 hour	7,391	$31.93	$235,995
Non-Manufacturing	698,978	40%	16.2	4,529,377	0.14 hour	634,112	$31.93	$20,247,196
Subtotal				**4,582,162**		**641,503**		**$20,483,191**

HAZARD COMMUNICATION STANDARD
OMB Control Number: 1218-0072
Expiration Date: February 29, 2024

Information Collection Requirement	Base Response	% Not in Compliance	Frequency per response	Total Responses	Time per Response	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
7. Sending SDS (Existing Establishments)								
Manufacturing	71,590	40%	0.5	14,318	0.14 hour	2,005	$31.93	$64,020
Non-Manufacturing	4,804,784	40%	0.5	960,957	0.14 hour	134,534	$31.93	$4,295,671
Subtotal				**975,275**		**136,539**		**$4,359,691**
8. Obtaining and Maintaining SDSs (Existing Establishments)								
Manufacturing	71,590	40%	1	28,636	1 hour	28,636	$31.93	$914,347
Non-Manufacturing	4,804,784	40%	1	1,921,914	1 hour	1,921,914	$31.93	$61,366,714
Subtotal				**1,950,550**		**1,950,550**		**$62,281,062**
9. Obtaining and Maintaining (New Establishments)								
Manufacturing	5,554	40%	23.76	52,785	0.14 hour	7,391	$31.93	$235,995
Non-Manufacturing	698,978	40%	16.2	4,529,376	0.14 hour	634,112	$31.93	$20,247,196
Subtotal				**4,582,161**		**641,503**		**$20,483,191**
10. Labeling Shipped Containers	0	0	0	0	0	0	0	0
11. Labeling of In-Plant Containers								
	195,001,503	40%	1	78,000,601	0.0033 hour	257,402	$60.37	$15,539359
Subtotal				**78,000,601**		**257,402**		**$15,539,359**
12. Access to Trade Secrets								
	14,800	100%	7	106,636	4 hours	426,544	$83.62	$35,667,609
Subtotal				**106,636**		**426,544**		**$35,667,609**
13. Employee Access								
		40%	1.5	3,348,543	0.167 hour	559,207	$31.93	$17,855,480
Subtotal				**3,348,543**		**559,207**		**$17,855,480**
14. Federal Access	0	0	0	0	0	0	0	0
15. Reclassification								
1-19 Employees	8,022	100%	1	8,022	2.10 hours	16,846	$61.18	$1,030,651
20-99 Employees	9,213	100%	1	9,213	2.10 hours	19,347	$61.18	$1,183,668
100-499 Employees	19,500	100%	1	19,500	1.50 hours	29,250	$61.18	$2,789,515
500+ Employees	76,386	100%	1	76,386	0.90 hour	68,747	$61.18	$4,205,966

Information Collection Requirement	Base Response	% Not in Compliance	Frequency per response	Total Responses	Time per Response	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
Subtotal				**113,121**		**134,191**		**$8,209,799**
16. Familiarization and implementation of the revisions to the hazard communication program.								
a. Establishments affected by other provisions								
Small (1-19 Employees)	35,114	100%	1	35,114	1.0 hour	35,114	$61.18	$2,148,275
Medium (20 - 499 Employees)	11,353	100%	1	11,353	4 hours	45,412	$61.18	$2778,306
Large (500 + Employees)	404	100%	1	404	16 hours	6,464	$61.18	$395,468
Subtotal				**46,871**		**86,990**		**$5,322,048**
b. Establishments not affected by other provisions								
Small (1-19 Employees)	77,572	100%	1	77,572	0.25 hour	19,393	$61.18	1,186,464
Medium (20 - 499 Employees)	22,891	100%	1	22,891	1 hour	22,891	$61.18	$1,400,471
Large (500 + Employees)	498	100%	1	498	4 hours	1,992	$61.18	$121,871
Subtotal				**100,961**		**44,276**		**$2,708,806**
First Year				**896,003**		**574,603**		**$35,154,190**
Annual				**98,463,337**		**7,015,035**		**$351,473,675**
TOTAL				**98,359,340**		**7,589,638**		**$386,627,865**
Totals Annualized over three-year period				**98,762,005**		**7,206,569**		**$363,191,738**

*The total number of respondents is 5,580,906 establishments covered under HCS. Also, numbers may slightly differ due to rounding.

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

> **The cost estimate should be split into two components: (a) a total capital and startup 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 rule making 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.**

Cost Determinations:

Transmitting SDSs

The cost to develop and transmit SDSs varies depending on the method of transmission of SDSs. Many importers and manufacturers of hazardous chemicals send SDSs electronically. In these situations, there are no costs to importers and manufacturers to transmit the SDSs downstream to employers, including distributors. Importers and manufacturers also send paper copies of SDSs with their hazardous chemicals. Many employers copy SDSs in-house for distribution. Based on the cost of toner and paper, the cost for importers and manufacturers is approximately 7 cents per page ($0.07). To estimate costs for the production and distribution of SDSs, OSHA assumes that all SDSs

are transmitted by paper. OSHA also assumes that each SDS is two pages long. The cost for SDSs are determined by totaling the number of SDSs distributed then multiplying the total by $0.07 x 2.

Under Item 12, number 5, titled "Sending SDSs for new hazardous chemicals to existing establishments," OSHA estimates that a total of 50,399 SDSs[10] are sent to existing manufacturing establishments and 2,306,297 SDSs are sent to existing non-manufacturing establishments.[11] Therefore, the total number of SDSs received by existing manufacturing and non-manufacturing establishments is 2,356,696.

Under Item 12, number 6, titled "Sending SDSs for all hazardous chemicals to new establishments," OSHA estimates a total of 52,785 SDSs are sent to new manufacturing establishments and 4,529,374 SDSs are sent to new non-manufacturing establishments.[12] The total number of SDSs sent to new establishments is 4,582,162.

Under Item 12, number 7, titled "Sending SDSs for existing hazardous chemicals to existing establishments," OSHA estimates a total of 14,318 existing SDSs are sent to existing manufacturing establishments and 960,957 existing SDSs are sent to existing non-manufacturing establishments.[13] The total number of SDSs is 975,275.

Total Cost: 7,914,133 SDSs x 2 pages x $0.07 dollar = $1,107,980

Table 4 – Cost of Transmitting SDSs

	Manufacturing	Non-Manufacturing	Total	Pages per SDS	Cost per Page	Total Cost
SDSs Sent - 5. Sending of SDSs - Sending SDSs for new hazardous chemicals to existing establishments	50,399	2,306,297	2,356,696	2	$0.07	$329,937
SDSs Sent - 6. All chemicals to new establishments	52,785	4,529,374	4,582,162	2	$0.07	$641,504
SDSs Sent - 7. Existing chemicals to existing establishments	14,318	960,957	975,275	2	$0.07	$136,539
Total	**117,502**	**7,796,628**	**7,914,133**	**2**	**$0.07**	**$1,107,980**

[10] Existing manufacturing establishments receive a total of 50,399 SDSs (28,636 establishments x 1.76 new/revised SDSs).
[11] Existing non-manufacturing establishments receive a total of 2,306,297 SDSs (1,921,914 establishments x 1.2 new/revised SDSs).
[12] New manufacturing establishments receive a total of 52,785 SDSs (2,222 new establishments x 23.76 SDSs = 52,785) and new non-manufacturing establishments receive a total of 4,529,374 SDSs (279,591 new non-manufacturing establishments x 16.2 SDSs = 4,529,374).
[13] Existing manufacturing establishments receive a total of 14,318 SDSs (28,636 establishments x .5 SDSs) and new non-manufacturing establishments receive a total of 960,957 SDSs (1,921,914 establishments x .5 SDSs).

Printing Cost for Labels

The total estimated cost for color printing is $67,428,087 for all establishments. See Table 5, *Summary of Color Printing Costs*. The cost of colored printers and printing is only for labels and not SDSs, as SDSs may be printed in black and white and still remain in compliance. Labels with pictograms require color printing for the red borders of the pictograms.

Table 5 – Summary of Color Printing Costs

Size Category	Labels	Annualized Printer Costs per Label	Annualized Cartridge/Ribbon/Stock Costs per Label	Total Annualized Costs per Label	Total Annualized Costs, All Establishments
Category 1: Companies Printing Only B&W and No Color Printer					
Very Small	24,867,475	$0.02	$0.16	$0.18	$4,476,146
Small	44,327,269	$0.01	$0.16	$0.17	$7,535,636
Medium	67,152,732	$0.01	$0.01	$0.02	$1,343,055
Large	88,255,395	$0.02	$0.01	$0.03	$2,647,662
Subtotal	***224,602,871***	—	—	—	***$16,002,499***
Category 2: Companies Printing B&W but Own Color Printer					
Very Small	8,289,158	$0.02	$0.16	$0.18	$1,492,049
Small	14,775,756	$0.01	$0.16	$0.17	$2,511,879
Medium	22,384,244	$0.00	$0.01	$0.01	$223,842
Large	264,766,185	$0.01	$0.01	$0.02	$5,295,324
Subtotal	***310,215,344***	—	—	—	***$9,523,094***
Category 3: Companies Using Pre-Printed Stock/Labels					
Very Small	33,156,634	$0.00	$0.04	$0.04	$1,326,265
Small	59,103,025	$0.00	$0.04	$0.04	$2,364,121
Medium	89,536,975	$0.00	$0.04	$0.04	$3,581,479
Large	882,553,950	$0.00	$0.04	$0.04	$35,302,158
Subtotal	***1,064,350,584***	—	—	—	***$42,574,023***
Category 4: Companies Printing Color Labels					
Very Small	16,578,317	$0.00	$0.00	$0.00	$0
Small	29,551,513	$0.00	$0.00	$0.00	$0
Medium	44,768,488	$0.00	$0.00	$0.00	$0

Size Category	Labels	Annualized Printer Costs per Label	Annualized Cartridge/Ribbon/Stock Costs per Label	Total Annualized Costs per Label	Total Annualized Costs, All Establishments
Large	529,532,370	$0.00	$0.00	$0.00	$0
Subtotal	***620,430,687***	—	—	—	***$0***
Total					
Very Small	82,891,585	—	—	—	$7,294,460
Small	147,757,563	—	—	—	$12,411,636
Medium	223,842,438	—	—	—	$5,148,376
Large	1,765,107,899	—	—	—	$43,245,144
Total	**2,219,599,486**	—	—	—	**$68,099,616**

1 – Includes the cost of printers annualized over five years and the cost of printing supplies incurred over a 20-year period beginning four years after the rule is published. - Entries indicated with "—" reflect no costs, while $0.000 entries are non-zero fractions of a penny.

Total Cost

The **total cost** for producing and transmitting SDS and developing color labels is:

Table 6 – Total Itemized Cost

Item	Cost
Transmitting SDSs	$1,107,980
Printing Cost for Labels	$68,099,616
Software Cost	$0
Total	**$69,207,596**

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

Usually, OSHA requests access to records during an inspection. Information collected by the agency during the investigation is not subject to the PRA under 5 CFR 1320.4(a)(2). Therefore, OSHA takes no burden or cost in Item 14 of this Supporting Statement.

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

OSHA is requesting an adjustment increase and a program change of the existing burden hours from 6,557,766 hours to 7,206,569 hours, a difference of 648,803 hours. This first year burden is annualized over a three-year period to compensate for the first year's cost. Also, the increase is due to an increase in the number of establishments and in the number of employees affected, and new burden for revision and reclassification of SDSs and labels. Also, as part of the updates to the HCS, OSHA is adding the reclassification of hazard chemicals in the first year and time associated with familiarization related to the rule.

The agency is also requesting a cost increase of $44,136,640 from $25,070,956 to $69,207,596. The cost increase results from the increase in the number of SDSs and in the price of the pre-printed labels.

Table 7 – The Adjustment and Program Change of the Requested Burden Hours (not annualized over a three-year period)

Information Collection Requirement	Existing Burden Hours	Requested Burden Hours	Adjustment Change	Program Change
1.Written Hazard Communication Program (New Establishments)	638,770	710,088	71,318	0
2. Written Hazard Communication Program (Existing Establishments)	892,925	989,593	96,668	0
3. Hazard Classification	358,184	372,168	13,984	0
4. Revising the Safety Data Sheets and Labels	320,861	309,146	0	-11,715
5. Sending SDSs for New Hazardous Chemicals (Existing Establishments)	297,193	329,938	32,745	0
6. Sending SDSs (New	576,529	641,503	64,974	0

Information Collection Requirement	Existing Burden Hours	Requested Burden Hours	Adjustment Change	Program Change
Establishments)				
7. Sending SDSs (Existing Establishments)	122,799	136,539	13,740	0
7. Revising SDSs (Existing Establishments)	1,749	0	-1,749	0
8. Obtaining and Maintaining SDSs (Existing Establishments)	1,754,268	1,950,550	196,282	0
9. Obtaining and Maintaining SDSs (New Establishments)	576,529	641,503	64,974	0
10. Labeling Shipped Containers	0	0	0	0
11. Labeling of In-Plant Containers	176,484	257,402	17	0
12. Access to Trade Secrets	338,640	426,544	75,772	0
13. Employee Access	502,835	559,207	49,943	0
14. Federal Access	0	0	0	0
15. Reclassification	0	134,191	0	134,191
16. Familiarization and implementation of the revisions to the hazard communication program.	0	86,990	0	86,990
	0	44,276	0	44,276
TOTAL	**6,557,766**	**7,589,638**	**778,130**	**253,742**

16. For collection 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.

The information required to be collected by the Hazard Communication Standard will not have results that will be published for statistical use.

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.

There are no forms associated with this collection of information on which to display expiration date.

18. Explain each exception to the certification statement.

OSHA is not requesting an exception to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

These collection of information requirements employ no statistical methods.