

Supporting Statement for an Information Collection Request (ICR) Under the Paperwork Reduction Act

EXECUTIVE SUMMARY

Identification of the Information Collection - Title and Numbers

Title: Reporting and Recordkeeping for Asbestos Abatement Worker Protection

EPA ICR No.: 1246.15

OMB Control No.: 2070-0072

Docket ID No.: EPA-HQ-OPPT-2020-0262

Abstract

This ICR covers reporting and recordkeeping requirements associated with EPA's workplace standards for the protection of state and local government employees who work with asbestos and who are not covered by a state plan approved by the Occupational Safety and Health Administration. Currently, some 23 states and state equivalent territories have reporting and recordkeeping requirements under the Toxic Substances Control Act, Section 8, documenting worker protection actions for state and local government employees involved in asbestos work. EPA's asbestos work protection regulations incorporate, by reference, the OSHA Construction Industry Standard for Asbestos, and the General Industry Standard for Asbestos. EPA does not collect any information under this collection. All information subject to this collection request is to be gathered and maintained by the employer.

Summary Total Burden and Costs

Information Collection	Number of Respondents	Annual Number of Responses	Responses per Respondent	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Total Respondent	34,138	1,123,669	32	358,049	\$21,175,968
Total Agency	-	-	-	-	-

SUPPORTING STATEMENT

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.

This ICR covers reporting and recordkeeping requirements associated with EPA's workplace standards for the protection of state and local government employees who work with asbestos and who are not covered by a state plan approved by the Occupational Safety and Health Administration (OSHA). The list of 23 states and state equivalent territories covered by this ICR include: Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Idaho, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, West Virginia, Wisconsin, District of Columbia, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. Currently, state, and local government employees in 27 states, and two additional U.S. territories (D.C. and the territories are counted as one "state equivalent") who perform construction work, including building construction, renovation, demolition, and maintenance activities, and employees who perform brake and clutch repair work, are subject to an OSHA-approved State Plan. EPA's asbestos work protection regulations (40 CFR 763, subpart G) incorporate, by reference, the OSHA Construction Industry Standard for Asbestos (29 CFR 1926.1101) and the General Industry Standard for Asbestos (29 CFR 1910.1001).

EPA requires state and local government employers to use engineering controls and appropriate work practices to control the release of asbestos fibers. Covered employers must also monitor employee exposure to asbestos and provide employees with personal protective equipment, training, and medical surveillance to reduce the risk of asbestos exposure. Exposure monitoring records must be maintained for 30 years, medical surveillance records for the duration of employment of the affected employees plus 30 years, and training records for the duration of employment plus one year. Employers must also establish written respiratory protection programs and maintain procedures and records of respirator fit tests for one year. The purpose of the Asbestos Worker Protection Rule (WPR) is to provide protection from adverse health effects associated with occupational exposure to asbestos for state and local government employees who are engaged in asbestos-related construction, custodial, and brake and clutch repair activities in states and territories that do not have plans approved by OSHA. Akin to the OSHA standards, the WPR requires employers (in this case, state and local governments) to monitor employee exposure to asbestos, to take action to reduce exposures to levels below the permissible exposure limits (PELs), to provide employees with personal protective equipment, to monitor employee health, to train employees about the hazards of asbestos and how to minimize those hazards, and to provide employees with information about exposures to asbestos and the associated health effects.

The records maintained as a result of this information collection will provide the EPA with the data necessary for effective enforcement of the WPR, as authorized under sections 6 and 8(a) of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2605, 2607(a)).

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 recordkeeping provisions are designed to ensure that employers comply with applicable standards and that protection of employees exposed to asbestos is provided to the full extent required. EPA's compliance officers examine the records for this purpose when conducting inspections. Additionally, the data contained in exposure measurements records are useful to employers in pinpointing areas of operation that may require additional efforts to reduce exposure. If these data were not collected and maintained, compliance monitoring would be very difficult for EPA, and failures of asbestos-control measures could easily go undetected by the employer.

Records of medical examinations are used by physicians who must periodically examine employees exposed to asbestos. Without records of previous medical examinations, the physician may not be able to determine whether an employee has suffered an adverse health effect since his or her last examination. Furthermore, when symptoms of organic damage appear, the physician often needs information regarding the patient's previous medical condition in order to make an accurate diagnosis of the new problem, its apparent cause, and the course of treatment required.

In addition, the data and information contained in the records required to be kept and maintained by the WPR may be used by EPA for the development of asbestos exposure assessments. Exposure data and medical surveillance information may be used for epidemiological and diagnostic investigations to determine, for example, dose-response relationships in diseases caused by asbestos exposure.

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.

Not applicable. EPA does not collect any information under this information collection. All information subject to this collection request is to be gathered and maintained by the employer.

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.

EPA is not aware of any other laws or regulations that require the general compilation, maintenance, or provision of access to occupational exposure and medical records for state and local government workers in the 23 states, D.C., and the U.S. territories of American Samoa, Guam, and the Northern Mariana Islands without OSHA approved state plans. Currently, all private sector workers as well as state and local government employees in the 27 states and two territories that have OSHA-approved plans are protected by the OSHA regulations.

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

The small entities potentially impacted by this rule are small government entities consisting of local governments (e.g., county, municipal, or towns) and school districts. The primary function of the statutory requirements of TSCA sections 6 and 8(a) are the protection of human health and the environment. Consequently, no specific provisions exist for easing the burden on small local government entities. The records required are as necessary for the protection of employees of small local governments as for other affected employees.

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 information collection frequencies specified by this rule are the minimum EPA considers necessary to ensure that the health of public employees engaged in asbestos abatement activities is adequately monitored. Initial exposure monitoring must be performed for most projects covered by this rule, but the employer will be able to rely on those results for approximately three years when performing similar projects. All employees covered by this rule must receive training on an annual basis. Most of these employees must also receive annual medical exams. These requirements are necessary to ensure that the employees are being adequately protected from asbestos hazards.

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 secrets, 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.

Information collected as a result of this request does not violate any of the guidelines imposed by 5 CFR part 1320.6. The requirement that records for medical surveillance and exposure monitoring be retained for more than three years is permissible under a provision contained in 5 CFR part 1320.6 that expressly exempts the retention of health and medical records from limitations otherwise imposed by the regulation.

8. If applicable, provide a copy and identify the date and page number of publications 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 5 CFR 1320.8(d), EPA published a notice in the **Federal Register**, on Tuesday, April 23, 2024 (89 FR 30358), announcing the planned renewal of this information collection activity, soliciting public comment on specific aspects of the ICR and providing a 60-day public comment period.

Under 5 CFR 1320.8(d)(1), OMB requires agencies to consult with potential ICR respondents and data users about specific aspects of ICRs before submitting an original or renewal ICR to OMB for review and approval. EPA also consulted with state officials in six states and one territory

specifically asking them for their assessment of the regulatory burden estimates expressed by the agency in this ICR. (Attachment A). The following state governments were consulted:

1. Colorado
2. Florida
3. Louisiana
4. New Hampshire
5. Oklahoma
6. Rhode Island
7. District of Columbia

EPA did not receive any responses during the consultation process.

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

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

The Agency has instituted procedures to avoid the inappropriate release of confidential information as specified by 5 CFR part 1320.8(b)(3)(v). The confidentiality of collected information will be maintained pursuant to the provisions of TSCA (15 U.S.C. 2613), EPA regulations in 40 CFR part 2, the Privacy Act of 1974, and OMB Circular A-108.

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 rule requires employers to allow EPA access to medical records upon request. EPA primarily intends to use this information to determine whether the employer has complied with the medical surveillance requirements of the rule, although EPA may also use this information in epidemiological and diagnostic investigations. EPA will treat this information as confidential and exempt from disclosure under the Freedom of Information Act pursuant to 40 CFR 2.119(b).

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.
- 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 under 'Annual Cost to Federal Government'.

Respondents for this information collection include states and local government employers in the 23 states, D.C., and the U.S. territories of American Samoa, Guam, and the Northern Mariana Islands that have employees engaged in asbestos related construction, custodial, and brake and clutch repair activities without OSHA-approved state plans. The following table is intended to help identify potentially affected categories and entities. This listing is not, however, intended to be exhaustive. The North American Industrial Classification System (NAICS) applies to certain entities. To determine whether a state or local government employer is subject to the WPR, employers must carefully examine the applicability provisions in the regulation at 40 CFR part 763.121.

Table 1. Potentially Affected Entities

Categories	NAI CS Codes	Examples of Potentially Affected Entities	Number of Respondents
Public Administration	92	State or local government employers not subject to an OSHA-approved state asbestos plan or a state asbestos worker protection plan that the EPA has determined is exempt from the requirements of the Worker Protection Rule and whose employees work with or near asbestos-containing material.	24
Educational Services	61	School districts (subset of local government employers identified above) whose employees work	8316

		with or near asbestos-containing material. ^a	
<p>Table notes:</p> <p>^a Source: <i>National Center for Education Statistics, Common Core of Data (CCD), "Public Elementary/ Secondary School Universe Survey"</i> (U.S. Department of Education, 2022). Available via https://nces.ed.gov/ccd/tables/202122_summary_2.asp (accessed 07_15_2024).</p>			

The WPR contains several paperwork-related requirements for state and local government employers in the 23 states, D.C., and three U.S. territories. The group of D.C. and the territories counts as one “state equivalent,” yielding 24 states for purposes of estimates in this analysis. The rule requires employers to collect, disseminate, and maintain information relating to employee asbestos exposures, respiratory protection, medical surveillance, and training. The records maintained as a result of this information collection will provide EPA with the data necessary for effective enforcement of the WPR as authorized under TSCA sections 6 and 8.

Data Items

40 CFR part 763, subpart G, requires state and local government employers to develop and maintain a written respiratory protection program if their employees use respirators. Employers must provide information and guidance on the selection, use, and care of respirators, give annual fit tests, and maintain records of fit tests for one year. Fit testing record summaries must include the following information:

- Name or identification of the employee tested;
- Type of fit test performed;
- Specific make, model, style, and size of respirator tested;
- Date of test; and

- The test results.

40 CFR part 763, subpart G, requires an exposure assessment to determine accurately the airborne concentrations of asbestos to which employees are exposed. Employers can meet this requirement through the collection and analysis of objective data, historical data monitoring, and/or initial monitoring results. Objective data must demonstrate that the product or material containing the asbestos cannot release airborne fibers in concentrations exceeding the PELs. Historical monitoring data obtained from similar projects must indicate that the PELs will not be exceeded. Initial monitoring results must demonstrate that employee exposures are below the PELs. However, employers are required to continue periodic exposure monitoring for employees who work in areas where exposures exceed, or can reasonably be expected to

exceed, the PELs. Employers may forgo periodic monitoring if affected employees are equipped with supplied-air respirators, which EPA assumes will be provided by the employer.

Employers who use objective data to demonstrate that the PELs will not be exceeded are required to maintain records for the duration of the employer's reliance upon such data. The records must include the following information:

- The product qualifying for exemption;
- The source of the objective data;
- The testing protocol, results of testing, and/or analysis of the material for asbestos release;
- A description of the operation exempted and how the data support the exemption; and
- Other data relevant to the operations, materials, processing or employee exposures covered by the exemption.

Employers must notify all affected employees of the monitoring results, and they must also notify individual employees of monitoring results representing their personal exposures. The employer must maintain records of all measurements taken in support of asbestos exposure monitoring for a period of 30 years, and these records must be available upon request to the affected employees. The records must include the following information for each exposure measurement:

- The date of measurement;
- The operation involving exposure to asbestos being monitored;
- Sampling and analytical methods used and evidence of accuracy;
- Number, duration, and results of samples taken;
- Type of protective devices worn, if any; and
- Name, social security number, and exposure of the employees whose exposures are represented.

40 CFR part 763, subpart G, requires employers to institute a medical surveillance program for all state and local government employees (in states without OSHA state plans) who engage in asbestos removal, renovation, and maintenance projects as well as employees exposed to asbestos at or above a PEL for 30 or more days each year. For each employee subject to medical surveillance, the employer is required to maintain employee medical records for the duration of employment plus 30 years. These medical records must contain the following information:

- The name and social security number of the employee;
- A copy of the employee's medical examination results, including the medical history, questionnaire responses, results of any tests, and physician's recommendations;

- Physician's written opinions;
- Any employee medical complaints related to exposure to asbestos; and

- A copy of the information provided to the physician.

The employer must provide a copy of the physician's written opinion to the employee within 30 days of receipt of the opinion. In addition, medical surveillance records must be made available to the affected employee upon request.

40 CFR part 763, subpart G, requires that a training program be instituted for all state and local employees (in states without OSHA state plans) who are likely to be exposed above the PELs and for those employees who perform asbestos removal, renovation, maintenance and/or construction related custodial tasks. Employees must be provided access to the training materials, including self-help smoking cessation information. In addition, each construction project must be supervised by a competent person, who, in most cases, must have additional training. Employers are required to maintain records of training for one year beyond the last date of the worker's employment.

Under 40 CFR part 763, subpart G, employers must presume that asbestos is present in thermal system insulation (TSI) and surfacing material installed in buildings constructed prior to 1981. Employers may rebut this presumption in two ways: through the results of a building inspection that meets the requirements of the Asbestos Hazard Emergency Response Act (AHERA) regulations at 40 CFR 763.85 or by testing the material. Such records must be maintained for as long as they are relied upon to rebut the presumption.

Finally, the WPR requires specific engineering control and work practice methods for each type of project. Employers are permitted to use alternative control methods if it is determined in advance that the alternative control method is adequate to reduce employee exposures below the PELs. For Class I projects, those that involve TSI or surfacing material, an appropriately qualified person must certify that the alternative control method will reduce employee exposures below the PELs, and that the method will also prevent asbestos contamination beyond the regulated area where the project will be performed. For larger Class I projects, the employer who wishes to use alternative control methods must provide EPA with a copy of the evaluation and certification before the alternative control methods are used. EPA assumes that employers will choose to use listed control methods rather than alternatives in these instances.

There are three typical categories of labor involved in compliance with the ICR requirements: supervisory, employee (e.g., asbestos abatement worker/custodial worker or brake and clutch repair mechanic), and clerical. Additionally, certain activities, including exposure monitoring and developing a respiratory protection plan, require an industrial hygienist's time.

Activity-by-Activity Burden Estimation Methods

The activity-level burdens described below are the same as in previous ICRs. In this ICR renewal, an updated method is employed to increase transparency and to provide for ease in updating estimates in future ICR renewals. This method involves estimating unit burdens that are scaled to a “per-state” basis. Results are described below and summarized in Table 2. Note that assumptions listed in this section are the same as in previous ICRs and based on the conditions of the WPR. Consequently, the per-state burden is derived using the conditions of the WPR, as documented in the 2007 ICR renewal (EPA 2007).¹ Also when not otherwise cited, requirements discussed below are specified in the WPR.

Reading and Interpreting the Regulation

EPA assumes that one person per entity would need to read and interpret the requirements of the rule. EPA expects that this person would be a construction supervisor. The supervisor would read the relevant sections of the Regulation as well as the relevant cross-referenced sections of OSHA’s Construction and General Industry Standards. Approximately half of the regulatory text, however, consists of technical appendices that will not be of direct importance to the supervisor. For example, most projects will not need to “employ fit testing methods,” and “monitoring methods” presumably will be performed by a contracted specialist. EPA assumes that on average a supervisor in each entity would need to spend three hours on this activity. This activity, however, is assumed to be conducted only one year out of the three years of the ICR period. Also, for purposes of the ICR, this activity is applied to only five percent of the total count of supervisors in order to estimate effects of turnover. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for reading and interpreting the regulation is 46.89 hours (Table 2, line A).

Respirator Program

The respiratory protection program requires three paperwork activities: (1) developing written guidance for implementing the respirator requirements of the rule, (2) fit testing, and (3) maintaining records of the fit tests.

Written standard operating procedures covering the care, use, and selection of respirators must be established for each workplace in which respirators are used. Much of the information needed to develop these procedures is specified in the OSHA asbestos standard for

¹ The underlying models developed in the 2000 WPR are used in this ICR renewal and are not changed from the 2000 WPR. However, given that these models are not routinely re-estimated (see e.g., EPA 2007), the practical approach in this report is to scale on a per-state basis and update according to the number of states without OSHA-approved plans.

construction, as amended by OSHA's 1998 respiratory protection standard (63 FR 1152; January 8, 1998). EPA assumes that large governments would have an industrial hygienist on staff who spends four hours every five years (assumed frequency for review of respirator program updates) to comply with this requirement. EPA assumes that small governments, on the other hand, will not have an industrial hygienist on staff and will instead contract out this service, incurring a cost, but not a burden.² To estimate the count of large entities, EPA uses the Regulatory Flexibility Act (RFA) definition of small government and determines that 3.23 percent of affected entities are large.³ Applying assumptions above and converting to a per-state basis, the resultant annual unit burden for developing the respiratory program is 24.30 hours (Table 2, line B1).

Fit testing imposes a requirement on both the worker being fit-tested and the worker's supervisor who conducts the fit test. EPA estimates that fit tests for full-face respirators will require 15 minutes and half-mask respirators will require 10 minutes. On average, the percentage of fit tests for the full-face and half mask respirators are at 1.4% and 98.6%, respectively.⁴ Applying assumptions and converting to a per-state basis yields resultant annual unit burdens of 0.74 hours for full-face mask fit tests, and 32.72 hours for half-mask fit tests (Table 2, lines B2a and B2b, respectively).

Maintaining records of the fit tests is assumed to require five minutes of clerical time for each fit test. Applying this assumption and converting to a per-state basis, the resultant annual unit burden for fit test records maintenance is 8.31 hours (Table 2, line B3).

Exposure Monitoring

The exposure monitoring requires employers for affected projects to perform periodic exposure monitoring unless a negative exposure assessment has been made. For the construction

² The contract cost to small entities is not estimated for purposes of this and previous ICR renewals.

³ As in previous ICRs (see e.g., EPA 2007), based on the Regulatory Flexibility Act (RFA) definition and affected entity population counts. As defined by the RFA, a small government is any specified government entity, excluding states, with jurisdiction over a population of less than 50,000.

⁴ For the case of twenty-seven states (ICR 2007), the total burden estimates for fit tests are (1) forty full-time equivalents (FTE) for full-face masks, and (2) 2,651 FTE for half masks.

workers, exposure monitoring requires affected crews (i.e., groups of workers) to have an initial exposure assessment. EPA estimates that the monitoring at sites will require two hours of an industrial hygienist's time every three years.

As with the activity for developing respirator programs, EPA assumes that only large governments incur this as a paperwork burden.⁵ The number of crews is proportional to the populations under large entities with 42.34% of the total number of crews working for large governments.⁶ Applying the above assumptions and converting to a per-state basis, the resultant annual unit burden for initial exposure assessments for construction crews is 314.15 hours (Table 2, line C1a).

For brake and clutch repair activities (which are classified as a general industry activity), this provision will require affected repair shops to establish an exemption from periodic exposure monitoring. As noted above, only large entities with on-staff industrial hygienists will incur a paperwork burden of two hours per year under this rule. In a similar manner to the estimate of the number of crews above, EPA assumes that affected brake and clutch shops in large entities occur at 42.34% of the total number of shops. Applying the above assumptions and converting to a per-state basis, the resultant annual unit burden for initial exposure assessments in brake and clutch shops is 94.00 hours (Table 2, line C1b).

In addition to performing the initial exposure assessment, records of the findings from the assessment must be kept on file. EPA estimates that this activity will require five minutes of clerical time for each assessment. All assessments (under large and small entities) will need to be kept on file. Applying the above assumptions and converting to a per-state basis, the resultant annual unit burden for maintaining exposure assessment records is 40.16 hours (Table 2, line C2).

As part of the brake and clutch repair assessment, the results of any exposure monitoring conducted pursuant to the rule must be posted for employees to review. Following OSHA's ICRs, EPA assumes that it will require five minutes of clerical time to post the results. All repair shops will need to have results posted annually. Applying the above assumptions and converting to a per-state basis, the resultant annual unit burden for posting exposure monitoring records is 9.25 hours (Table 2, line C3).

⁵ EPA assumes that small local governments hire contractors to perform industrial hygiene tasks and incur a cost but not a burden (not estimated for purposes of this and previous ICR renewals).

⁶ The proportion of crews that operate under large entities is purposefully assumed to be disproportionately larger than under small entities, based on population records (EPA 2007).

Hazard Communication - Notification Requirements

There are three notification requirements that will impose paperwork burdens: (1) evaluating the risk associated with Class I and Class II work, (2) notifying employees engaged in asbestos-related work about the nature of the work, and (3) notifying other employees (i.e., employees not engaged in asbestos related work) and building occupants about the occurrence of asbestos related work.

Competent persons must evaluate the risk associated with asbestos-related construction projects. Following OSHA's Asbestos Construction Standard ICR, EPA assumes that this will impose a burden of 45 minutes annually of supervisory time for each Class I and Class II project. EPA assumes that this only imposes a paperwork burden on Class I and Class II projects. EPA assumes that other covered activities (Class III and Class IV projects and new construction activities) can be evaluated without any incremental burden. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for risk evaluations is 125.19 hours (Table 2, line D1).

Employers are required to notify employees that will be performing asbestos-related work prior to beginning the project. For construction activities, EPA assumes that this will require five minutes of a construction supervisor's time annually for all affected projects. EPA excludes Class IV custodial projects from this burden estimate because custodial activities are assumed to occur continuously over the course of the year and are not generally divided into discrete "projects." Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for notifying employees in affected construction projects is 1,566.38 hours (Table 2, line D2a).

For brake and clutch repair, EPA assumes that this requirement will require five minutes of a brake and clutch supervisor's time four times (e.g., quarterly) per year at each brake and clutch repair shop. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for notifying employees in affected brake and clutch shops is 36.99 hours (Table 2, line D2b).

Finally, employers are required to notify other employees (i.e., those not performing the asbestos related work) and tenants about the occurrence of asbestos-related work in the building. EPA assumes that this activity will impose a burden of five minutes of supervisory time annually per project. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for notifying other employees in affected construction projects is 1,566.38 hours (Table 2, line D2c).

Training Program

Affected construction workers must be trained based on the Class of work they perform. Training requirements for Class I abatement workers are not incremental to the WPR and thus do not impose an incremental paperwork burden. The annual training requirements are 32 hours for Class II workers, 16 hours for Class III workers, including new construction projects, and two hours for Class IV workers. Applying these assumptions and converting to a per-state basis, the resultant annual training unit burdens are 2,536.30 hours for Class II projects, 592.59 hours for Class III projects, and 3,844.81 hours Class IV projects (Table 2, lines E1a, E1b, and E1c, respectively).

Records of the training must be kept on file for each worker who is trained. EPA assumes that this will require five minutes of clerical time annually per worker trained. Applying this time for all workers trained and converting to a per-state basis, the resultant annual unit burden for maintaining training records is 169.89 hours (Table 2, line E2).

Employers are also required to maintain training materials on file for employee access. The burden associated with this requirement has been included in the burden estimate under Employee Access to Records, below.

Medical Surveillance

Medical exams are required for Classes I, II, and III employees, including new construction workers, and for workers who are exposed at or above the PEL for more than 30 days annually. The medical surveillance section of the rule will impose five paperwork activities on affected entities: (1) medical exams, (2) initial and periodic questionnaires, (3) providing information to physicians, (4) obtaining the physician's written opinion, and (5) maintaining records of the medical exam. In estimating the paperwork burden for this requirement, EPA does not include the physician's time as part of the burden estimate. EPA assumes that the physicians performing these activities are not part of the affected entities' staff but provide these services under contract.⁷

EPA assumes that all Class II and Class III construction workers will need to undergo medical exams each year. EPA assumes that each medical exam will require 45 minutes for employees and for supervisors. Although Class I workers will also require medical exams, the 1987 Worker Protection Rule (1987 WPR) covers these activities and thus medical exams are not incremental

⁷ The contract cost to small entities is not estimated for purposes of this and previous ICR renewals.

for Class I workers under the WPR. Also, to account for turnover, EPA inflates the counts of medical exams by five percent to account for turnover on an annual basis. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for medical exams is 88.44 hours (Table 2, line F1).

Workers undergoing medical exams are also required to fill out medical questionnaires designed to assess current and past asbestos related risk. For a first-year worker's initial exam under the rule, the worker must fill out an initial medical questionnaire. For subsequent exams, the worker fills out an abbreviated form of that questionnaire (i.e., the periodic questionnaire). Both of these questionnaires can be found in OSHA's Construction Standard (29 CFR 1926.1101, Appendix D). EPA assumes that completing the initial questionnaire imposes a burden of one half-hour and that completing the periodic questionnaire takes 10 minutes. EPA assumes that five percent of employees and supervisors receiving medical exams as first-year workers will be given the initial questionnaire in any given year for this three-year ICR period. The remaining 95 percent of employees and supervisors receiving medical exams will be given the periodic questionnaire. Applying these assumptions and converting to a per-state basis, the questionnaire annual unit burdens are 3.10 hours for initial questionnaires, and 19.61 hours for periodic questionnaires (Table 2, lines F2 and F3, respectively).

Employers must provide examining physicians with the following information:

- A copy of the OSHA Construction Standard, including Appendices D, E, and I of the Standard;
- A description of the employee's duties;
- The employee's representative exposure level;
- A description of any personal protective equipment used by the employee; and
- Information from previous medical exams that is not otherwise available to the physician.

EPA assumes that providing this information will require five minutes of clerical time annually for each medical exam. Based on the assumptions above for counts of medical exams, and converting to a per-state basis, the resultant annual unit burden for providing information to physicians is 10.32 hours (Table 2, line F4).

Employers are required to obtain a written opinion from the physician for each medical exam. EPA assumes that obtaining the physician's written opinion will require five minutes of clerical time for each annual medical exam. Based on the assumptions above for counts of medical exams, and converting to a per state basis, the resultant annual unit burden for obtaining physician's opinion is 9.83 hours (Table 2, line F5).

Employers are required to maintain medical records for each employee. EPA assumes that maintaining medical records will require five minutes of clerical time for each annual medical exam. Based on the assumptions above for counts of medical exams, and converting to a per state basis, the resultant annual unit burden for records maintenance is 9.83 hours (Table 2, line F6).

Access to Records

Affected employers are required to (1) allow employees access to a variety of records and (2) allow the EPA to inspect those records.

EPA assumes that allowing employees to access their own records will require five minutes of clerical time for each occurrence. EPA also assumes that 10 percent of affected workers will access records annually. Applying these assumptions and converting to a per-state basis, the resultant annual unit burden for employee access to records is 18.79 hours (Table 2, line G1).

EPA assumes that its access to employer records will require five minutes for both a clerical worker and a supervisor for each time the Agency accesses records. For the construction sector, EPA assumes that this will occur in approximately five percent of Class I projects and one percent of new construction and Classes II, III, and IV projects. For brake and clutch work, EPA assumes that one percent of all brake and clutch repair shops will be inspected annually.

Applying these assumptions and converting to a per-state basis, the resultant annual unit burdens for EPA access are 31.46 hours for construction projects and 0.18 hours for brake and clutch repair shops (Table 2, lines G2a and G2b, respectively).

Competent Person

All construction work sites that are covered by the WPR must be supervised by an individual trained as a competent person. This will require affected entities to train one person from each work crew as a competent person. EPA assumes that competent person training for Class I crews is not incremental to the rule. For Class II work, EPA assumes that competent person training will require a 40-hour training course every five years with an eight hour course in all other years, yielding an average annual training requirement of 14.4 hours, rounded to 14 hours. Applying the annual time requirement for supervisors in Class II crews (one per site) and converting to a per-state basis, the resultant annual unit burden for this training is 365.04 hours (Table 2, line H1a).

For Class III and Class IV workers, including new construction workers, EPA assumes that competent person training will require a 16-hour training course once every five years, yielding

an average training requirement of 3.2 hours, rounded to three hours. Applying the annual time requirement for supervisors in Class III and Class IV crews (one per site) and converting to a per-state basis, the resultant annual unit burden for this training is 3,260.33 hours (Table 2, line H1b).

In addition to training, records documenting training completion must be retained. EPA assumes that for each person trained, maintaining training records will require five minutes of clerical time per person trained. Applying assumptions and converting to a per-state basis, the resultant annual unit burden for maintaining training records is 92.74 hours (Table 2, line H2).

Table 2: Annual Unit Burden by Activity, per State

Collection Activity	Unit Burden per State (hours)				Total Burden per State (hours)	Standardized Response Count per State
	Clerical	Employees	Supervisory	Industrial Hygienist		
A) Read And Interpret Regulation (5% turnover component only)			46.89		46.89	15.63
B) Respirator Program						
1) Develop Program ^a				24.30	24.30	6.07
2) Fit Testing						
a) Full-Face Respirators		0.37	0.37		0.74	2.96
b) Half-Mask-Face Respirators		16.36	16.36		32.72	196.37
3) Maintain Records for Fit Tests	8.31				8.31	99.67
Subtotal, Respirator Program					66.07	305.07
C) Exposure Monitoring						
1) Initial Exposure Assessment						
a) Construction ^{a,b}				314.15	314.15	157.07
b) Brake and Clutch Repair ^{a,c}				94.00	94.00	47.00
2) Maintain Exposure Records	40.16				40.16	481.93
3) Post Monitoring Results, Brake/Clutch	9.25				9.25	110.96
Subtotal, Exposure Monitoring					457.56	796.96
D) Hazard Communication						
1) Evaluate Risk (Class I, II projects)			125.19		125.19	166.93
2) Notify Employees						
a) Construction			1,566.38		1,566.38	18,796.59
b) Brake and Clutch Repair			36.99		36.99	443.85
3) Notify Other Employees/Tenants			1,566.38		1,566.38	18,796.59
Subtotal, Hazard Communication					3,294.94	38,203.96
E) Training						

Collection Activity	Unit Burden per State (hours)				Total Burden per State	Standardized Response Count per
	Clerical	Employees	Supervisory	Industrial Hygienist		
1) Provide Training						
a) Class II		2,536.30			2,536.30	79.26
b) Class III (including new projects)		592.59			592.59	37.04
c) Class IV		3,844.81			3,844.81	1,922.41
2) Maintain Training Records	169.89				169.89	2,038.70
Subtotal, Training					7,143.59	4,077.41
F) Medical Surveillance (includes +5% for turnover)						
1) Medical Exams		53.22	35.22		88.44	117.93
2) Initial Questionnaire		1.87	1.23		3.10	5.89
3) Periodic Questionnaire		11.80	7.81		19.61	112.04
4) Information to Physicians	10.32				10.32	117.93
5) Physician's Written Opinion	9.83				9.83	117.93
6) Maintain Exam Records	9.83				9.83	117.93
Subtotal, Medical Surveillance					141.13	589.65
G) Access to Records						
1) Employee Access	18.79				18.79	225.52
2) EPA Access						
a) Construction	15.73		15.73		31.46	377.56
b) Brake and Clutch Repair	0.09		0.09		0.18	2.22
Subtotal, Access to Records					50.43	605.30
H) Competent Person						
1) Training						
a) Class II ^b			365.04		365.04	26.07
b) Class III and IV ^b			3,260.33		3,260.33	1,086.78
2) Maintain Training Records	92.74				92.74	1,112.85
Subtotal, Competent Person					3,718.11	2,225.70
Total					14,919	46,820

General Notes

- Source for unit burdens is *Supporting Statement for a Request for OMB Review under the Paperwork Reduction Act - Reporting and Recordkeeping for Asbestos Abatement Worker Protection*. October 11, 2007. (EPA 2007).
- The unit burden per state has implied numbers of respondents and responses. As provided in the 2007 ICR (see General Note 1 above for citation), on average each state has an associated 1,422 affected state and local government entities with an associated total count of 46,820 responses. Unless otherwise noted as involving a subpopulation set of respondents, activities occur within all affected entity jurisdictions.

Footnotes

- a Applies to large entities, identified as those not in the small entity category based on the RFA definition that a small government is any specified government entity, excluding states, with jurisdiction over a population of less than 50,000. Per 2007 ICR (see General Note 1 for citation) large governments constitute 3.23% of the affected entities.

Collection Activity	Unit Burden per State (hours)				Total Burden per State	Standardized Response Count per
	Clerical	Employees	Supervisory	Industrial Hygienist		
b	The proportion of crews that operate under large entities is purposefully assumed to be disproportionately larger than under small entities, in accordance with population records. Based on population data, 42.43% of the total number of crews will work for large entities (per 2007 ICR—see General Note 1 above for citation).					
c	The percentage of affected brake and clutch shops in large government jurisdictions is assumed to occur at 42.43% of the total number of shops (per 2007 ICR—see General Note 1 above for citation).					

Estimating Respondent Costs

The wage rates for each type of labor category are presented in Table 3. Applying these rates to the unit burdens per state via a weighted average wage rate produces the results of Table 4. Based on the hourly labor costs, EPA estimates the total respondent cost at \$21.18 million annually. This translates into an annual per respondent cost of \$620.30. There was no change from the burden hours from the last approval. Estimated annual costs showed an increase of \$4.28 million due to increasing wage rates and an increase in the number of local governments affected.

Table 3: Hourly Wage Rates (2023\$)

Labor Category	Data Series a	Date	Wage a (\$/hour)	Fringe Benefit b	Total	Overhead as % Total Compensation b	Overhead	Loaded Hourly Wages c
			(a)	(b)	(c) = (a) + (b)	(d)	(e) = (c)*(d)	(f)=(c)+(e)
Construction Sector Worker	"Construction and Extraction Occupations (Major Group)" SOC 47-0000	May-23	\$29.57	\$12.53	\$42.10	20%	8.42	\$50.52
Construction Supervisor	"First-Line Supervisors/Managers of Construction Trades and Extraction Workers" category, SOC 47-1011	May-23	\$39.11	\$16.57	\$55.68	20%	11.14	\$66.82
Clerical Worker	"Secretaries, Except Legal, Medical and Executive" category, SOC 43-6014	May-23	\$21.87	\$8.79	\$30.66	20%	6.13	\$36.79
Brake and Clutch Repair Mechanic	"Automotive Service Technicians and Mechanics" category, SOC 49-3023	May-23	\$24.97	\$11.97	\$36.94	20%	7.39	\$44.33
Brake and Clutch Repair Supervisor	"First-Line Supervisors/Managers of Mechanics, Installers, and Repairers" category, SOC 49-1011	May-23	\$37.99	\$17.02	\$55.01	20%	11.00	\$66.02
Industrial hygienist	Health and Safety Engineers, Except Mining Safety Engineers and Inspectors" category SOC 17-2111	May-23	\$52.28	\$26.69	\$78.97	20%	15.79	\$94.77
Footnotes								
<p>a Source: <i>National Occupational Employment Statistics data, April 3rd, 2024</i> (U S Bureau of Labor Statistics, May 2023). Occupations are the same as those used in the previous ICR. The analysis uses mean wage for all categories. Available via https://www.bls.gov/oes/current/oes_nat.htm#47-0000 (accessed 07_10_2024).</p> <p>b Source: <i>Employer Costs for Employee Compensation, March 13th, 2024</i>. (U.S. Bureau of Labor Statistics, December 2023). https://www.bls.gov/news.release/archives/ecec_03172023.pdf.</p> <p>c An overhead rate of 20% is used based on assumptions in Handbook on Valuing Changes in Time Use Induced by Regulatory Requirements and Other U.S. EPA Actions (U.S. Environmental Protection Agency (EPA) 2020).</p> <p>d Wage data are rounded to the closest cent in this analysis.</p> <p>e Because there is no industrial hygienist category in BLS, the series was used for the "Health and Safety Engineers, Except Mining Safety Engineers and Inspectors" category SOC17-2111. This category was used based on the similarity of duties as described in the data.</p>								

Table 4: Annual Number of Responses, Total Burden, and Total Costs for State and Local Entities (2023\$)

Collection Activity	Total Number of Responses	Total Number of Respondents (state and local entities)	Unit Burden per State	Total Burden (hours)	Weighted Average Wage Rate	Total Cost
A) Read And Interpret Regulation (5% turnover component only)	375	34,138	46.89	1,125	66.82	\$75,173
B) Respirator Program						
1) Develop Program ^a	146	34,138	24.30	583	\$94.77	\$55,251
2) Fit Testing						
a) Full-Face Respirators	71	34,138	0.74	18	\$58.67	\$1,056
b) Half-Mask-Face Respirators	4,713	34,138	32.72	785	\$58.67	\$46,056
3) Maintain Records for Fit Tests	2,392	34,138	8.31	199	\$36.79	\$7,321
Subtotal, Respirator Program	7,322	34,138	66.06	1,585	\$69.20	\$109,684
C) Exposure Monitoring						
1) Initial Exposure Assessment						
a) Construction ^{a,b}	3,770	34,138	314.15	7,540	\$94.77	\$714,566
b) Brake and Clutch Repair ^{a,c}	1,128	34,138	94.00	2,256	\$94.77	\$213,801
2) Maintain Exposure Records	11,566	34,138	40.16	964	\$36.79	\$35,466
3) Post Monitoring Results, Brake/Clutch	2,663	34,138	9.25	222	\$36.79	\$8,167

Subtotal, Exposure Monitoring	19,127	34,138	457.56	10,982	\$88.51	\$972,000
D) Hazard Communication						
1) Evaluate Risk (Class I, II projects)	4,006	34,138	125.19	3,005	\$66.82	\$200,794
2) Notify Employees						
a) Construction	451,118	34,138	1,566.38	37,593	\$66.82	\$2,511,964
b) Brake and Clutch Repair	10,652	34,138	36.99	888	\$66.02	\$58,626
3) Notify Other Employees/Tenants	451,118	34,138	1,566.38	37,593	\$66.82	\$2,511,964
Subtotal, Hazard Communication	916,894	34,138	3,294.95	79,079	\$66.81	\$5,283,348
E) Training						
1) Provide Training						
a) Class II	1,902	34,138	2,536.30	60,871	\$50.52	\$3,075,203
b) Class III (including new projects)	889	34,138	592.59	14,222	\$50.52	\$718,495
c) Class IV	46,138	34,138	3,844.81	92,276	\$50.52	\$4,661,784
2) Maintain Training Records	48,929	34,138	169.89	4,077	\$36.79	\$149,993
Subtotal, Training	97,858	34,138	7,143.60	171,446	\$50.19	\$8,605,475
F) Medical Surveillance (includes +5% for turnover)						

1) Medical Exams	2,830	34,138	88.44	2,123	\$57.01	\$121,007
2) Initial Questionnaire	141	34,138	3.10	74	\$56.99	\$4,240
3) Periodic Questionnaire	2,689	34,138	19.61	471	\$57.01	\$26,831
4) Information to Physicians	2,830	34,138	10.32	248	\$36.79	\$9,111
5) Physician's Written Opinion	2,830	34,138	9.83	236	\$36.79	\$8,677
6) Maintain Exam Records	2,830	34,138	9.83	236	\$36.79	\$8,677
Subtotal, Medical Surveillance	14,150	34,138	141.12	3,387	\$52.72	\$178,543
G) Access to Records						
1) Employee Access	5,412	34,138	18.79	451	\$36.79	\$16,594
2) EPA Access						
a) Construction	9,061	34,138	31.46	755	\$51.80	\$39,111
b) Brake and Clutch Repair	53	34,138	0.18	4	\$51.40	\$222
Subtotal, Access to Records	14,526	34,138	50.43	1,210	\$46.21	\$55,927
H) Competent Person						
1) Training						
a) Class II ^b	626	34,138	365.04	8,761	\$66.82	\$585,403
b) Class III and IV ^b	26,083	34,138	3260.33	78,248	\$66.82	\$5,228,531

2) Maintain Training Records	26,708	34,138	92.74	2,226	\$36.79	\$81,884
Subtotal, Competent Person	53,417	34,138	3,718.11	89,235	\$66.07	\$5,895,818
Overall	1,123,669	34,138	14,919	358,049	\$59.14	\$21,175,968

General Notes

1 Source for unit burdens is Supporting Statement for a Request for OMB Review under the Paperwork Reduction Act - Reporting and Recordkeeping for Asbestos Abatement Worker Protection. October 11, 2007. (EPA 2007). See Section 6(g) of this document for detailed derivation of per-state unit burdens and associated response counts.

2 The unit burden per state has implied numbers of respondents and responses. As provided in the 2007 ICR (see General Note 1 above for citation), on average each state has an associated 1422 affected state and local government entities with an associated total count of 46820 responses. Unless otherwise noted as involving a subpopulation set of respondents, activities occur within all affected entity jurisdictions.

Footnotes

a Applies to large entities, identified as those not in the small entity category based on the RFA definition that a small government is any specified government entity, excluding States, with jurisdiction over a population of less than 50,000. Per 2007 ICR (see General Note 1 for citation) large governments constitute 3.23 % of the affected entities.

b The proportion of crews that operate under large entities is purposefully assumed to be disproportionately larger than under small entities, in accordance with population records. Based on population data, 42.43% of the total number of crews will work for large entities (per 2007 ICR—see General Note 1 for citation).

c The percentage of affected brake and clutch shops in large government jurisdictions is assumed to occur at 42.43% of the total number of shops (per 2007 ICR—see General Note 1 for citation).

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

- 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 collections 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.

There are no operational or maintenance costs associated with this collection.

14. Provide estimates of annualized costs 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Not applicable. EPA does not collect any information under this information collection. All information subject to this collection request is to be gathered and maintained by the employer.

EPA does not collect any information under this information collection. All information subject to this collection request is to be gathered and maintained by the employer. As such, EPA does not incur any burden or cost under this information collection.

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet (in hour or cost burden.)

There is an increase in total cost burden of \$4.282 million compared with that identified in the ICR currently approved by OMB. This increase reflects an increase of \$13.84, or 31%, to the weighted average wage rate, and an increase of 10,701 to total respondents (local entities), reflecting updated numbers of governments from the Census of Governments. These increases are partially offset by a decrease of 46,824 in the total number of responses due to a decrease in the number of states subject to the rule compared with that identified in the ICR currently approved by OMB. There is a decrease in burden hours by 14,920 due to a decrease in estimated number of responses. This change is an adjustment.

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.

Not applicable.

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.

Not applicable.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

EPA does not request an exception to the certification of this information collection.

SUPPLEMENTAL INFORMATION

PRA Burden Statement

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2070-0072). Responses to this collection of information are mandatory for certain persons, as specified at 40 CFR Part 763. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 0.32 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Information Engagement Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

You can also provide comments to the Office of Information and Regulatory Affairs, Office of Management and Budget via <https://www.reginfo.gov/public/do/PRAMain>. Find this particular

information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

All comments received by EPA will be included in the docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

LIST OF ATTACHMENTS

The attachments listed below can be found in the docket for this ICR or by using the hyperlink that is provided in the list below. The docket for this ICR is accessible electronically through <https://www.regulations.gov> using Docket ID Number: EPA-HQ—OPPT-2020-0262.

Attachment	Description
A	Consultation - Questions

REFERENCES

[15 U.S.C. 2605](#)

[15 U.S.C. 2607\(a\)](#)

[29 CFR 1910.1001](#)

[29 CFR 1926.1101](#)

[40 CFR part 763, subpart G](#)

1987 WPR. *Asbestos Abatement Projects; Worker Protection*; Final Rule (52 FR 5618, February 25, 1987). <https://www.govinfo.gov/content/pkg/FR-1987-02-25/pdf/FR-1987-02-25.pdf>

2000 WPR. *Asbestos Worker Protection Rule*. Final Rule (65 FR 69210, November 15, 2000). Available at: <https://www.federalregister.gov/documents/2000/11/15/00-29232/asbestos-worker-protection>

OSHA 2000a. *Supporting Statement for the Information Collection Requirements of the Asbestos Standard (Construction)*, [OMB Approval Number 1218-0134](#).

OSHA 2000b. *Supporting Statement for the Information Collection Requirements of the Asbestos Standard (General Industry)*, [OMB Approval Number 1218-0133](#).

U.S. BLS 2023. U.S. Bureau of Labor Statistics. *National Occupational Employment Statistics data*. April 3, 2024 (U S Bureau of Labor Statistics, May 2023). Available via <https://www.bls.gov/oes/tables.htm>

U.S. BLS 2023. U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation data. March 13, 2024 (U S Bureau of Labor Statistics, December 2023). Available via https://www.bls.gov/news.release/archives/ecec_03132024.pdf

U.S. Census Bureau 2022. Census of Governments, Local Governments by Type and State. Available via <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>

U.S. Department of Education 2021. National Center for Education Statistics, Common Core of Data (CCD), "Public Elementary/ Secondary School Universe Survey" (U.S. Department of Education, 2021). Available via https://nces.ed.gov/ccd/tables/202021_summary_2.asp

U.S. EPA 2000. U.S. EPA, Office of Pollution Prevention and Toxics. *Final Asbestos Worker Protection Rule Economic Analysis*. Economic and Policy Analysis Branch, Economics, Exposure and Technology Division, Office of Pollution Prevention and Toxics, September 25, 2000.

U.S. EPA 2007. *Supporting Statement for a Request for OMB Review under the Paperwork Reduction Act - Reporting and Recordkeeping for Asbestos Abatement Worker Protection*. [OMB 2070-0072; EPA 1249.10, submitted to OMB 2007](#).