

**U.S. Department of Labor
Occupational Safety and Health Administration
Preclearance Supporting Statement – 1218-0110**

Note to the Reviewer

The Occupational Safety and Health Administration (OSHA) is proposing to revise the approved *Occupational Safety and Health On-Site Consultation Agreements (29 CFR Part 1908)*, (OMB Control Number 1218-0110), paperwork package to include the approved *Process Safety Management (PSM) On-Site Consultation Agreements (29 CFR 1908)*, OMB control number 1218-0281.

Both Information Collections comprise technical worksheets that are used by OSHA On-Site Consultation Program when providing consultation services at small business workplaces nationwide, as part of the initial On-Site Consultation visit process. The assessment tools or worksheets for this paperwork package which are directly applied by State¹ On-Site Consultation programs occur as part of the initial consultation visit process.

All initial consultation visits (i.e., full-service and limited-service consultation visits) must include a safety and health program assessment using the OSHA Form 33 worksheet and are performed in accordance with the Consultation regulations, following prescribed procedures such as hazard identification; written report of findings and recommendations to the employer; notification of Consultation visit in progress status to enforcement authority when applicable; compiling data; monitoring of consultants² performance by On-Site Consultation programs; and require the States to enter into an annual cooperative agreement with OSHA.

Initial consultation visits may also involve additional assessments, when requested by the small business employer, specific to workplace operations (which vary), such as those that involve PSM, or employers that are participants in the Safety and Health Achievement Recognition Program (SHARP).

Consequently, the duplication or double counting of burden hours will be avoided. Burden hours will account for the use of OSHA Form 33 and prescribed procedures for all initial consultation visits; and for the application of any additional worksheets based on the employers request for consultation services.

¹ Use of State within this document refers to both State governments and U.S. Territories.

² The consultant is a state employee who provides consultation services under the 21(d) cooperative agreement.

**SUPPORTING STATEMENT FOR
THE COLLECTION OF INFORMATION REQUIREMENTS IN THE
ON-SITE CONSULTATION AGREEMENTS (29 CFR PART 1908)³
OFFICE OF MANAGEMENT AND BUDGET(OMB)
CONTROL NO. 1218-0110 (September 2024)**

The agency is seeking a revision of the currently approved data collection.

A. JUSTIFICATION

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

Section 7(c)(1) of the Occupational Safety and Health Act (i.e., “the OSH Act” or “the Act”) authorizes the Secretary of Labor to, “with the consent of any State or political subdivision thereof, accept and use the services, facilities, and personnel of any agency of such State or subdivision with reimbursement.” Section 21(c) of the Act authorizes the Secretary of Labor to “consult with and advise employers and workers . . . as to effective means of preventing occupational illnesses and injuries.” To satisfy the intent of these and other sections of the Act, the Occupational Safety and Health Administration (OSHA) codified the terms that govern cooperative agreements between OSHA and State governments whereby State agencies provide On-Site Consultation services to private employers to assist them in complying with the requirements of the Act. The terms were codified as the On-Site Consultation Program regulations (29 CFR part 1908).

The On-Site Consultation Program regulations specify services to be provided, and practices and procedures to be followed by the State On-Site Consultation programs. The information collection requirements set forth in the On-Site Consultation Program regulations are in two categories: State Responsibilities and Employer Responsibilities.

OSHA’s Compliance Assistance Authorization Act of 1998 (CAAA) amended Section 21 of the OSH Act by adding paragraph (d), authorizing the Secretary of Labor to enter into agreements with the States to provide On-Site Consultation services, and establish rules under which employers may qualify for an inspection exemption. To achieve the intent of the CAAA, OSHA published a final rule to amend 29 CFR part 1908. The rule became effective on December 26, 2000. The Federal government provides 90 percent of funds for On-Site Consultation services delivered by the States, which results in the collection of information.

³The purpose of this Supporting Statement is to analyze and describe the burden hours and costs associated with provisions of this standard that contain paperwork requirements; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, these provisions.

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OSHA provides guidance to State On-Site Consultation programs to meet the requirements of the On-Site Consultation regulations, 29 CFR part 1908, through the OSHA Consultation Policies and Procedures Manual (CPPM), [CSP 02-00-005, September 29, 2023](#). The CPPM complies with the requirements of 29 CFR 1908 to specify the framework for administering and managing the OSHA On-Site Consultation Program, and to establish policies and procedures. The On-Site Consultation Program is administered by OSHA's Directorate of Cooperative and State Programs (DCSP), Office of Small Business Assistance (OSBA).

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.

This is a request for continuation of a previously approved collections. The requirements specified in the On-Site Consultation regulations for cooperative agreements are necessary to ensure uniform delivery of On-Site Consultation services nationwide.

State On-Site Consultation programs use the OSHA Information System (OIS) or a system that interfaces with it to collect data specified in the On-Site Consultation regulations, 29 CFR 1908, to ensure uniform delivery of On-Site Consultation services nationwide. On-Site Consultation programs also store detailed consultation visit case files electronically or hardcopy using their State's storage system. OSHA provides guidance to State On-Site Consultation programs to meet the requirements of the On-Site Consultation regulations through the CPPM.

Worksheets required by the CPPM are uploaded into OIS and accessible online to On-Site Consultation programs to complete and save. A copy of completed worksheets, including recommendations for addressing safety and health deficiencies, can be generated electronically from OIS (or hard copies printed) and shared with employers.

Compiled data can be used by OSHA or On-Site Consultation programs to assess the effectiveness of Consultation services, identify target areas (e.g., industries, hazard types) for Consultation services, identify safety and health trends, and develop resources to assist small business employers.

Employers participating in the Safety and Health Achievement Recognition Program (SHARP) or Pre-SHARP use the applicable worksheet templates provided by OSHA to record their self-assessment findings for submission in the interim year, usually via email, to the respective On-Site Consultation program for technical review and guidance.

SHARP recognizes small businesses that have used On-Site Consultation program services and operate exemplary safety and health programs. Acceptance into SHARP is an achievement that distinguishes a small business amongst its peers as a model for workplace safety and health. Small businesses that meet SHARP participation requirements are deferred from OSHA or State Plan programmed inspections schedule for up to two (2) years upon initial approval or for no more than three (3) years for subsequent renewal periods.

A small business that does not meet all the requirements for SHARP participation but shows a

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reasonable promise of achieving agreed-upon milestones and timeframes for meeting SHARP participation requirements, within the Pre-SHARP deferral period may be approved to participate in Pre-SHARP. The deferral timeframe from OSHA or State Plan programmed inspection schedule for small businesses approved to participate in Pre-SHARP must not exceed a total of 18 months.

The regulatory procedures specify the activities to be carried out by State On-Site Consultation programs funded by the Federal government, as well as the responsibilities of employers who receive On-Site Consultation services.

a. State Responsibilities.

(1) 29 CFR 1908.6(e)(3): State’s authorization to provide safety and health program assistance within the scope of the employer’s request.

Requirement. Input data on employer’s safety and health program in the web-based Safety and Health Program Assessment Worksheet.

Purpose: OSHA’s experience has shown that employers who maintain an effective safety and health [management] program are more likely to identify and correct hazards in the workplace and, therefore, prevent injuries and illnesses to their workers. This section provides the mechanism that authorizes the On-Site Consultation Programs to assist employers in developing effective safety and health management programs. To assist the States in delivering this service, OSHA, in partnership with the States, developed a web-based version of the Safety and Health Program Assessment Worksheet, OSHA Form 33, incorporated into the OIS. This tool is the basis for on-site consultants to evaluate the effectiveness of employers’ safety and health programs.

(2) 29 CFR 1908.6(e)(8): State’s obligation to prepare and transmit the “List of Hazards.”

Requirement. Generate and transmit a list of hazards and correction due dates to the employer for posting in the workplace. The State also provides a copy of the list to a worker representative who participates in the visit.

There are two (2) types of hazard list. The List of Hazards (Serious), consists of all serious hazards and any imminent danger hazard identified by the consultant. The List of Hazards (Serious, Other-than-Serious), consists of serious, other-than-serious, and imminent danger hazards, and regulatory violations identified by the consultant. This list is used when assessing establishments for SHARP or Pre-SHARP participation eligibility and by State Plans⁴ that require the verification of hazard correction for all hazard

⁴ State Plans are OSHA-approved workplace safety and health programs operated by individual states or U.S. territories. There are currently 22 State Plans covering both private sector and state and local government workers,

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classifications.

Purpose: When posted, the List of Hazards with the correction due dates serves to notify (and warn) workers of the presence of those hazards. It also serves as a reminder of the employer's obligation to correct hazards in a timely manner and as a mechanism to track hazard correction.

(3) 29 CFR 1908.6(f)(1) and (4): State's obligation to inform OSHA or the State Plan of an employer's refusal to correct hazards.

Requirement. Notify the appropriate enforcement authority and provide relevant information on imminent danger situations and serious hazards, which the employer has failed to correct within established time frames.

Purpose: This requirement is necessary to protect workers from exposure to imminent danger situations and serious hazards. Employers who request On-Site Consultation must agree to protect workers from all serious hazards and any imminent danger situation identified by the consultant. When an employer receives this free consultative assistance but refuses to correct those hazards, the State is obligated to make a referral to assure hazard correction. This notification is required by section 21(d)(3) of the OSH Act.

(4) 29 CFR 1908.6 (b) and (g)(1): State's obligation to prepare and submit a written report to the employer.

Requirement. Prepare and transmit a written report to the employer for each initial On-Site Consultation visit (i.e., limited-service and full-service visits).

Purpose: The written report to the employer plays a crucial role as the official notification of the consultant's findings and recommendations. It serves as important business communication between the On-Site Consultation program and the employer; this report is not routinely provided to OSHA. Thousands of written reports have been generated by the States and transmitted to employers nationwide. The reports have been the basis for the correction of innumerable serious hazards and the improvement of thousands of safety and health programs. The written report includes the List of Hazards and the safety and health program assessment findings and recommendations for improvement (i.e., OSHA Form 33).

(5) 29 CFR 1908.7(b)(1): State's obligation to inform compliance officers of an On-Site Consultation "visit in progress."

Requirement. Inform any OSHA or State Plan compliance officer who arrives during an

and seven State Plans covering only state and local government workers. State Plans are monitored by OSHA and must be at least as effective as OSHA in protecting workers and in preventing work-related injuries, illnesses and deaths.

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On-Site Consultation visit that a Consultation Visit is “in progress.”

Purpose: This requirement is necessary to prevent duplication of effort between On-Site Consultation and enforcement. On-Site Consultation visits in progress take priority over OSHA or State programmed inspections. Without this stipulation, an employer receiving consultation services would be subject to a concurrent enforcement inspection. By eliminating this potential duplication between On-Site Consultation and enforcement, the employer is given the opportunity to voluntarily comply, while Federal and State costs and resources are conserved.

(6) 29 CFR 1908.9(b): State’s obligation to monitor consultants’ performance.

Requirement. Establish and maintain an organized consultant performance monitoring system. State On-Site Consultation program managers conduct annual monitoring of performance to ensure that consultants continue to meet the six major qualification requirements set forth in the On-Site Consultation regulations. These requirements include:

- i. Ability to identify hazards;
- ii. Ability to assess worker exposure and risk;
- iii. Knowledge of OSHA standards;
- iv. Knowledge of hazard correction techniques and practices;
- v. Knowledge of workplace safety and health program requirements; and
- vi. Ability to effectively communicate, both orally and in writing.

Because individual State personnel systems establish their own employment criteria for hiring consultants, a standard level of consultant competency in the areas of expertise that have been deemed critical to the effective delivery of On-Site Consultation services is principally achieved through continuous monitoring and training to improve areas of deficiency.

The On-Site Consultation regulation requires that States accomplish annual self-monitoring activities by conducting performance evaluations of consultants, by accompanying consultants during On-Site Consultation visits, and by preparing quarterly summaries of their efforts in these areas. The consultant’s performance evaluation is a confidential State personnel record and is not reviewed by OSHA. Federal monitors may, however, ask to review the summaries of State self-monitoring activities and the accompanied visit reports. These evaluations have assisted the States in determining training needs. OSHA pays for continuing education training of consultants at the OSHA Training Institute and at other institutions.

Purpose: Performance monitoring of consultants is necessary to ensure that employers who request and receive On-Site Consultation services are provided quality assistance and that the skill levels of consultants are sufficient to perform the tasks required.

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(7) 29 CFR 1908.9(c): State's obligation to report data.

Requirement. Compile and submit factual and statistical data.

Purpose: The On-Site Consultation programs gather factual data from all the employers who utilize their services and input the data online, into the OIS or a system that interfaces with it. OSHA does not require the On-Site Consultation programs to segregate or apply any statistical criteria to the data; nor are they required to perform any specific statistical analysis using the data. OSHA uses the data to perform periodic and annual electronic monitoring of each On-Site Consultation program's performance as specified in the cooperative agreement. OSHA from time-to-time uses the information collected under this requirement to report on the performance of the On-Site Consultation programs to Congress.

(8) 29 CFR 1908.10(c): Contents of cooperative agreement. This section provides the mechanism for funding On-Site Consultation programs operated by the States.

Requirement. Prepare the annual cooperative agreement detailing budget information and program activities proposed for Federal funding each fiscal year.

Purpose: The cooperative agreement and funding mechanism are required by CAAA. On-Site Consultation program managers prepare and submit annual cooperative agreements, including detailed budget and basic performance projections, to ensure that adequate funding is available for On-Site Consultation services throughout the fiscal year, and to ensure conformance with fiscal year budgetary allowances. Information from the cooperative agreements has been used to gauge performance, and to make projections of future activity.

The agency is incorporating the following collections, currently approve by OMB under 1218-0281, into this ICR for State responsibilities:

(9) 29 CFR 1908.6(e)(3): State's authorization to provide assistance within the scope of the employer's request for consultation services.

29 CFR 1910.119 / 29 CFR 1926.64: The OSHA PSM of Highly Hazardous Chemicals standard contains requirements for preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals. These releases may result in toxic, fire, or explosion hazards.

Requirement. Apply the PSM Evaluation Worksheet and optional accompanying tables to facilitate the effective implementation of PSM Program elements by small business employers.

Purpose: PSM Evaluation Worksheet, and Five (5) Optional Accompanying Tables, provides guidelines for On-Site Consultation programs to apply when assessing processes

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covered by the PSM standard when small business employers request such services. The worksheet is a tool for Consultation programs to evaluate an employer's PSM Program as well as document findings and recommendations for corrective actions.

On-Site Consultation programs use the PSM Evaluation Worksheet in conjunction with other relevant technical resources (e.g., consensus standards, Recognized and Generally Accepted Good Engineering Practices (RAGAGEP)). The assessment tables are additional optional resources or tools developed for On-Site Consultation programs to use when reviewing PSM processes

(10) 29 CFR 1908.7(b)(4): States authorization to provide incentives and support to smaller, high-hazard employers to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management program.

Requirement. Review the PSM Interim Year⁵ SHARP Site Self-Evaluations that are submitted by employers to assess the implementation of PSM Program elements in their workplace.

Purpose: Consultation programs will review the PSM Interim Year SHARP Site Self-Evaluation Template completed by small business employers participating in SHARP that have PSM covered processes at their establishment. Consultation programs will assess the implementation of PSM Program elements; compliance with the PSM standard; provide technical assistance with addressing deficiencies and/or ensuring continuous improvement; and follow-up with the employer to verify the implementation of any corrective measures.

(11) 29 CFR 1908.6(e)(3): State's authorization to provide safety and health program assistance within the scope of the employer's request.

Requirement. Apply the worksheet for Determining the Applicability of the PSM Standard to an establishment when there is a reason to suspect that a process(es) in the workplace is subject to the standard.

Before conducting a consultation visit, when there is reason to suspect that a process(es) in the workplace is subject to the PSM standard, a consultant will use the *Determining the Applicability of the PSM Standard to an Establishment* worksheet, or other appropriate

⁵ The interim year is the year following the most recent SHARP participation approval date. The Consultation program conducts a comprehensive safety and health program assessment and full-service on-site consultation visit to determine employers' eligibility to participate in SHARP for the initial participation period and subsequent renewals. However, one year after the initial or renewal approval to participate in SHARP, a comprehensive safety and health program assessment and full-service on-site consultation visit is not conducted by the Consultation program. Therefore, employers are required to conduct self-assessments and submit their findings to the respective Consultation program in the interim year.

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resources, to clarify if the PSM standard applies, and identify the nature of any process involved (e.g., ammonia refrigeration, ammonia storage, chemical processing, manufacturing of explosives and pyrotechnics).

Purpose: To assure that the consultant has appropriate safety and health information before the consultation visit and be adequately prepared to provide technical assistance to the employer for any PSM process identified in the workplace.

(12) 29 CFR 1908.7(b)(4): States authorization to provide incentives and support to smaller, high-hazard employers to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health program.

Requirement. Review the Interim Year SHARP Site Self-Evaluation that employers use to assess the implementation of the safety and health program in the workplace.

Consultation programs will review the Interim Year SHARP Site Self-Evaluation Template completed by employers participating in SHARP; provide technical assistance to ensure continuous improvement and/or correct deficiencies; and follow-up to verify the implementation of any corrective measures, to facilitate the continued implementation of effective safety and health programs by employers approved to participate in SHARP.

This self-evaluation is completed by all employers participating in SHARP (i.e., those with and without PSM processes in their workplaces) and does not include the self-assessment of the PSM Program elements when OSHA's PSM standard applies. PSM Program elements will be assessed using the PSM Interim Year SHARP Site Self-Evaluation. Both self-evaluations are due in the interim year

Purpose: Provide general oversight to promote the continued implementation of effective safety and health programs at workplaces participating in SHARP and give technical assistance as needed.

(13) 29 CFR 1908.7(b)(4): States authorization to provide incentives and support to smaller, high-hazard employers to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management program.

Requirement. Assist employers in applying the Action Plan Template for SHARP or Pre-SHARP participation, which is used to identify goals for the continuous improvement of the safety and health program.

On-Site Consultation programs use the Action Plan Template to assist employers participating in SHARP with developing goals and timelines for assuring the continuous improvement of their safety and health management programs. On-Site Consultation programs also use the Action Plan to assist employers participating in Pre-SHARP with identifying goals and timelines for implementing corrective actions to address

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deficiencies in their safety and health program implementation within the Pre-SHARP participation period. This collaborative effort between On-Site Consultation programs and employers aim to enhance workplace safety and health.

Purpose: Facilitate the implementation of effective safety and health management program processes at SHARP and Pre-SHARP sites.

(14) 29 CFR 1908.7(b)(4): States authorization to provide incentives and support to smaller, high-hazard employers to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management program.

Requirement. Use the Incident Investigation Reporting Template to report findings and recommendations to correct safety and health program deficiencies when incidents (e.g., fatalities, catastrophes) occur at SHARP or Pre-SHARP sites.

On-Site Consultation programs use the Incident Investigation Reporting Template to determine the root causes of incidents that occur at SHARP or Pre-SHARP sites, the effectiveness of the implemented safety and health program, and report findings and recommendations. The template will assure that the incident investigation data collected and assessed by On-Site Consultation programs nationwide is consistent, and similar procedures are followed to facilitate productive outcomes

Purpose: Assure an effective and consistent process for On-Site Consultation programs to conduct incident investigations to preclude recurrence. Findings will help Consultation programs to recommend corrective measures for promoting the safety and health of workers; and ascertain the employer's eligibility to continue to participate in SHARP or Pre-SHARP.

b. Employer Responsibilities.

(1) 29 CFR 1908.6(e)(8): Employer's obligation to post the "List of Hazards" and make information on corrective methods proposed by the consultant available to workers and their representatives.

Requirement. The employer must post the List of Hazards, which includes the hazard correction due dates. The List of Hazards must be posted unedited in a prominent place, where it is readily observable by all affected workers, for three working days, or until the hazards are corrected, whichever is later. A copy of the List of Hazards must also be made available to the worker representative who participates in the consultation visit.

Purpose: This requirement is necessary to ensure that workers are made aware of, and employers ensure that they can avoid those hazards, which could otherwise result in serious injury, illness, or death. The House Report (H.R. 105-444) accompanying the CAAA encouraged the Secretary of Labor to include assurances of worker notification of

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hazards in 29 CFR part 1908.

(2) 29 CFR 1908.6(f)(5): Employer’s obligation to notify the On-Site Consultation program manager when hazards are corrected.

Requirement. Following the correction of serious hazards, the employer must provide the State On-Site Consultation program manager with written confirmation of the hazards corrected, unless the consultant directly verifies the correction of those hazards. Since electronic mail (e-mail) is a form of legal, written correspondence, employers may notify the On-Site Consultation Program regarding the correction of hazards via e-mail.

Employers requesting to participate in SHARP or Pre-SHARP must provide documentation of the action(s) taken to correct serious, imminent danger, and other-than-serious hazards, and regulatory violations, that were not verified as corrected on-site during the consultation visit, by the mutually agreed upon hazard correction due date(s) or any extension thereof.

Purpose: This requirement is necessary to ensure that all hazards that could result in serious injury, illness, or death are corrected in a timely manner.

(3) 29 CFR 1908.7(b)(1): Employer’s right to inform compliance officers of consultation “visit in progress.”

Requirement. Inform any OSHA or State Plan compliance officer who arrives during an On-Site Consultation visit that a Consultation Visit is “in progress.”

Purpose: This requirement is necessary to prevent duplication of effort between On-Site Consultation and enforcement. It avoids wasting the employer’s time and conserves State and Federal government resources.

On-Site Consultation visits in progress take priority over OSHA or State Plan programmed inspections. Without this stipulation, an employer receiving consultation services would be subject to a concurrent enforcement inspection. By eliminating this potential duplication between On-Site Consultation and enforcement, the employer is given the opportunity to comply voluntarily, while Federal and State costs are reduced and resources are conserved.

By cooperating with the State On-Site Consultation program and voluntarily complying with OSHA standards, the employer prevents injury, illness, and death to workers and avoids costs associated with such incidents as well as penalties resulting from violations of OSHA or State Plan standards.

The agency is combining the following collections, currently approve by OMB under 1218-0281, into this ICR for employer responsibilities:

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(4) 29 CFR 1908.7(b)(4): Responsibility of employers participating in SHARP to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management program.

Requirement. Small business employers participating in SHARP with processes covered by the PSM standard will use the PSM Interim Year SHARP Site Self-Evaluation Template to assess the implementation of PSM Program elements required by 29 CFR 1910.119 or 29 CFR 1926.64 in their workplaces to assure appropriate and effective safety and health precautions remain in-place. Employers will submit their completed self-evaluations to On-Site Consultation programs for review and technical assistance.

Purpose: This requirement is necessary to facilitate the continuous assessment and improvement of the implementation of PSM Program elements specified in 29 CFR 1910.119 or 29 CFR 1926.64, to preclude the unwanted release of highly hazardous chemicals that could result in catastrophic events at SHARP sites with PSM processes.

(5) 29 CFR 1908.7(b)(4): Responsibility of employers participating in SHARP to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management programs.

Requirement: All employers participating in SHARP complete and submit the Interim Year SHARP Site Self-Evaluation to assess the implementation of their safety and health program. This self-evaluation does not include the PSM Program elements, separately addressed by the PSM Interim Year SHARP Site Self-Evaluation. Both self-evaluations are due in the interim year.

Purpose: Employers participating in SHARP identify and correct deficiencies or seek technical assistance as necessary to promote the implementation of an effective safety and health program.

(6) 29 CFR 1908.7(b)(4): Responsibility of employers participating in SHARP to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management programs.

Requirement. Employers participating in SHARP work with On-Site Consultation programs to develop and establish an Action Plan with goals and timelines that they will implement in their workplaces to assure continuous improvement of their safety and health programs. Employers participating in Pre-SHARP work with On-Site Consultation programs to develop and establish an Action Plan with goals and corrective actions to address deficiencies in their safety and health program implementation within the Pre-SHARP participation period. This process typically involves the participation of employees. SHARP and Pre-SHARP participants provide status updates on the completion of action items in their Action Plan to their respective On-Site Consultation program. The frequency of the updates is as agreed to by the employer and the On-Site Consultation program

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Purpose: Employers participating in SHARP or Pre-SHARP systematically identify and accomplish goals to continuously improve their safety and health programs.

(7) **29 CFR 1908.7(b)(4):** Responsibility of employers participating in SHARP to work with their employees to develop, implement, and continuously improve the effectiveness of their workplace safety and health management programs.

Requirement This is an optional tool that employers participating in SHARP or Pre-SHARP may apply in collaboration with employees to facilitate identifying objectives for goals specified in their Action Plan; as well as identify, plan and track the execution of tasks to accomplish them. This tool can also be used by small business employers who are not participating in SHARP or Pre-SHARP to improve workplace safety and health conditions. This tool is a resource that OSHA is providing for small business employers to use if they choose to and is not a requirement for receiving any Consultation service or participating in SHARP or Pre-SHARP.

Purpose: This tool identifies specific objectives, timeframes, personnel, and resources for accomplishing the safety and health program goals specified in the Action Plan.

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 burdens.

Much of the information collected and reported by the On-Site Consultation programs is qualitative. As a result, the information collection requirements, for the most part, cannot be automated. However, since the inception of the On-Site Consultation Program, OSHA has worked closely with the State On-Site Consultation programs to automate the collection and reporting of those data elements that can be automated. To that end, OSHA has continuously funded the purchase of computer equipment and provided support in tool development, network maintenance, and staff training. For instance, OSHA has coordinated the effort to standardize the consultants' written report to the employer, thereby easing the States' burden of report creation and streamlining the report received by the employer.

OSHA uses the web to simplify the On-Site Consultation process. For example, information about the quality of a workplace safety and health program is routinely collected by the State consultants as part of the On-Site Consultation process using the OSHA Form 33. With the agency's internal web-based system, the OIS, all consultants enter the data collected using the OSHA Form 33 worksheet directly on-line to the OIS, which can be accessed from any location.

Additionally, OSHA now requires that State On-Site Consultation programs submit their annual grant applications electronically using the Grants.gov (www.grants.gov) system. The

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applications can be up to one hundred (100) pages long and require review by the OSHA Regional and National Offices. The electronic submissions streamline the process and reduce the need for copies. Another electronic feature made available to the States is the Department of Health and Human Services' – Payment Management system. The system is responsible for managing reimbursement to the States for On-Site Consultation and related services. The payment system is fully automated and allows the grantees to submit their request and receive payments electronically. This also reduces the paperwork burden on the States.

The Wisconsin Occupational Health Laboratory, which provides laboratory services to the On-Site Consultation programs, has developed a system for uploading data on all sample collection media before they are shipped to the programs for field use. The sample media are bar-coded to ensure ease of information retrieval for analysis and reporting of sample results to the programs. The lab has also established an MS-Access database (sample result data 1984-1994) and an online database (sample result data 1994 to date) to give the States access to historical data. This reduces the time spent by the States on paperwork preparation and records retention. Additionally, the laboratory sends sample results through email. Although the lab still sends paper copies of the results, they are exploring with their information systems group methods for sending the results only through email unless specifically requested otherwise.

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 A.2 above.

The regulations for the On-Site Consultation Program do not duplicate other agency programs. There is no similar information available.

Communications between the On-Site Consultation programs and enforcement programs specified in the On-Site Consultation regulations are designed to inform OSHA inspectors of the presence of a consultant at a workplace or of consultation visit in-progress status. This prevents duplication of efforts between OSHA's On-Site Consultation programs and enforcement programs.

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

Participation in the On-Site Consultation Program is completely voluntary. There is no Federal requirement that forces participation. Small business employers that use consultation services choose to do so, determine the scope of the consultation services they request, and must be made aware of their obligations and rights by On-Site Consultation programs before receiving services as per the On-Site Consultation regulation and policy. Additionally, employers may choose to limit the scope of the consultation services that they originally requested or terminate a consultation visit at any point.

This information collection does not have a significant impact on a substantial number of small entities.

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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.

All activities specified in this report occur as a natural function or corollary of the On-Site Consultation process. None of the activities specified could be consolidated into a single activity because each is linked to a unique consultation service involving a specific small business employer. This is because every small business is different and distinct from all others (e.g., even companies within the same industry regularly employ different work methods and processes; not all small businesses have a PSM process in the workplace; the Incident Investigation Reporting Template can only be applied at a specific SHARP or Pre-SHARP site if a qualifying incident occurs; Action Plans vary according to the specific need of the employer).

Therefore, every piece of information collected is important for the consultant to gain an accurate understanding of the status of the safety and health program of a specific workplace and to render effective consultation services. See the answer above to question 2.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

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

There are no special circumstances for the information collection described herein. This collection of information complies with the requirements of 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 three years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained.

As required by the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the Federal Register on September 11, 2024 (89 FR 73727) soliciting comments on its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Occupational Safety and Health On-Site Consultation Agreements under Docket Number OSHA-2011-0125. Also, OSHA is revising this data collection to include the OMB approved data collections contained in OMB Control Number 1218-0281. This notice is part of a preclearance consultation program that provides interested parties the opportunity to comment on OSHA's request for an extension by OMB of a previous approval of the information collection requirements found in the above Standard. The agency will respond to any public comments received in response to this notice.

Quarterly, OSHA meets virtually with OSHA Regional Program Officers (RPOs) and representatives of the 53 On-Site Consultation programs nationally to discuss issues, program requirements, concerns, and provide policy clarification and obtain feedback regarding these items. OSHA also gives OSHA RPOs and the 53 On-Site Consultation programs an opportunity to review and provide suggested improvements for On-Site Consultation Program Cooperative Agreement Instructions, which are updated annually. This gives voice to all involved with this program, and an opportunity to recommend improvements that may decrease the burden of requirements for consultation programs, the employers, and OSHA.

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

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

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

The primary respondents for the safety and health worksheets described in this ICR are the State On-Site Consultation programs and employers. State On-Site Consultation programs do not require and do not receive assurances of confidentiality. However, all employers that choose to use Consultation services have an assurance of confidentiality.

Employer safeguards extend to preserving the confidentiality of the identity of employers receiving On-Site Consultation services. Specifically, the employer's name or establishment is not revealed to OSHA or a State Plan routinely for use in any enforcement action, as stipulated in 1908.7(a)(3). Consultation visit information compiled in the written report to the employer can only be shared with the employer as stipulated in 1908.6(g)(2). Also, 1908.6(h)(1)&(2) requires that consultants preserve the confidentiality of information obtained as a result of any consultative visit, including information that contains or might reveal a trade secret of the employer.

Although Consultation programs are prohibited from disclosing the identity of employers requesting consultation services, and any findings from consultation visits, with anyone other than the employer requesting consultation services, an employer that fails to take timely action to eliminate employees' exposure to an imminent danger hazard or fails to correct a serious or imminent danger hazard within the mutually agreed upon timeframe would be referred to the enforcement authority. In such instances, the Consultation program must share the information with the appropriate enforcement authorities (see 29 CFR 1908.6(f)(1)&(4) and 29 CFR 1908.7(a)(3)).

These requirements apply to all data collection requests described herein.

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.

No questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private are associated with the regulations for On-Site Consultation agreements and the data collection requests described herein.

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

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

RESPONDENT BURDEN HOUR AND COST BURDEN DETERMINATIONS

Wage Rate Determinations⁶

The agency determined the wage rate from mean hourly wage earnings to represent the cost of employee time. For the relevant standard occupational classification category, OSHA used the wage rates reported in the Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Employment and Wage Statistics* (OEWS) data, May 2023 [date accessed: May 21, 2024)]. (OES data is available at: <https://www.bls.gov/oes/tables.htm>). To access these wage rates, select the year, “National,” and the Standard Occupational Classification (SOC) code.)

To derive the loaded hourly wage rate presented in the “Wage Hour Estimates” table below, the agency used data from the Bureau of Labor Statistics’ (BLS) OEWS, as described in the paragraph above. Then, the agency applied to the wage rates a fringe benefit markup based on data found in Table 2 of the following BLS release: *Employer Costs for Employee Compensation*, news release text, released 10:00 AM (EDT), March 2024 ([Table 2. Civilian workers by occupational and industry group - 2024 Q01 Results \(bls.gov\)](#)) (BLS reported that for civilian workers, fringe benefits accounted for 31.2 percent of total compensation and wages accounted for the remaining 68.8 percent. In addition, Table 3 of the same news release indicates

⁶ In this ICR, OSHA will be using wage determinations for both the civilian workers and the state and local government workers.

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that for state and local government workers, fringe benefits accounted for 38.1 percent of total compensation and wages accounted for the remaining 61.9 percent ([Table 3. State and local government workers by occupational and industry group - 2024 Q01 Results \(bls.gov\)](#)). To calculate the loaded hourly wage for each occupation, the agency divided the mean hourly wage rate by 1 minus the fringe benefits.

Table 1 – WAGE HOUR ESTIMATES				
Occupational Title	SOC Code	Mean Hourly Wage Rate (A)	Fringe Benefits (B)	Loaded Hourly Wage Rate (C) = (A)/((1-(B)))
“Administrative Services and Facilities Managers” (Program Manager)	11-3010	\$56.56	0.381	\$91.37
“Occupational Health and Safety Specialist” (Consultant)	19-5011	\$41.14	0.381	\$66.46
“Secretaries, Except Legal, Medical, and Executive” (Clerical/Secretary)	43-6014	\$21.87	0.312	\$31.79
“General and Operations Managers” (Employers)	11-1021	\$62.18	0.312	\$90.38

OSHA’s requirement for information collection is largely inseparable from the normal business practice of information collection associated with this type of professional service. Similar information would be collected by the State if the service was provided without a Federal grant. Further, private sector concerns (e.g., insurance companies, private consultants, in-house safety and health staff) providing professional occupational safety and health services routinely collect and report similar information.

There are two groups of respondents affected by the requests for information collection specified herein (see response to question 2): (i) States providing Consultation services through On-Site Consultation programs, and (ii) Employers receiving On-Site Consultation assistance. The agency estimates the total burden hours for both groups of respondents is **195,736** hours; **175,607** hours for State On-Site Consultation programs (see Table 2, *Summary of Estimated Annualized Respondent (State Consultation Program) Hour and Cost Burden*), and **20,129** hours for employers (see Table 3, *Summary of Estimated Annualized Respondent (Employer) Hour and Cost Burden*).

i. Burden Hour Estimates for State On-Site Consultation programs:

The following regulations require information collection and/or reporting on the part of the State On-Site Consultation programs:

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A. **29 CFR 1908.6(e)(3):**

Complete the Safety and Health Program Assessment Worksheet, Form 33, during an initial consultation visit (includes SHARP/Pre-SHARP and non-SHARP assessments).

Tasks performed by consultants during all types of initial consultation visits (i.e., full-service and limited-service visits) include: a walkthrough of the workplace to assess and identify potential hazards; interview supervisors and workers; review relevant documents; assess the safety and health program of the workplace using the Form 33, as feasible, within the scope of the employer's request for consultation services; and enter Form 33 data into the OIS, the web based system.

Therefore, OSHA's burden hour estimates are liberally construed on the assumption that hazards are identified on all initial consultation visits, and that consultants are able to make professional judgments about the employer's safety and health program on the basis of all the information collected for the workplace. The time estimates to conduct the safety and health program assessment do not include the time for gathering information about requirements specific to a particular workplace, since that is done as a corollary of the On-Site Consultation process.

It is important to point out that a significant reduction in limited-service visits and a significant increase in full-service safety and health visits were observed in the FY 2023 data. This was likely due to policy updates in the 2021 and 2023 releases of the CPPM. The CPPM has always encouraged On-Site Consultation programs to recommend and explain the benefits of full-service safety and health Consultation visits, and a complete safety and health program review to employers (i.e., assessment of all 58 attributes of the Form 33); compared to limited-service safety or health visits and a limited/incomplete safety and health program review. Additionally, the updated CPPM made it clearer that consultants need to complete the Form 33 worksheet even "if the employer does not request a complete review of the safety and health program." According to the CPPM: "if the consultant obtains sufficient safety and health information within the scope of the consultation visit to assess and score attributes, that portion of the worksheet should be completed."

Consequently, it was observed that a higher percentage of all initial consultation visits conducted at workplaces not participating in SHARP, in FY 2023, were full-service safety and health visits involving a complete review of the safety and health program. This type of detailed assessment is only mandatory to determine eligibility to participate in SHARP or Pre-SHARP for those small business employers that voluntarily request to do so. Employers that request limited-service consultation visits would typically have fewer entries of the Form 33 as the consultant's ability to conduct a safety and health program assessment is

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“limited” by the amount of information that can be gathered about the workplace.

Data from the OIS database⁷ indicates that 18,384 initial On-Site Consultation visits were conducted in FY 2023 by On-Site Consultation programs throughout the United States and the Territories. Of this total, 7,598 initial consultation visits were limited-service visits and focused either on the safety or health discipline; 9,864 were full-service safety and health visits that did not involve SHARP assessments; and 923 were full-service safety and health visits involving SHARP assessments. None (0) of these visits resulted in referrals to OSHA or State Plan enforcement.

OSHA estimates that, after an initial On-Site Consultation visit that involves a limited-service assessment, focusing on either the safety or health discipline, 12 to 18 entries will be made in the Form 33 worksheet in OIS in 1 hour. In FY 2023, there were 7,598 limited-service consultation visits, focusing either on safety or health hazards. Such visits would require 1 hour of data entry time per visit. The total annual burden hours for limited-service visits were 7,598 hours in FY 2023.

OSHA estimates that 58 entries can be assessed and entered onto Form 33 in OIS in 5 hours. In FY 2023, there were 923 initial consultation visits involving SHARP assessments. Each of these SHARP-related visits required 5 hours to complete Form 33. The total annual burden hours for SHARP assessments in FY 2023 was 4,615 hours.

A total of 9,864 workplaces received full-service safety and health visits not involving SHARP assessments in FY 2023, each requiring 5 hours to complete all 58 entries of the Form 33, resulting in total annual burden hours of 49,320 hours.

B. 29 CFR 1908.6(e)(8):

Prepare and transmit a List of Hazards that includes the hazard correction due dates.

OSHA has determined it takes the consultant an average of five minutes (5/60 hour) to compile the list. According to Consultation data entered into OIS in FY 2023, serious and/or imminent danger hazards were identified in 12,982 of the 18,384 initial consultation visits, which resulted in annual burden hours of 1,082 hours.

C. 29 CFR 1908.6(f)(1) and (4):

Inform enforcement authority if the employer fails to take action to correct a serious hazard or any imminent danger hazard; and/or fails to comply with the requirement to post the List of Hazards.

⁷ Source: OSHA On-Site Consultation OIS database; data run for Fiscal Year 2023 (run date June 2024).

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The On-Site Consultation program manager is responsible for making referrals to the enforcement authority. OSHA estimates that notification of the enforcement authority would require 30 minutes (0.5 hour). OIS data indicate that 0 visits resulted in referrals to enforcement in FY 2023, resulting in burden hour of 0 hour.

- D. 29 CFR 1908.6(g)(1):
Prepare and transmit a written report to the employer for each initial On-Site Consultation visit.

The report consists of: a) a restatement of the employer's request for consultation services; b) a description of the workplace and working conditions; c) a description of all hazards identified during the initial On-Site Consultation visit, including a reference to the applicable standards and codes; d) an evaluation of the employer's safety and health management program and suggestions to improve it; e) suggested means or approaches to correct the identified hazards; f) references to additional sources of assistance to correct a hazard; and g) completion dates for the correction of hazards.

OSHA estimates that it takes a consultant an average of 3.0 hours to complete the written report for a limited-service safety or health consultation visit, and 7.5 hours to complete the written report for a full-service safety and health consultation visit.

In FY 2023, there were 18,384 initial consultation visits. Of this total, 7,598 initial consultation visits were limited-service safety or health visits; 10,786 were full-service safety and health visits (involving SHARP/Pre-SHARP and non-SHARP assessments).

The resulting burden hours in FY 2023 for completing the written report was 22,794 hours plus 80,895 hours, totaling 103,689 hours.

- E. 29 CFR 1908.7(b)(1):
Inform any OSHA or State Plan compliance officer who arrives at a workplace when an On-Site Consultation visit is in progress.

This requirement applies to any employer using the free consultation service and is designed to prevent a duplication of effort between On-Site Consultation and OSHA enforcement. OSHA estimates that five (5) percent of all high hazard employers eligible for programmed inspections are inspected in any given FY. Priority for initial On-Site Consultation visits are given to small, high-hazard companies. By extension of the fact that both OSHA and the On-Site

Consultation programs place a higher priority on high-hazard companies, and the fact that five percent of companies receive compliance inspections, OSHA

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estimates that a compliance officer will arrive at a facility receiving an On-Site Consultation visit on 5 percent of all On-Site Consultation visits (i.e., 919 employers). It takes approximately six (6) minutes 6/60 to inform a compliance officer that an initial On-Site Consultation visit is in progress. The Consultation program manager performs this function and results in a maximum of 92 burden hours.

- F. 29 CFR 1908.9(b):
Establish and maintain an organized consultant performance monitoring system.

It is a usual and customary business practice for employers to establish performance standards, and to evaluate worker performance against the standard. The States perform this function without a requirement from OSHA; therefore, the agency is not assigning any burden hours for this activity.

- G. 29 CFR 1908.9(c):
Compile and submit factual and statistical information.

Currently, the statistical information is entered as part of the report preparation process into the OIS or a system that interphases with it and is one of the major tools used by the States in the management of their programs. OSHA electronically extracts this information periodically from the OIS (without assistance from the States) for use in program monitoring and evaluation. During the biennial evaluations conducted by OSHA, the On-Site Consultation programs are required to provide access to randomly selected Consultation files. The files are reviewed by Federal Regional Program Officers (RPOs) for quality of content consistent with Consultation policies and procedures. Preparation of files for review is a function performed by clerical workers of the State.

On the average, there are 26.5 Consultation programs and 18 reports reviewed per program per year, totaling 477 reports. It takes 30 minutes (0.5 hours) to prepare each file for review resulting in 239 total hours.

- H. 29 CFR 1908.10(c):
Prepare and submit Annual Cooperative Agreement.

Each of the 53 State On-Site Consultation programs prepares and submits an annual cooperative agreement.

This function is performed on an annual basis by On-Site Consultation program managers. It takes an average of 32 hours of an On-Site Consultation program manager's time, and 8 hours of clerical time.. The total burden hours for this function, (which consists of 1,696. for program managers and 424 clerical), is 2,120 hours.

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- I. 29 CFR 1908.6(e)(3); 1910.119; 1926.64; EO 13650:
Apply the PSM Evaluation Worksheet and optional accompanying tables.

Assessment of PSM processes is only performed when employers request such services. In these instances, information about the quality of a site's PSM Program will be assessed within the scope of the employer's request for consultation services as part of the On-Site Consultation process. Typically, consultants review technical resources, regulations, and applicable consensus standards; identify hazards; interview employees and management staff; and review relevant workplace safety and health documents.

Consultants will enter all the information collected into the PSM Evaluation Worksheet and any of the optional assessment tables. The optional accompanying tables are tools that consultants may choose to use to gather the information needed to complete the PSM Evaluation Worksheet. Information for the optional assessment table may also be gathered by other means and this process will occur as part of the PSM Program evaluation. Therefore, the time estimates for completing the worksheet incorporate either using the tables or the time it will take to gather the necessary information by other means (to complete the worksheet).

OIS data indicate that in FY 2023, 236 initial consultation visits were conducted at small business workplaces with PSM processes. Sixteen (16) of these initial consultation visits involved employers' requests for PSM process assessment, these included SHARP and non-SHARP assessments. None (0) of the initial consultation visits in FY 2023 involved PSM process assessment of Pre-SHARP sites. Ten (10) were limited-service visits and six (6) were full-service visits.

OSHA estimates that for a limited-service consultation visit 12 to 18 entries will be made in the PSM Evaluation Worksheet; and 18 entries will require **about 4** hours to complete. In FY 2023, there were 10 limited service-visits, therefore, the estimated total annual burden hours for limited-service visits are 40 hours.

During a full-service on-site consultation visit, consultants will conduct a complete evaluation of the worksite's PSM Program using the PSM Evaluation Worksheet. This will require responding to all 53 assessment criteria of the worksheet. OSHA estimates that 53 entries can be assessed and entered in the worksheet when there is adequate data to do so in 12 hours. In FY 2023, there were 6 full-service visits; therefore, the estimated total annual burden hours for full-service visits are **72 hours**.

- J. 29 CFR 1908.7(b)((4):
Review the PSM Interim Year SHARP Site Self-Evaluations submitted by employers.

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OIS data indicate that 4 SHARP sites with PSM processes participated in SHARP in FY 2023. Employers participating in SHARP will be required to assess their PSM Program, respond to the 12 inquiries in the PSM Interim Year SHARP Site Self-Evaluation Template, and submit the information gathered to their respective Consultation program for review and technical assistance. OSHA estimates that on average, the review of an employer's self-evaluation and technical assistance provided by a Consultation program will *take 2.0 hours*. For 4 PSM SHARP sites, this will result in an estimated total annual average of 8 hours.

- K. 29 CFR 1908.6(e)(3):
Apply the worksheet for Determining the Applicability of the PSM Standard to an Establishment.

On-Site Consultation programs will collect and assess relevant information to determine if the PSM standard applies to a workplace. OIS data indicates that in FY 2023, 16 initial consultation visits (i.e., limited-service and full-service) involving PSM process assessments were conducted. OSHA estimates that it will take a consultant **2 hours** to apply the 3 evaluation criteria in the worksheet, therefore for **16 initial consultation visits**, it will result in a total of **32 hours**.

- L. 29 CFR 1908.7(b)(4):
Review the Interim Year SHARP Site Self-Evaluation.

All employers participating in SHARP will complete the self-evaluation and submit their report to the On-Site Consultation program. This self-evaluation does not include the PSM Program implementation.

In FY 2023, the number of workplaces participating in SHARP was 1,023. OSHA estimates that on average, it will take a consultant 2 hours to review an employer's self-evaluation and provide technical assistance. Therefore, for an annual average of 1,023 SHARP participants this will result in an estimated 2,046 hours.

- M. 29 CFR 1908.6(e)(3):
Assist employers with applying the Action Plan Template for SHARP or Pre-SHARP Participation to improve their safety and health program.

In FY 2023, the number of workplaces participating in SHARP was 1,023.

Data from the Consultation Annual Program Report (CAPR) submitted by On-Site Consultation programs to OSHA indicate that 130 workplaces participated in Pre-SHARP in FY 2023.

OSHA estimates that each Action Plan Template will take about 4 hours to develop; therefore, 1,153 templates (i.e., 1,023 plus 130 workplaces) will result in

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an annual average of 4,612 hours.

N. 29 CFR 1908.7(b)(4):

Use the Incident Investigation Reporting Template to report findings and recommendations for incidents (e.g., fatalities, catastrophes, referrals, severe injury reports) that occur at SHARP and Pre-SHARP sites.

In FY 2023, there seven (7) incidents at SHARP sites according to OSHA's DCSP/OSBA record. OSHA estimates that it will take an average of 6 hours for a Consultation program to conduct an on-site investigation and input findings and recommendations in the template. Therefore, completing the four sections of the Incident Investigation Reporting Template will take an annual average of 42 hours.

OSHA estimates a total of 175,564 burden hours for the States to comply with the information collection and reporting requirements of 29 CFR 1908. The cost for this activity is **\$11,689,890**. See Table 2 (*Summary of Estimated Annualized Respondent (State Consultation Program) Hour and Cost Burden*), as follows:

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Table 2 -- Estimated Annualized Respondent (State Consultation Program) Hour and Cost Burden Table

Information Collection Requirements	Type of Respondent [1]	No. of Respondents	Responses per Respondent	Total Responses	Time per Response (in Hours)	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
A. Safety and Health Program Assessment Worksheet (29 CFR 1908.6(e)(3))								
Safety and Health Program Assessment Worksheet – Limited-Service Visit	Consultant	53	143.36	7,598	1	7,598	\$66.46	\$504,963
Safety and Health Program Assessment Worksheet (Complete Review) – Full-Service Safety and Health Visit, SHARP Inspection Deferral,	Consultant	53	17.42	923	5	4,615	\$66.46	\$306,713
Safety and Health Program Assessment Worksheet – Full-Service Safety and Health Visit	Consultant	53	186.11	9,864	5	49,320	\$66.46	\$3,277,807
Subtotal A.				18,385		61,533		\$4,089,483
B. Prepare and Transmit the List of Hazards[2] (29 CFR 1908.6(e)(8))								
(Worksheet Not Currently Associated with an OMB Control Number)	Consultant	53	244.94	12,982	5/60	1,082	\$66.46	\$71,910
C. Referral to enforcement (29 CFR 1908.6(f)(1) and (4))	Program Manager	53	0	0	30/60	0	\$91.37	\$0.00
D. Prepare the written report to the employer describing findings and recommendations for an initial consultation visit (1908.6(g)(1))								
Written Report to the Employer – Limited-Service Safety or Health Visits	Consultant	53	143.36	7,598	3	22,794	\$66.46	\$1,514,889
Written Report to the Employer – Full-Service Safety and Health Visits	Consultant	53	203.51	10,786	7.5	80,895	\$66.46	\$5,376,282
Subtotal D.				18,384		103,689		\$6,891,171
E. Inform OSHA Compliance Officer there is a Consultation "Visit in Progress" (1908.7(b)(1))	Program Manager	53	17.34	919	6/60	92	\$91.37	\$8,406.00

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Table 2 -- Estimated Annualized Respondent (State Consultation Program) Hour and Cost Burden Table

Information Collection Requirements	Type of Respondent [1]	No. of Respondents	Responses per Respondent	Total Responses	Time per Response (in Hours)	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
F. Establish and maintain an organized consultant performance monitoring system. (29 CFR 1908.9(b))	Program Manager	53	0	0	0	0	\$91.37	\$0
G. Preparation for Federal Project Officer review (1908.9 (c))	Clerical	53	9	477	30/60	239	\$31.79	\$7,598
H. Annual Cooperative Agreement (29 CFR 1908.10(c))								
	Program Manager	53	1	53	32	1,696	\$91.37	\$154,964
	Clerical	53	1	53	8	424	\$31.79	\$13,479
Subtotal H.				106		2,120		\$168,443
The following paragraphs are approved in the PSM On-Site Consultation Agreements (29 CFR 1908) Information Collection, OMB Control number 1218-0281.								
I. Apply PSM Evaluation Worksheet and optional accompanying tables (29 CFR 1908.6(e)(3); 1910.119; 1926.64; EO 13650)								
PSM Evaluation Worksheet and optional accompanying tables [3] – Limited-service	Consultant	53	0.19	10	4	40	\$66.46	\$2,658
PSM Evaluation worksheet and optional accompanying tables – Full-service	Consultant	53	0.11	6	12	72	\$66.46	\$4,785
Subtotal I.				16		112		\$7,444
J. Review the PSM Interim Year SHARP Site Self-Evaluations (29 CFR 1908.7(b)(4)) Appendix E	Consultant	53	0.08	4	2	8	\$66.46	\$532
K. Apply the worksheet for Determining the Applicability of the PSM Standard to an Establishment.	Consultant	53	0.3	16	2	32	\$66.46	\$2,127

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Table 2 -- Estimated Annualized Respondent (State Consultation Program) Hour and Cost Burden Table

Information Collection Requirements	Type of Respondent [1]	No. of Respondents	Responses per Respondent	Total Responses	Time per Response (in Hours)	Total Burden Hours	Loaded Hourly Wage	Total Burden Cost
L. Review the Interim Year SHARP Site Self-Evaluations 29 CFR (1908.7(b)(4))	Consultant	53	19.3	1,023	2	2,046	\$66.46	\$135,977
M. Assist employers with applying the Action Plan Template for SHARP or Pre-SHARP Participation (29 CFR 1908.6(e)(3)) Appendix F	Consultant	53	21.75	1,153	4	4,612	\$66.46	\$306,514
N. Use the Incident Investigation Reporting Template (29 CFR 1908.7(b)(4))	Consultant	53	0.13	7	6	42	\$66.46	\$2,791
GRAND TOTAL				53,472		175,607		\$11,689,890

[1] For the purpose of entering this analysis into the ROCIS system, the agency categorizes respondents reflected in Table 2 as “State, Local and Tribal Governments.”

[2] OSHA estimates these figures for the two (2) types of List of Hazards (i.e., List of Hazards (Serious) and List of Hazards (Serious and Other-than-Serious)) to avoid double counting assuming that the List of Hazards for all consultation visits contain serious and/or imminent danger hazards regardless and less than one (1) percent of Consultation programs make use of the List of Hazards (Serious and Other-than Serious).

[3] The optional accompanying tables are tools that consultants may choose to use to gather the information needed to complete the PSM Evaluation Worksheet. This information can also be gathered by other means and this process will occur as part of the PSM Program evaluation. Therefore, the time estimates for completing the worksheet incorporate either using the tables or the time it will take to gather the necessary information by other means (to complete the worksheet).

The total number of State respondents is: 53
The total State Burden Hours is: 175,607
The total State Wage hour Burden cost is: \$11,689,890

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ii. Estimate of Burden Hours to Employers:

OSHA estimates the burden hours and costs to employers using the free consultation services as follows (See below Table 3). *Summary of Estimated Annualized Respondent (Employer) Hour and Cost Burden*:

A. 29 CFR 1908.6(e)(8); 1908.6(f)(5):

Employers post the List of Hazards and notify On-Site Consultation programs of hazard correction.

Employers must post the list of serious and any imminent danger hazards with their correction due dates and notify the On-Site Consultation program manager in writing when the hazards are corrected. This requirement is necessary to ensure that workers are informed of the hazards in the workplace, and employers take the necessary action to correct those hazards. Since the On-Site Consultation program prepares the List of Hazards for the employer and the language is already provided by the state government then there is no burden for this requirement.

Some hazards are corrected while the consultant is still at the employer's workplace, so the consultant can verify correction before leaving. For those hazards that are not corrected immediately, OSHA estimates that it takes 15 minutes (15/60 hour) for an employer to notify the On-Site Consultation program when hazards are corrected. The total burden for 18,384 initial consultation visits is **4,596 hours**.

B. 29 CFR 1908.7(b)(1):

Employers inform any OSHA or State Plan compliance officer who arrives when an On-Site Consultation visit is in progress.

This requirement applies to any employer using the free Consultation services and is designed to prevent duplication of effort between On-Site Consultation and OSHA enforcement. OSHA estimates that 5 percent of all high-hazard employers eligible for programmed inspections are actually inspected in any given FY. Priority for initial On-Site Consultation visits are given to small, high-hazard companies. By extension of the fact that both OSHA and the On-Site Consultation programs place a higher priority on high hazard companies, and the fact that five percent of companies receive compliance inspections, OSHA estimates that a compliance officer will arrive at five percent of facilities receiving an initial On-Site Consultation visit (i.e. 887 employers). It takes approximately 0.1 hour to inform a compliance officer that an On-Site Consultation visit is in progress. This function is performed by a management worker, or by the business owner, and OSHA estimates would result in about 89 burden hours nationwide.

C. 29 CFR 1908.7(b)(4):

Small business employers that demonstrate the implementation of effective safety and health programs at their workplaces may voluntarily request to participate in

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SHARP.

SHARP is a programmed inspection deferral program for employers that meet specific participation requirements. It takes approximately 3 minutes (3/60) for an employer to submit the SHARP participation request. OSHA received 97 new applications for SHARP in FY 2023. The total burden of initial SHARP applications is 5 hours.

SHARP had 1,023 active participants nationwide in FY 2023. This figure has been relatively unchanged in recent years as new participants join and others drop out because they either no longer meet the requirements of the program or choose not to continue participating. Initial approvals of SHARP participation (and programmed inspection deferrals) are for a period of up to two (2) years. After the initial approval, SHARP renewals may be for a period of two (2) to three (3) years.

OSHA received 412 requests for SHARP renewal from employers in FY 2023. Renewal requires the employer to continue to demonstrate the implementation of an effective safety and health program, provide an explanation of what workplace systems are continually being maintained effectively or improved upon, the status of On-Site Consultation recommendations, maintenance of injury and illness rates at or below the BLS averages for the specific industry, and all actions the employer has taken in the previous years to promote a safe and healthful workplace. This renewal process is estimated to take 2 hours. The burden hours for requesting renewal activity in FY 2023 for 412 SHARP renewals was 824 hours. The total burden hours for all SHARP participation requests in FY 2023 for the 97 new SHARP requests and the 412 SHARP renewals was 829 hours.

D. 29 CFR 1908.7(b)(4):

Employers participating in SHARP with processes covered by the PSM standard will complete and submit the PSM Interim Year SHARP Site Self-Evaluation.

Employers participating in SHARP will be required to assess their PSM Program, respond to the 12 inquiries in the PSM Interim Year SHARP Site Self-Evaluation Template, and submit the information gathered to their respective Consultation program for review and technical assistance. OSHA estimates that, on average, it will take an employer 4 hours to complete the self-evaluation. For 4 PSM SHARP sites, this will result in an estimated total annual average of 16 hours.

E. 29 CFR 1908.7(b)(4):

All employers participating in SHARP will complete and submit the Interim Year SHARP Site Self-Evaluation.

1,023 SHARP participants in FY 2023 will assess their safety and health

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programs, respond to the 4 inquiries in their Interim Year SHARP Site Self-Evaluation Template, and submit the information gathered to their respective Consultation program for review and technical assistance.

OSHA estimates that on average, it takes an employer 3 hours to complete this self-evaluation. Therefore, 1,023 SHARP employers completing the self-evaluations annually will result in an estimated 3,069 hours.

- F. 29 CFR 1908.7(b)(4):
Employers participating in SHARP or Pre-SHARP work with On-Site Consultation programs to develop the Action Plan Template for SHARP or Pre-SHARP Participation.

OIS data indicate that in FY 2023, there were 1,153 SHARP and Pre-SHARP sites. OSHA estimates that each SHARP or Pre-SHARP takes an average of 4 hours to work with On-Site Consultation programs to develop an Action Plan. Therefore, for 1,153 employers, it will take an annual average of 4,612 hours.

- G. 29 CFR 1908.7(b)(4):
Employers participating in SHARP or Pre-SHARP may apply the Optional Safety and Health Program Action Plan Tool for Implementation at Workplaces.

OSHA estimates that a SHARP or Pre-SHARP employer who chooses to use this tool will spend an average of 6 hours working with employees to gather relevant information and complete the worksheet. Assuming all SHARP or Pre-SHARP employers (1,153) choose to use this tool, the annual average will be 6,918 hours.

The total estimated burden hours for private sector employers is 20,129, and the total estimated cost is \$1,819,176.

See Table 3 (Summary of Estimated Annualized Respondent (Employer) Hour and Cost Burden), as follows:

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Table 3 Summary of Estimated Annualized Respondent (Employer) Burden Hours and Cost Burden

Information Collection Requirements	Type of Respondent ^[1]	No. of Respondents	No. of Responses per Respondent	Total Responses	Time per Response (In Hours)	Total Burden Hours	Loaded Hourly Wage Rate	Total Burden Cost
A. Hazard correction notification to Consultation program (29 CFR 1908.6 (e)(8)and (f)(5))	General / Operations Managers (Employers)	18,384	1	18,384	15/60	4,596	\$90.38	\$415,386
B. Inform OSHA Compliance Officer there is a Consultation "Visit in Progress" (29 CFR 1908.7(b)(1))	General / Operations Managers (Employers)	887	1	887	6/60	89	\$90.38	\$8,044
C. Employers voluntarily request to participate in SHARP/Pre-SHARP (1908.7(b)(4))								
Submit SHARP participation request.	General / Operations Managers (Employers)	97	1	97	3/60	5	\$90.38	\$452
Existing SHARP participants requesting renewal	General / Operations Managers (Employers)	412	1	412	2	824	\$90.38	\$74,473
Subtotal C.				509		829		\$74,925

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Table 3 Summary of Estimated Annualized Respondent (Employer) Burden Hours and Cost Burden

Information Collection Requirements	Type of Respondent ^[1]	No. of Respondents	No. of Responses per Respondent	Total Responses	Time per Response (In Hours)	Total Burden Hours	Loaded Hourly Wage Rate	Total Burden Cost
D. PSM SHARP employers complete and submit the PSM Interim Year SHARP Site Self-Evaluation (29 CFR 1908.7(b)(4))	General / Operations Managers (Employers)	4	1	4	T4	16	\$90.38	\$1,446
E. All SHARP employers complete and submit the Interim Year SHARP Site Self-Evaluation (29 CFR 1908.7(b)(4))	General / Operations Managers (Employers)	1,023	1	1,023	3	3,069	\$90.38	\$277,376
F. Employers participating in SHARP or Pre-SHARP work with On-Site Consultation programs to develop the Action Plan Template (1908.7(b)(4))	General / Operations Managers (Employers)	1,153	1	1,153	4	4,612	\$90.38	\$416,823
G. Employers participating in SHARP or Pre-SHARP may apply the Optional Safety and Health Program Action Plan Tool (29 CFR_1908.7(b)(4))	General / Operations Managers (Employers)	1,153	1	1,153	6	6,918	\$90.38	\$625,234
GRAND TOTAL				23,113		20,129		\$1,819,176

1 For the purpose of entering this analysis into the ROCIS system, the agency categorizes respondents reflected in Table 2 as “Private Sector – businesses or other for-profits.”

The total number of **employer** respondents is: 23,113

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The total employer Burden Hours is: 20,129
The total employer Burden Cost is: \$1,819,176

Combined Costs to States and Employers (Table 2 and Table 3):

The total number of respondents which is comprised of the States (53) plus civilian employers (23,113) is 23,166.

The total number of responses which is comprised of the States (53,472) plus civilian employers (23,113) is 76,585.

The total annualized burden hours, which is comprised of the States (175,607) plus civilian employers (20,129) is 195,736 hours.

The total cost burden to respondents, which consists of the States (\$11,689,890 plus the civilian employers (\$1,819,176), is \$15,328,242.

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

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service 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 respondent (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.**

Items 12 and 14 provide the total cost burden for the ICR specified herein.

- a. This is a continuation of an existing program; therefore, there are no capital or start-up cost components.
- b. Ninety percent of the program cost is borne by the Federal Government including the cost of capital equipment such as computers. OSHA also reimburses 90 percent of the cost for operation and maintenance as well as any cost of purchase of service, such as computer equipment repair. Such costs are included in the annual cooperative agreement, which is the mechanism for funding the On-Site Consultation programs. OSHA considers information collection as incidental and integral to the On-Site Consultation Program.
- c. The cost of information collection to employers who voluntarily use On-Site Consultation services is therefore limited to the cost that can be attributed to the proportion of time spent on information collection and/or transmittal. This time component was calculated in Table 3 (*Summary of Estimated Annualized Respondent (Employer) Hour and Cost Burden*) in question 12 above.

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

OSHA performs three categories of On-Site Consultation Program performance review and monitoring (i.e., Quarterly Monitoring Discussions; Biennial Reviews and Annual Evaluations), and a fourth category for review of Annual Cooperative Agreement Applications submitted by On-Site Consultation programs. These reviews result in costs to the Federal government. All reviews are conducted by Federal Regional Consultation Program Officers (RPOs) in the Regional Office. Depending on the complexity of the review, the Program Officer may be assisted by a Program Analyst and/or clerk.

The quarterly review allows the Regional Office and the On-Consultation program manager to assess the Consultation program's progress in meeting the goals of the Consultation Annual Program Plan (CAPP) and the Mandated Activities Report for Consultation (MARC) and address any challenges. CAPP and MARC data for each On-Site Consultation program are extracted from the OIS and reviewed to identify and address any challenges. The Program Officer holds an informal phone conference with the On-Site Consultation program manager to discuss findings and recommendations. The quarterly review is a process quality check and is a way to identify and correct challenges before the annual review. There are no site visits to the Consultation program or formal reports associated with the quarterly review.

The biennial review is a comprehensive onsite review (which may be held remotely or as a hybrid with remote and on-site aspects as logistics and funding permit). The biennial review is conducted by the Regional Office to assess the quality of a Consultation program's services and its Internal Quality Assurance Program (IQAP). It comprises a review of operational elements (e.g., consultants training, on-the-job evaluations, management reports such as data on pending written reports to employers, hiring and vacancies, marketing initiatives, IQAP); case files; and recent Consultation program developments such as staffing changes and status of previously discussed performance issues. The Regional Office prepares a draft report that is shared with the Consultation program for review and comments. A copy of the final report is sent to the National Office, and the On-Site Consultation program for use in program improvement as necessary. Upon request, copies of the report are made available to Members of Congress.

The Regional Annual Consultation Evaluation Report (RACER) documents the annual evaluation findings and recommendations. The Regional Office uses the RACER to analyze the Consultation program's results and evaluate the performance of its mandated activities. The report includes documentation of findings and recommendations and a summary of the quarterly discussion reports.

The States are responsible for submitting annual On-Site Consultation Cooperative Agreement Applications to OSHA and developing the Consultation Annual Program Plan (CAPP) submitted with the agreement, in accordance with their respective OSHA or State Plan Strategic Plan. The

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OSHA Regional and National Offices conduct program and financial reviews of all On-Site Consultation Cooperative Agreements to assure that they meet the objectives of the OSHA On-Site Consultation Program in accordance with 29 CFR Part 1908.

The agency estimates the total annual cost to the Federal government is **\$233,705** (See Table 4 – *Cost to the Federal Government*). Table 3 estimates the cost to the Federal Government by identifying categories of Federal government workers involved with the task of evaluating and preparing the On-Site Consultation documentation and their wage rates.⁸ A fringe benefit rate of 38.1 percent is applied. The total labor cost was then multiplied by 53 (the number of On-Site Consultation programs) and then by the frequency of recordkeeping discussed in the above paragraphs.

⁸ Source: OPM SALARY TABLE 2024
(https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/GS_h.aspx)
For each salary grade, an average salary of Step 6 is used.

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Table 4 - Estimate of Cost to the Federal Government

Activity	Position	Tasks	Hourly Pay	Hours	Total Per Review	
Comprehensive Biennial Review	GS-13 Program Officer	Monitoring & Report Preparation	\$49.48	48	\$2,375	\$4,623
	GS-13 Program Officer	National Office Review	\$49.48	2	\$99	
	GS-12 Program Analyst	Monitoring & Report Preparation	\$41.61	48	\$1,997	
	GS-05 Clerk	Extraction of Data	\$18.94	8	\$152	
Annual Evaluation	GS-13 Program Officer	Monitoring & Report Preparation	\$49.48	24	\$1,188	\$1,263
	GS-05 Clerk	Extraction of Data	\$18.94	4	\$76	
Quarterly Review	GS-13 Program Officer	Extraction and Review of Data	\$49.48	4	\$198	\$198
Annual Cooperative Agreements Review	GS-13 Program Officer	Regional Office Review	\$49.48	2	\$99	\$198
	GS-13 Program Officer	National Office Review		2	\$99	
						Total

Grand Total Calculations:

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	Comprehensive	Interim	Quarterly	Cooperative Agreements	GRAND TOTAL
Government:					
Labor Costs	\$4,623	\$1,263	\$198	\$198	
<u>x 36.1% Benefits</u>	<u>1.361</u>	<u>1.361</u>	<u>1.361</u>	<u>1.361</u>	
Total Labor Costs per Consultation	\$6,292	\$1,719	\$269	\$269	
x Number of Consultation programs	53	53	53	53	
Subtotals	\$333,456	\$91,124	\$14,277	\$14,277	
x Frequency	Every Two Years	Every Two Years	Every Quarter	Yearly	
Totals Rounded	\$166,728	\$45,562	\$7,138	\$14,277	\$233,705

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

OSHA is proposing to revise this ICR to include the collection of information requirements contained under the paperwork package for OMB Control Number 1218-0281. The agency is requesting an adjustment decrease and a program change to incorporate the collections from OMB Control Number 1218-0281. The number of burden hours have decreased from 223,495 to 195,736 hours, a difference of 27,759 hours. OSHA attributes this to fewer visits being conducted in recent years, including FY 2023. The reason for the fewer visits is likely flat funding of the program and inflationary pressures due to cost-of-living increases. Also, some programs are only now reestablishing onsite visits to worksites that were inaccessible during travel restrictions that resulted from the COVID-19 pandemic. Although there has been burden hour increases associated with some activities (e.g., adding activities associated with visits involving assessment of worksites where PSM evaluations are conducted that were previously approved in OMB Control Number 1218-0281), and OSHA's instructions to consultation programs to use the entire Form 33 on more consultation visits, these burden hour increases have been fewer than the decreased burden hours associated with fewer visits. Subsequently, there are fewer burden hours in this ICR package as compared to the previous package.

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 information, completion of report, publication dates, and other actions.

Data collected may be analyzed and published with strict adherence to confidentiality requirements specified in 29 CFR 1908 (i.e., without revealing the identities of employers that use On-Site Consultation services).

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

OSHA displays the OMB control number and the expiration date on all approved worksheets but will not require State On-Site Consultation programs to display this information on the List of Hazards. This is because OSHA merely provides a "Sample" List of Hazards to State On-Site Consultation programs, allowing them to make adjustments to the template as they deem necessary. Imposing the requirement to display the OMB control number and PRA notice on the List of Hazards might be impractical and impose unnecessary burdens (e.g., need to update state templates). Other collection of information by State On-Site Consultation programs from employers addressed in this report do not involve forms. Consequently, that information is assembled in a way that the display of an OMB control number and expiration date is not possible.

18. Explain each exception to the certification statement.

OSHA is not seeking an exception to the certification statement.

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B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This Supporting Statement does not contain any information collection requirements that employ statistical methods.

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CSP-02-00-0005
Consultation Policies and Procedures Manual



CSP_02-00-005.pdf

OSH Act Section 7 - 29 USC 656



OSH Act Section 7_
29 USC 656.pdf

OSH Act Section 21 – 29 USC 670



OSH Act Section 21 _
29 USC 670.pdf

OSH Act Section 2 – 29 USC 651



OSH Act Sec 2, 29
USC 651.pdf

29 CFR 1908
Consultation Agreements



eCFR 1908 _
Consultation Agreements