



FR-4915-01

## DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Notice and Request for Comments

AGENCY: Surface Transportation Board.

ACTION: 30-day notice of intent to seek extension of approval: Waybill Compliance Survey.

SUMMARY: The Surface Transportation Board (Board), as part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 et seq. (PRA), is submitting a request to the Office of Management and Budget (OMB) for renewed approval for the Waybill Compliance Survey. The Board previously published a notice about this collection in the Federal Register on May 9, 2012, at 77 Fed. Reg. 27279. That notice allowed for a 60-day public review and comment period. No comments were received. The Waybill Compliance Survey is described in detail below. Comments may now be submitted to OMB concerning (1) the accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether this collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility.

## DESCRIPTION OF COLLECTION

*Title:* Waybill Compliance Survey

*OMB Control Number:* 2140-0010

*STB Form Number:* None

*Type of Review:* Reinstatement without change of a previously approved collection.

*Respondents:* Regulated railroads that did not submit carload waybill sample information to the STB in the previous year.

*Number of Respondents:* 120

*Estimated Time Per Response:* .5 hours

*Frequency:* Annually

*Total Burden Hours (annually including all respondents):* 60

*Total “Non-hour Burden” Cost:* No “non-hour cost” burdens associated with this collection have been identified.

*Needs and Uses:* The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (1995), which took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred to the STB the responsibility for the economic regulation of common carrier rail transportation, including the collection and administration of the Carload Waybill Sample. Under 49 CFR 1244, a railroad terminating 4500 or more carloads, or terminating at least 5% of the total revenue carloads that terminate in a particular state, in any of the three preceding years, is required to file carload waybill sample information (Waybill Sample) for all line-haul revenue waybills terminating on its lines. The information in the Waybill Sample is used to monitor the rail industry in general, and the nature and quantities of goods being shipped by rail in particular. The Board needs to collect information in the Waybill Compliance Survey—information on carloads of traffic terminated each year by U.S. railroads—in order to determine which

railroads are required to file the Waybill Sample. In addition, information collected in the Waybill Compliance Survey, on a voluntary basis, about the total operating revenue of each railroad helps to determine whether respondents are subject to other statutory or regulatory requirements. Accurate determinations regarding the size of a railroad helps the Board minimize the reporting burden for smaller railroads. The Board has authority to collect this information under 49 U.S.C. 11144 and 11145 and under 49 CFR 1244.2.

DATE: Comments on this information collection may be submitted by November 21, 2012.

ADDRESSES: Written comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Patrick Fuchs, Surface Transportation Board Desk Officer, by fax at (202) 395-5167; by mail at OMB, Room 10235, 725 17<sup>th</sup> Street, N.W., Washington, DC 20500; or by email at

[OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV) should be identified as Statutory Authority to Preserve Rail Service.” When submitting comments, please refer to “Paperwork Reduction Act Comments, Surface Transportation Board, Waybill Compliance Survey, OMB control number 2140-0010.”

FOR FURTHER INFORMATION OR TO OBTAIN A COPY OF THE STB FORM,

CONTACT: Paul Aguiar at (202) 245-0323 or [aguiarp@stb.dot.gov](mailto:aguiarp@stb.dot.gov). Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR

1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: October 16, 2012.

Jeffrey Herzig

Clearance Clerk

[FR Doc. 2012-25818 Filed 10/19/2012 at 8:45 am; Publication Date: 10/22/2012]