



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

[Docket No. FRA-2014-0011-N-7]

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT)

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting the information collection requests (ICRs) below for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number _____." Alternatively, comments may be

transmitted via facsimile to (202) 493-6216 or (202) 493-6497, or via e-mail to Mr. Brogan at Robert.Brogan@dot.gov, or to Ms. Toone at Kim.Toone@dot.gov. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of

FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Railroad Operating Rules

OMB Control Number: 2130-0035

Abstract: The collection of information is due to the railroad operating rules set forth in 49 CFR part 217 which require Class I and Class II railroads to file with FRA copies of their operating rules, timetables, and timetable special instructions, and subsequent amendments thereto. Class III railroads are required to retain copies of these documents at their systems headquarters. Also, 49 CFR 220.21(b) prescribes the collection of

information which requires railroads to retain one copy of their current operating rules with respect to radio communications and one copy of each subsequent amendment thereto. These documents must be made available to FRA upon request. Through these rules, FRA learns the condition of operating rules and practices with respect to trains and instructions provided by the railroad to their employees in operating practices.

Form Number(s): N/A

Affected Public: Businesses

Respondent Universe: 720 railroads

Frequency of Submission: On occasion

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
217.7 - Copy - FRA - Operating rules, timetables, Class I & II RRs	2 new railroads	2 submissions	1 hour	2 hours
- Amendments	55 railroads	165 amendments	20 minutes	55 hours
- Copy of operating rules/timetables, etc. by Class III	5 new railroads	5 submissions	55 minutes	5 hours
- Amendments by Class III Railroads	687 railroads	2,061 amendments	15 minutes	515 hours

217.9 – RR and RR Testing Officer Qualification - Records of Qualification - Written Prog. of Operational Tests - Records of Operational Tests/Inspections - Amendments - Quarterly Review of Accident/Incident Data/Prior Op. Tests/Insp. - Designated Officers & Conduct of 6 Mo. Rev. - Designated Officers & Conduct of Six Month Review by Passenger/Commuter Railroads - Records of Periodic Reviews - Annual Summary on Operational Tests/Insp. - FRA Disapproval of RR Program of Operational Tests/Insp. & Response by RR - Amended Prog. Docs.	720 railroads	4,732 field trained officers/training sessions	8 hours	37,856 hours
	720 railroads	4,732 records	2 minutes	158 hours
	5 new railroads	5 programs	9.92 hours	50 hours
	720 railroads	9,188,700 records	5 minutes	765,725 hours
	55 railroads	165 amendments	1.92 hours	317 hours
	720 railroads	196 reviews	1 hour	196 hours
	720 railroads	61 designations + 132 reviews	5 seconds + 1 hour	
	Amtrak + 23 railroads	24 designations + 48 reviews	5 seconds + 1 hour	132 hours
				48 hours
	720 railroads	752 review records	1 minute	
	61 railroads	61 summary records	61 minutes	13 hours
	720 railroads	10 supporting documents	1 hour	62 hours
			10 hours	
	720 railroads	10 amended documents	30 minutes	5 hours
271.11 -- Instruction of Program Employees - New RR & Copy of Program of Op. Tests - Amendments to Op. Rules Instr. Program	720 railroads	130,000 instr. employees	8 hours	1,040,000 hours
	5 new railroads	5 Programs	8 hours	40 hours
	720 railroads	220 amendments	55 minutes	202 hours
218.95 - Instruction, Training, Examination - Records - Response to FRA Disapproval of Program - Programs Needing Amendment	720 railroads	98,000 records	5 minutes	8,167 hours
	720 railroads	25 written/oral submissions	1 hour	25 hours
	720 railroads	10 amended programs	30 minutes	5 hours

218.97 - Written Procedures on Good Faith Challenges by Employees Re: Actions	720 railroads	41 written procedures	2 hours	82 hours
- Employee Copy of Written Procedures	720 railroads	4,000 copies	6 minutes	400 hours
- Employee Copy of Amended Procedures	720 railroads	125,000 copies	3 minutes	6,250 hours
- Good Faith Challenges by RR Employees	98,000 RR Employees	15 challenges	10 minutes	3 hours
-RR Responses to Empl. Challenge	720 railroads	15 responses	5 minutes	1 hour
- Immediate Review of Employee Challenge	720 railroads	5 immediate reviews	15 minutes	1 hour
- RR Officer Explanation of Federal Law Protection Against Retaliation	720 railroads	5 explanations	1 minute	.08 hour
- Documented Protest by RR Employee	720 railroads	10 written protests	15 minutes	3 hours
- Copies of Protests	720 railroads	10 protest copies	1 minute	
-Further Reviews	720 railroads	3 further reviews	15 minutes	.17 hour
- Written Verification Decision to Employee	720 railroads	10 verification decisions	10 minutes	1 hour
- Copy of Written Procedures at RR Hdtrs.	720 railroads	773 copies of procedures	5 minutes	2 hours
-Copy of Verification Decision at RR Headquarters & Division Headquarters	720 railroads	20 verification decision copies	5 minutes	64 hours
				2 hours
218.99 - Shoving or Pushing Movements	720 railroads	41 rule modifications	1 hour	41 hours
- Operating Rule Modifications	720 railroads	41 rule modifications	1 hour	41 hours
- Locomotive Engineer Job Briefing Before Movement	100,000 RR Employees	60,000 job briefings	1 minute	1,000 hours
- Point Protection Determinations & Signals/Instructions to Control Movements	100,000 RR Employees	87,600,000 determinations + 87,600,000 signals/instructions	1 minute + 1 minute	2,920,000 hours
- Remote Control Movements- Verbal Confirmation	100,000 RR Employees	876,000 confirmations	1 minute	14,600 hours
- Remote Control Determinations That Zone Is Not Jointly Occupied/Track Clear	100,000 RR Employees	876,000 determinations	1 minute	14,600 hours
- Dispatcher Authorized Train Movements	6,000 RR Dispatchers	30,000 auth. movements	1 minute	14,600 hours
				500 hours
218.101- Operating Rule Re: Leaving Rolling & On-Track MOW Equipment in the Clear	720 railroads	41 amended op. rules	30 minutes	21 hours

218.103- Hand-Operated Switches – RR Operating Rule That Complies w /§ 218.103 - Specification of Minimum Job Briefing Requirements -Employee Operating or Verifying Position of Hand-operated Switches: Job Briefings	720 railroads	41 modified operating rules	1 hour	41 hours
	720 railroads	55 modified op. rules	30 minutes	28 hours
	720 railroads	1,125,000 job briefings	1 minute	18,750 hours
218.105 - Additional Requirements for Hand Operated Main Track Switches – Job Briefing -Roadway Worker Report on Position of Switches to Roadway Worker in Charge (RWIC) or Designated Employee Conveying Information to RWIC - Dispatcher Acknowledgment of Switch Position and Employee Confirmation to Train Dispatcher	720 railroads	60,000 job briefings	1 minute	1,000 hours
	720 railroads	100,000 empl. reports + 100,000 conveyances	1 minute + 1 minute	3,334 hours
	720 railroads	60,000 acknowledgment + 60,000 confirmations	30 seconds + 5 seconds	583 hours
218.109 - Hand Operated Fixed Derails: Job Briefings	720 railroads	562,500 hours	30 seconds	4,688 hours

Total Estimated Responses: 188,669,706

2Total Estimated Annual Burden: 4,839,583 hours

Status: Extension of a Currently Approved Collection

Title: Reflectorization of Freight Rolling Stock

OMB Control Number: 2130-0566

Abstract: The Federal Railroad Administration (FRA) issued this regulation to mandate the reflectorization of freight rolling stock (freight cars and locomotives) to enhance the visibility of trains in order to reduce the number and severity of accidents at highway-rail grade crossings in which train visibility acted as a contributing factor. The information collected is used by FRA to ensure that railroads/car owners follow the schedule established by the regulation for placing retro-reflective material on the sides of freight rolling stock (freight cars and locomotives) in order to improve the visibility of trains.

The information is also used by FRA to confirm that railroads/car owners meet the prescribed standards for the application, inspection, and maintenance of the required retro-reflective material.

Form Number(s): FRA F 6180.113

Affected Public: Businesses

Respondent Universe: 685 railroads and 4 Locomotive Manufacturers

Frequency of Submission: On occasion

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
224.7 - Waivers	753 Railroads/Car Owners	15 petitions	1 hour	15 hours
224.15 – Special Approval Procedures - Petitions - Public Comment on Petitions	3 Manufacturers 3Manufacturers /Railroads	12 petitions 3 comment	40 hours 1 hour	480 hours 3 hours
224.107-Implementation Schedule: Freight Cars - Existing Freight Cars with Retro-reflective sheeting - Updated Reflectorization Implementation Plans: Failure Rpt. II. Existing Cars w/ Retroreflective Sheeting (b Existing Locomotives without Retroreflective sheeting - Updated Reflectorization Compliance Reports -Failure reports after initial 24 mo. II. Existing Locomotives with Retroreflective sheeting – Reports of Compliance	753 Railroads/Car Owners 753 Railroads/Car Owners	200 reports /forms 200 reports /forms 5failure reports 172 reports /forms 35reports /forms 35reports /forms 1failure report 150 reports /forms	15 minutes 20 hours 2 hours 20 hours 15 minutes 3 hours 2 hours 4 hours	50 hours 4,000 hours 10 hours 3,440 hours 9 hours 105 hours 2 hours 600 hours
224.109 – Inspection, Repair, Replacement – Freight Cars - Locomotives: Records of Restrictions	AAR + 300 Car Shops 22,045 Locomotives	272,600 Notices 4,809 records	2 minutes 3 minutes	9,090 hours 240 hours

Total Responses: 278,237

Total Estimated Total Annual Burden: 18,044 hours

Status: Extension of a Currently Approved Collection

Title: Track Safety Standards: Concrete Crossties

OMB Control Number: 2130-0592

Abstract: On April 1, 2011, FRA amended the Federal Track Safety Standards to promote the safety of railroad operations over track constructed with concrete crossties. In particular, FRA mandated specific requirements for effective concrete crossties, for rail fastening systems connected to concrete crossties, and for automated inspections of track constructed with concrete crossties. The information collected under § 213.234 is used by FRA to ensure that automated track inspections of track constructed with concrete crossties are carried out as specified in this section to supplement visual inspections by Class I and Class II railroads, intercity passenger railroads, and commuter railroads or small government jurisdictions that serve populations greater than 50,000.

Form Number(s): N/A

Affected Public: Businesses

Respondent Universe: 18 railroads

Frequency of Submission: On occasion

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
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213.234 – Automated Inspection of Track Constructed with Concrete Crossies: Exception Reports Listing All Exception to § 213.109(d)(4)	18 Railroads	150 reports	8 hours	1,200 hours
- Copies of Exception Report Provided to Designated Person under § 213.234(e)(1)	18 Railroads	150 report copies	12 minutes	30 hours
- Field Verification of Exception Reports	18 Railroads	150 verification	2 hours	300 hours
- Records of Inspection Data	18 Railroads	150 records	30 minutes	75 hours
- Institution of Procedures by Track Owner to Maintain Integrity of Track Data Collected by the Measurement System	18 Railroads	18 procedures	4 hours	72 hours
- Training by Track Owner: Annual Training in Handling Rail Seat Deterioration Exceptions to All Persons Designated Fully Qualified under § 213.7	18 Railroads	2,000 trained employees	8 hours	16,000 hours

Total Responses: 2,618

Total Estimated Total Annual Burden: 17,677 hours

Status: Extension of a Currently Approved Collection

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501-3520.

Issued in Washington, D.C. on 15 April 2014.

Rebecca Pennington,
Chief Financial Officer.

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