



4910-06-P

U.S. DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

[Docket No. FRA-2017-0002-N-17]

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation

ACTION: Notice and request for comments.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of proposed information collection activities listed below. Before submitting these information collection requests (ICRs) to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in this notice.

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

ADDRESSES: Submit written comments on the information collection activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Mail Stop 25, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Avenue, 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 2130-XXXX,” (the relevant OMB control number for each ICR is listed below) and should also include the title of the ICR.

Alternatively, comments may be faxed to (202) 493-6216 or (202) 493-6497, or emailed to Mr. Brogan at Robert.Brogan@dot.gov, or 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, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll free.)

SUPPLEMENTARY INFORMATION:

The PRA, 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 to allow comment on information collection activities before seeking OMB approval of the activities. See 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 parties to comment on the following summary of proposed information collection activities regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) 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; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques and other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information Federal regulations mandate. In summary, FRA reasons comments received will advance three objectives: (1) reduce reporting burdens; (2) ensure it organizes information collection requirements in a “user-friendly” format to improve the use of such information; and (3) 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 FRA will submit for OMB clearance as the PRA requires:

Title: Railroad Operating Rules

OMB Control Number: 2130-0035

Abstract: The collection of information is due to regulations 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. The regulations require Class III railroads to retain copies of these documents at their systems headquarters. Also, 49 CFR 220.21(b) prescribes the collection of information by

requiring railroads to retain one copy of their current operating rules with respect to radio communications and one copy of each subsequent amendment. Railroads must make these documents available to FRA upon request. Through these rules, FRA learns the condition of operating rules and practices of trains and instructions railroads provide their employees on operating practices.

Form Number(s): N/A

Affected Public: Businesses

Respondent Universe: 755 railroads

Frequency of Submission: On occasion

Affected Public: Businesses

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 - Amendments - Copy of operating rules/timetables, etc. by Class III - Amendments by Class III Railroads	2 new railroads	2 submissions	1 hour	2 hours
	55 railroads 5 new railroads	165 amendments 5 submissions	20 minutes 55 minutes	55 hours 5 hours
	704 railroads	2,013 amendments	15 minutes	503 hours

217.9 - Records of Qualification	755 railroads	4,732 records	2 minutes	158 hours
-Written Prog. of Operational Tests	5 new railroads	5 programs	9.92 hours	50 hours
- Records of Operational Tests/Inspections	755 railroads	9,120,000 records	5 minutes	760,000 hours
- Amendments	55 railroads	165 amendments	70 minutes	193 hours
- Quarterly Review of Accident/Incident Data/ Prior Op. Tests/Insp.	37 railroads	148 reviews	2 hours	296 hours
- Designated Officers & Conduct of 6 Mo. Rev.	37 railroads	37 designations + 74 reviews	5 seconds + 2 hours	148 hours
- Designated Officers & Conduct of Six Month Review by Passenger/ Commuter Railroads	Amtrak + 33 railroads	34 designations + 68 reviews	5 seconds + 2 hours	136 hours
- Records of Periodic Reviews	101 railroads	290 review records	1 minute	5 hours
- Annual Summary on Operational Tests/Insp.	101 railroads	71 summary records	61 minutes	72 hours
- FRA Disapproval of RR Program of Operational Tests/Insp. & Response by RR	755 railroads	5 supporting documents	1 hour	5 hours
- Amended Prog. Docs.	755 railroads	5 amended documents	30 minutes	3 hours
271.11 - Instruction of Program Employees	755 railroads	130,000 instr. employees	8 hours	1,040,000 hours
- New RR & Copy of Program of Op. Tests	5 new railroads	5 Programs	8 hours	40 hours
- Amendments to Op. Rules Instr. Program	755 railroads	110 amendments	30 minutes	55 hours
218.95 - Instruction, Training, Examination - Records	755 railroads	98,000 records	5 minutes	8,167 hours
- Response to FRA Disapproval of Program	755 railroads	5 written/oral submissions	1 hour	5 hours
- Programs Needing Amendment	755 railroads	5 amended programs	30 minutes	3 hours
218.97 - Employee Copy of Written Procedures	755 railroads	4,732 copies	6 minutes	473 hours
- Good Faith Challenges by RR Employees	98,000 RR Employees	15 challenges	10 minutes	3 hours
-RR Responses to Empl. Challenge	15 railroads	15 responses	5 minutes	1 hour
- Immediate Review of Employee Challenge	15 railroads	5 immediate reviews	30 minutes	3 hours
- RR Officer Explanation of Federal Law Protection Against Retaliation	15 railroads	5 explanations	1 minute	.08 hour
- Documented Protest by RR Employee	10 railroads	10 written protests	15 minutes	3 hours
- Copies of Protests	10 railroads	10 protest copies	1 minute	.17 hour
- Further Reviews	10 railroads	3 further reviews	15 minutes	1 hour
- Written Verification Decision to Employee	10 railroads	10 verification decisions	10 minutes	2 hours
- Copy of Written Procedures at RR Hdqtr.	755 railroads	755 copies of procedures	5 minutes	63 hours
-Copy of Verification Decision at RR Headquarters & Division Headquarters	755 railroads	20 verification decision copies	5 minutes	2 hours

218.99 - Shoving or Pushing Movements - Operating Rule Modifications - Locomotive Engineer Job Briefing Before Movement - Point Protection Determinations & Signals/Instructions to Control Movements - Remote Control Movements- Verbal Confirmation - Remote Control Determinations That Zone Is Not Jointly Occupied/Track Clear - Dispatcher Authorized Train Movements	755 railroads	32 rule modifications	1 hour	32 hours
	130,000 RR Employees	180,000 job briefings	1 minute	3,000 hours
	130,000 RR Employees	87,600,000 determinations + 87,600,000 signals/instructions	1 minute + 1 minute	2,920,000 hours
	130,000 RR Employees	876,000 confirmations	1 minute	14,600 hours
	130,000 RR Employees	876,000 determinations	1 minute	14,600 hours
6,000 RR Dispatchers	30,000 auth. movements	1 minute	500 hours	
218.101- Operating Rule Re: Leaving Rolling & On-Track MOW Equipment in the Clear	755 railroads	32 amended op. rules	30 minutes	16 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	755 railroads	32 modified operating rules	1 hour	32 hours
	755 railroads	5 modified op. rules	30 minutes	3 hours
	755 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	755 railroads	60,000 job briefings	1 minute	1,000 hours
	7704 railroads	100,000 empl. reports + 100,000 conveyances	1 minute + 1 minute	3,334 hours
	755 railroads	60,000 acknowledgment + 60,000 confirmations	30 seconds + 5 seconds	583 hours
218.109 – Hand-Operated Fixed Derails: Job Briefings	755 railroads	562,500 job briefings	30 seconds	4,688 hours

Total Responses: 188,591,125

Total Estimated Annual Burden: 4,797,590 hours

Type of Request: Extension with change of a currently approved ICR (extension

with change reflects revised estimates for some rule requirements)

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. 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. FRA uses the information collected under 49 CFR 213.234 to ensure automated track inspections of track constructed with concrete crossties are carried out as specified in the rule 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
213.234 – Automated Inspection of Track Constructed with Concrete Crossies: Exception Reports Listing All Exception to § 213.109(d)(4) - Copies of Exception Report Provided to Designated Person under § 213.234(e)(1) - Field Verification of Exception Reports - Records of Inspection Data - Institution of Procedures by Track Owner to Maintain Integrity of Track Data Collected by the Measurement System - Training by Track Owner: Annual Training in Handling Rail Seat Deterioration Exceptions to All Persons Designated Fully Qualified under § 213.7	18 Railroads	75 reports	8 hours	600 hours
	18 Railroads	75 report copies	12 minutes	15 hours
	18 Railroads	75 verification	2 hours	150 hours
	18 Railroads	75 records	30 minutes	38 hours
	18 Railroads	18 procedures	4 hours	72 hours
	18 Railroads	2,000 trained employees	2 hours	4,000 hours

Total Responses: 2,318

Total Estimated Annual Burden: 4,875 hours

Type of Request: Extension with change of a currently approved ICR (extension with change reflects revised estimates for some rule requirements)

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 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.

Sarah L. Inderbitzin
Acting Chief Counsel.

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