



## DEPARTMENT OF TRANSPORTATION

### Transportation Statistics Bureau

[Docket No. DOT-OST-2017-0010]

#### Request for Clearance for an Information Collection: Annual Tank Car Survey

**AGENCY:** Bureau of Transportation Statistics (BTS), Office of the Assistant Secretary for Research and Technology (OST-R), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** This notice announces the Bureau of Transportation Statistics (BTS) intention to request that the Office of Management and Budget (OMB) approves a 3-year extension of a currently approved information collection for the “Annual Tank Car Survey.”

**DATES:** Interested persons are invited to submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit comments identified by Docket No. DOT-OST-2017–0010 through the *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. You may also submit comments identified by DOT Docket ID Number DOT-OST-2017-0010 to the U.S. Department of Transportation (DOT), Dockets Management System (DMS). You may submit your comments by mail or in person to the Docket Clerk, Docket Management System, U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Room W12-140, Washington, DC 20590. Comments should identify the docket number as indicated above. Paper comments should be submitted in duplicate. The DMS is open for examination and copying, at the above address, from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: “Comments on Docket DOT-OST-2017-0010.” The Docket Clerk will date

stamp the postcard prior to returning it to you via the U.S. mail. Please note that due to delays in the delivery of U.S. mail to Federal offices in Washington, DC, we recommend that persons consider an alternative method (the Internet, fax, or professional delivery service) to submit comments to the docket and ensure their timely receipt at U.S. DOT. You may fax your comments to the DMS at (202) 493-2251. Comments can also be viewed and/or submitted via the Federal Rulemaking Portal: <http://www.regulations.gov>.

Please note that anyone is able to electronically search all comments received into our docket management system by the name of the individual submitting the comment (or signing the comment if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19475-19570) or you may review the Privacy Act Statement at <http://www.gpoaccess.gov/fr/>.

**FOR FURTHER INFORMATION CONTACT:** Carl Cloyed, Bureau of Transportation Statistics, Office of the Assistant Secretary for Research and Technology, Department of Transportation 1200 New Jersey Avenue, SE, Room E34-455, Washington, DC 20590, telephone (202) 981-4498.

**SUPPLEMENTARY INFORMATION:**

**Title:** Annual Tank Car Survey

**Background:** On December 4, 2015, President Barack Obama signed legislation entitled "Fixing America's Surface Transportation Act of 2015," or the "FAST Act." See Pub. L. 114-94. The FAST Act includes the "Hazardous Materials Transportation Safety Improvement Act of 2015" (see sections 7001 through 7311) and instructs the Secretary of Transportation to make specific regulatory amendments to the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180), including requirements for rail tank car manufacturers to report their progress toward modifying rail tank cars used for the transportation of Class 3 flammable liquids in accordance

with the timeline established in section 7304 of the FAST Act.

This notice is applicable to section 7308(c) of the FAST Act which directs the Secretary to conduct an annual survey of tank car shops to acquire projections of the number of tank cars to be built or manufactured to the new safer specifications. This includes new tank cars built to the DOT Specification 117, or equivalent, as well as tank cars modified to the DOT Specification 117R. Tank cars will include, but may not be limited to, those originally built to Specifications: DOT105, DOT109, DOT111, DOT112, DOT114, DOT115, and DOT120.

*Respondents:* There are approximately 400 tank car facilities that are currently registered or certified to build or modify tank cars. However, the majority of these do not have the capacity to modify or build to the 117 or 117R Specifications. At most, an estimated 140 tank car shops have the capacity to build or modify to these new safety standards.

*Estimated Average Burden per Response:* An estimated 140 facilities will provide a response to this request for information on an annual basis. It will take approximately 30 minutes to complete, including record keeping and reporting. This notice is intended to accurately account for the annual burden.

*Estimated Total Annual Burden:* The estimated burden is equal to 70 annual burden hours (i.e., 140 responses per year x 0.5 hour per response). The total burden cost is estimated at \$4,765 (i.e., 70 burden hours x \$68.07, which is the per hour wage of \$52.36 for a manager in Transportation, Storage, and Distribution plus 30% to account for benefits).

*Frequency:* The survey frequency is prescribed by Section 7308(d) of the FAST Act. Specifically, the Secretary is required to conduct the survey annually until May 1, 2029 under Section 7308(c).

*Response to comments:*

BTS published a 60-day notice for public comment for this information collection to the **Federal Register** on December 14, 2023 (88 FR 86728). The notice can be found at: <https://www.federalregister.gov/documents/2023/12/14/2023-27497/request-for-clearance->

for-an-information-collection-annual-tank-car-survey. One comment was received from the National Propane Gas Association expressing the agency's support for such a program. No changes are planned in response to this comment.

*Public Comments Invited:* Interested parties are invited to send comments regarding any aspect of this information collection, including, but not limited to: (1) the necessity and utility of the information collection for the proper performance of the functions of the DOT; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, clarity and content of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on the 22<sup>nd</sup> of February 2024.

**Cha-Chi Fan,**  
*Director, Office of Data Development and Standards,  
Bureau of Transportation Statistics,  
Office of the Assistant Secretary for Research and Technology.*

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