



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

#### **Proposed Agency Information Collection Activities; Comment Request**

**[Docket No. FRA-2016-0002-N-26]**

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

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

---

**SUMMARY:** On October 18, 2016, under its emergency processing procedures, the Office of Management and Budget (OMB) approved the information collection activities associated with FRA's Railworthiness Directive No. 2016-01. This 6-month approval expires on April 30, 2017. Since OMB's approval of the information collection activities associated with Railworthiness Directive No. 2016-01, on November 18, 2016, FRA issued a revised Railworthiness Directive which supersedes the original Directive. FRA is now seeking approval for the revised information collection activities and associated burden listed below. Before submitting this information collection request (ICR) to OMB for approval, FRA is soliciting public comment on specific aspects of the activities, which are 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 any or all of the following proposed 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 2130-0616." 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 Safety 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 to implement them. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1),

1320.10(e)(1), 1320.12(a). Accordingly, FRA invites interested persons 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)(i)–(iv); 5 CFR 1320.8(d)(1)(i)–(iv).

FRA believes soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information that its actions mandate. In summary, FRA reasons that comments received will advance three objectives: (1) reduce reporting burdens; (2) organize 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 that FRA will submit for clearance by OMB as required under the PRA:

Title: RAIL WORTHINESS DIRECTIVE (RWD) RWD No. 2016-01

[REVISED] (previously approved by OMB under the title Railworthiness

Directive for Certain Tank Cars Equipped with Bottom Outlet Valve Assembly and Constructed by American Railcar Industries and ACF Industries)

OMB Control Number: 2130-0616

Abstract: An FRA investigation identified a certain design of specification DOT-111 tank cars that American Railcar Industries, Inc. (ARI) and ACF Industries, LLC (ACF) manufactured using welding practices not in conformance with Federal regulations and Association of American Railroads' welding specifications. The cars are built to the ARI and ACF 300 stub sill design and are equipped with a two-piece cast sump and bottom outlet valve (BOV) skid. As a result of the nonconforming welding practices, these cars may have substantial weld defects at the sump and BOV skid groove attachment welds, potentially affecting each tank car tank's ability to retain its contents during transportation. On September 30, 2016, FRA issued Railworthiness Directive No. 2016-01. On November 18, 2016, FRA issued a revised Railworthiness Directive (Revised Directive) on its website to all owners of ARI or ACF general purpose tank cars in the United States manufactured to this design. This ICR applies to the Revised Directive. The Revised Directive generally requires owners to: (1) identify tank cars in their fleet covered by this Revised Directive; and (2) ensure appropriate inspection and testing of each tank car's sump and BOV skid attachment welds to ensure no flaw exists that could result in the loss of tank integrity.

Form Number(s): N/A

Affected Public: Businesses (tank car owners, shippers, and tank car facilities)

Respondent Universe: 100 tank car owners

Frequency of Submission: One-time; on occasion

Affected Public: BusinessesReporting Burden:

Section of RWD No. 2016-01 [REVISED]	Respondent Universe	Total Annual Responses	Average Time Per Response	Total Annual Burden Hours
Identification of tank cars covered by the directive for certain railroad tank cars equipped with bottom outlet valve assembly and constructed by American Railcar Industries and ACF Industries (14,800 cars)	20 tank car owners (100 lessees/sub-lessees)	20 ID reports	4 hours	80 hours
Visual inspection of sump weld area of all tank cars identified under this directive (performed prior to each loaded trip)	20 tank car owners (100 lessees/sub-lessees)	88,800 inspections/records	5min.	7,400 hours
Inspect and test sump and BOV skid groove as stipulated in directive and maintain record results	20 tank car owners (100 lessees/sub-lessees)	2,200 records	3 hours	6,600 hours
Personnel qualification and certification check (100 tank car mechanics)	10 tank car facility operators	100 checks	15 min.	25 hours
Train and test tank car mechanics who are “not qualified” on NDT procedures and record qualification ( $\frac{1}{3}$ of the 100 tank car mechanics)	10 tank car facility operators	33 trained and tested mechanics	4 hours	132 hours
Tank car owner notification to all parties under contract to car owner, including lessees and/or sub-lessees, using cars subject to directive of terms of this directive and inspection/testing schedule	20 tank car owners (100 lessees/sub-lessees)	100 notices	1 hour	100 hours
Report of inspection, test, and repair information stipulated in paragraph 2(g) of directive to FRA	20 tank car owners (100 lessees/sub-lessees)	2,200 reports	90 min. per car/report	3,300 hours
Repairs: 15 percent of relevant tank fleet of 14,800 cars -- record and report of repairs to tank car owners	10 tank car facility operators	330 car reports/records	16 hours	5,280 hours

Tank car facility request to tank car owner for written permission and approval of qualification and maintenance program it will use consistent with Appendices D, R, and W of the Tank Car Manual and 49 CFR 180.513 prior to initiating any repairs	10 tank car facility operators	20 requests + 20 written permissions	10 min. + 10 min.	7 hours
Tank car facility report of all work performed to tank car owner	10 tank car facility operators	Burden included directly above	N/A	N/A

Total Estimated Annual Responses: 93,823

Total Estimated Annual Burden: 22,924 hours

Type of Request: Regular clearance of an information collection previously approved under emergency processing procedures

Under 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, DC, on December 8, 2016.

Patrick T. Warren,  
Acting Executive Director.

[FR Doc. 2016-30740 Filed: 12/20/2016 8:45 am; Publication Date: 12/21/2016]