



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2020-0027-N-7]

Proposed Agency Information Collection Activities; Comment Request

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

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Requests (ICRs) abstracted below. Before submitting these ICRs to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Interested persons are invited to submit comments on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit written comments on the ICRs activities by mail to either: Ms. Hodan Wells, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Administration, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue, SE, 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 Ms. Wells at hodan.wells@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.

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, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICRs 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, including the use of automated collection techniques or other forms of information technology. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and

paperwork burdens associated with the collection of information that Federal regulations 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.

The summaries below describe the ICRs that FRA will submit for OMB clearance as the PRA requires:

Title: Passenger Train Emergency Preparedness.

OMB Control Number: 2130-0545.

Abstract: Under 49 CFR part 239, FRA requires railroads to meet minimum Federal standards for the preparation, adoption, and implementation of emergency preparedness plans connected with the operation of passenger trains, including freight railroads hosting passenger rail service operations. The information collected is necessary for compliance with the regulation.

Type of Request: Extension with change (revised estimates) of a currently approved collection.

Affected Public: Businesses.

Form(s): N/A.

Respondent Universe: 34 railroads.

Frequency of Submission: On occasion.

Reporting Burden:

CFR Section	Respondent universe	Total Annual responses	Average time per responses	Total annual burden hours	Total cost equivalent ¹
239.13—Waivers	34 railroads	1 waiver petition	10 hours	10 hours	\$760
239.101/201/203—Emergency preparedness plan: amended plans	34 railroads	6 amended plans	16 hours	96 hours	\$7,296
—Non-substantive changes to emergency preparedness plan	34 railroads	4 amended plans	1 hour	4 hours	\$304
—Emergency preparedness plans for new/start-up railroads	34 railroads	1 new plan	80 hours	80 hours	\$6,080
239.101(a)(1)(ii)—RR designation of employees responsible for maintaining emergency phone numbers for use in contacting outside emergency responders and appropriate RR officials that a passenger emergency has occurred	34 railroads	34 designations	5 minutes	2.8 hours	\$213
—Commuter/intercity passenger RRs gathering/keeping emergency phone numbers	34 railroads	34 lists/updated records	1 hour	34 hours	\$2,584
239.101(a)(7)—RR dissemination of information regarding emergency procedures/instructions	1 new railroad	350 cards/1 safety message	5 minutes	29.3 hours	\$2,227
	34 railroads	1,000 cards/100 safety messages	5 minutes	91.7 hours	\$6,969
239.105(d)—Debrief and critique sessions	34 railroads	25 debrief/critique records	5 minutes	2.1 hours	\$160
Total	34 railroads	1,556	N/A	350 hours	\$26,592

Total Estimated Annual Responses: 1,556.

Total Estimated Annual Burden: 350 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$26,592.

Title: Critical Incident Stress Plans.

¹ The dollar equivalent cost throughout this document is derived from the Surface Transportation Board's Full Year Wage A&B data series using the appropriate employee group hourly wage rate that includes a 75-percent overhead charge.

OMB Control Number: 2130-0602.

Abstract: Under 49 CFR part 272, Class I, intercity passenger, and commuter railroads are required to develop, and submit to FRA for approval, critical incident stress plans that provide for appropriate support services to be offered to their employees who are affected by a critical incident as defined in 49 CFR 272.9. FRA uses the information collected to ensure the minimum standards of part 272 are met.

Type of Request: Extension with change (revised estimates) of a currently approved collection.

Affected Public: Businesses/Rail Labor Unions.

Form(s): N/A.

Respondent Universe: 41 railroads.

Frequency of Submission: On occasion.

Reporting Burden:

CFR Section	Respondent universe	Total Annual responses	Average time per responses	Total annual burden hours	Total cost equivalent
272.103(a)—Railroad submission of critical incident stress plan (CISP) to FRA for approval	1 new railroad	1 plan	12 hours	12 hours	\$912
—(b) RR CISP copy to 5 labor organizations	41 railroads	20 plan copies	5 minutes	1.7 hours	\$129
—(c)(1) Rail labor organization comment to FRA on CISP submission	5 employee labor organizations	5 comments	2 hours	10 hours	\$760
—(c)(2) Rail labor affirmative statement to FRA that comment copy has been served on railroad	5 employee labor organizations	5 certifications	5 minutes	.4 hours	\$30

—(e) Railroad submission of updated/modified existing CISP to FRA for approval	41 railroads	4 updated/modified plans	6 hours	24 hours	\$1,824
—(f) Copy to RR employees of updated/modified CISP ²	41 railroads	5,000 copies	5 minutes	416.7 hours	\$31,669
—(g) Railroads make copies of CISP available to FRA inspector upon request	41 railroads	25 plan copies	5 minutes	2.1 hours	\$160
272.105—Requirement to file CISP electronically	41 railroads	4 CISP electronic submissions	8 minutes	.5 hours	\$38
Total	41 railroads	5,064 responses	N/A	467 hours	\$35,522

Total Estimated Annual Responses: 5,064.

Total Estimated Annual Burden: 467 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$35,522.

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)

Brett A. Jortland,

Acting Chief Counsel.

² FRA understands most railroads provide their CISP information to employees via a company portal or other electronic means, thus FRA reduced the estimate of actual physical copies to 5,000 to reflect that understanding.

[FR Doc. 2020-07910 Filed: 4/14/2020 8:45 am; Publication Date: 4/15/2020]