

Supporting Statement for
Paperwork Reduction Act Submission

Waybill Sample

A. Justification

1. Need for Information

The Surface Transportation Board is, by statute, responsible for the economic regulation of common carrier railroads operating in the United States. A carload waybill, which is a document describing the characteristics of an individual rail shipment, identifies originating and terminating freight stations, the names of all railroads participating in the movement, the point of all railroad interchanges, the number of cars, the car types, movement weight in hundredweight, the commodity, and the freight revenue. Under 49 CFR Part 1244, a railroad is required to file carload waybill sample information (Waybill Sample) for all line-haul revenue waybills terminating on its lines if, in any of the three preceding years, it terminated 4500 or more carloads, or it terminated at least 5% of the total revenue carloads that terminate in a particular state. The Waybill Sample is the Board's primary means of gathering information about freight rail shipments terminated in the United States.

The Board has authority to collect this information under 49 U.S.C. 11144 and 11145. Moreover, in 49 U.S.C. 11901(e)(1), Congress provided for specific civil penalties for failure to submit any such record required by the Board.

2. Use of Data Collected

The information in the Waybill Sample is used by the Board, other Federal agencies (the Department of Transportation and the Department of Agriculture, for example), and industry stakeholders to monitor traffic flows and rate trends in the industry, and to develop testimony in Board proceedings. The Waybill Sample is also a major source of information for states when developing state transportation plans. In addition, non-government groups seek access to Waybill Sample data for such uses as market surveys, forecasts of rail equipment requirements, economic analyses and forecasts, and academic research.

3. Reduction Through Improved Technology

The Waybill Sample may be submitted electronically, and 89% of the respondents do so.

4. Identification of Duplication

This information is not duplicated by any other agency. The Board is the only source of waybill information.

5. Minimizing Burden for Small Businesses

The Board requires a railroad to submit a statistical sample of the waybills for the traffic it handles only if, in any of the three preceding years, it terminated 4500 or more carloads, or it terminated at least 5% of the total revenue carloads that terminate in a particular state. In addition, a carrier need only report quarterly (rather than monthly) if it submits computerized (rather than paper) Waybill Samples or it submits less than 1,000 waybills per year.

6. Frequency Reduction Consequences

The Waybill Sample may be submitted quarterly. Less frequent collection would impede the access by government regulators and private stakeholders to timely information about the industry.

7. Special Circumstances

There are no special circumstances. (Note: Although 49 CFR 1244.6, states that railroads submitting computerized Waybill Samples are required to retain copies of the underlying waybills for 4 years, that retention period conflicts with the 1-year retention period for waybills provided in section 1220.6. The agency has treated section 1220.6 as controlling in this matter.)

8. Consultation Outside Agency

The Board provided a 60-day comment period regarding approval of this existing collection of information in 72 FR 28549. As required, a Federal Register notice providing an additional 30-day comment period is being published simultaneously with this submission.

9. Payment or Gift

No payment or gift is made in connection with this survey form.

10. Assurance of Confidentiality

The data contained in the Waybill Sample includes contract revenue information that is considered highly confidential proprietary information. Waybill Sample data is released, subject to appropriate protective conditions, through the STB Office of Economics. The regulations governing release of that data are set forth at 49 CFR 1244.9.

11. Sensitive Information

This form does not collect any sensitive personal information.

12. Estimated Burden Hours and Cost

The total burden hours (annually including all respondents) is estimated at 370 hours (based on 64 respondents, 5 of whom (by their own choice) report monthly and 59 of whom report quarterly, with an average estimated time per response of 75 minutes. Note that the burden reported in ROCIS for this IC is only 320 hours because the ROCIS program does not allow input of data where a small percentage of respondents are reporting monthly by choice. Therefore, the ROCIS data assumes that all respondents report quarterly. No “non-hour cost” burdens associated with this collection have been identified.

13. Record Keeping Burden

Waybills are created by rail carriers in the normal course of business. Thus, this collection does not require additional record keeping.

14. Annualized Cost To the Federal Government

The Board contracts out the collection of the Waybill Sample. The annualized cost of the contract is \$302,296.

15. Program Changes to Items 13 and 14 of OMB Form 83-1

None.

16. Publication of Data and/or Results

Waybill Sample data, aggregated at the industry level to protect commercially sensitive information, is available on the Board’s website (under Industry Data in the Waybill Public User Guide).

17. Display of Expiration date for OMB approval

Expiration date and control number for this collection will be published in the Federal register when the collection is approved by OMB.

18. Exceptions to the Certification for Paperwork Reduction Act Submissions

Not applicable.

B. Collection of Information Employing Statistical Methods

Not Applicable.