

## **SUPPORTING JUSTIFICATION**

### **Solicitation of Applications and Notice of Funds Availability for Capital Assistance to States – Intercity Rail Service Program**

- 1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION. ATTACH A COPY OF THE APPROPRIATE SECTION OF EACH STATUTE AND REGULATION MANDATING OR AUTHORIZING THE COLLECTION OF INFORMATION.**

In 2002, then-Secretary of Transportation, Norman Y. Mineta, announced a number of principles to guide the future of intercity passenger rail in the United States. One of these principles was to “establish a long-term partnership between States and the Federal Government to support intercity passenger rail.” In furtherance of that principle, the President’s Fiscal Year (FY) 2008 Budget proposed, and the Congress enacted, a program that would increase the States’ role in intercity passenger rail development by establishing Federal-State partnerships for intercity passenger rail investment along the model of those that currently exist for other modes of transportation.

The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 (Division K of Pub. L. 110-161 (December 26, 2007)) established the Capital Assistance to States - Intercity Passenger Rail Service Program, making \$30,000,000 in Federal funds available directly to States through grants to fund up to 50 percent of the cost of capital investments and planning activities necessary to achieve tangible improvements to, or institute new, intercity passenger rail service. Funding will be made available on a reimbursement basis. Examples of such improvements include (but are not strictly limited to) the purchase of passenger rolling stock, the improvement of existing track to allow for higher maximum speeds, the addition or lengthening of passing tracks to increase capacity, the improvement of interlockings to increase capacity and reliability, and the improvement of signaling systems to increase capacity and maximum speeds, and improve safety.

FRA requests that OMB grant emergency clearance status to FRA’s Information Collection Request (ICR) related to its Solicitation of Applications and Notice of Funding Availability for the Capital Assistance to States – Intercity Passenger Rail Program. Emergency Processing is required for the following reasons:

(1.) The program for which this ICR is submitted is a new program, proposed by the President as part of his Fiscal Year 2008 Budget, and established by Congress as part of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 (Division K of Pub. L. 110-161 (December 26, 2007)). Congress placed a statutory eight (8) month deadline for completing elements of this program, and FRA believes that, without the granting of emergency processing, it will likely be unable to comply with this statutory requirement.

(2.) There has been an unusually high level of interest expressed in discussions with FRA that the agency move quickly in making awards under this new program. FRA has been contacted by Congressional Appropriations Committee staff, Member staff, the Congressional Budget Office, and many State departments of transportation inquiring about the status of this new program, and requesting that the application and award process begin at the earliest possible date. Only through the granting of the emergency processing request will FRA be able to act in a timely manner, thereby meeting the demands of these key stakeholders in this program.

It should be noted that grant funding will be open for a period of 18 months (Mar. 18, 2008 through Sept. 30, 2009, if all funds are not committed before then), and FRA plans to apply for a three-year OMB clearance under regular PRA and OMB processing procedures once this request for Emergency Clearance is approved by OMB.

**2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED. EXCEPT FOR A NEW COLLECTION, INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.**

The proposed collection of information is new. The information to be collected will be used solely by Federal Railroad Administration (FRA) staff (and potentially contractors) to review grant applications to determine whether they fulfill the requirements and criteria established by statute and agency guidelines. The collection of information – applications and other necessary documentation -- will be used to ensure that grants are awarded to those applicants whose proposed project(s) are most consistent with the eligibility requirements, prioritizing criteria, and goals and purposes established in the authorizing statute.

**3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY, E.G. PERMITTING ELECTRONIC SUBMISSION OF RESPONSES, AND THE BASIS FOR THE DECISION FOR ADOPTING THIS MEANS OF COLLECTION. ALSO DESCRIBE ANY CONSIDERATION OF USING INFORMATION TECHNOLOGY TO REDUCE BURDEN.**

FRA strongly supports and highly encourages the use of advanced information technology, wherever possible, to reduce burden on respondents. FRA has championed the use of advanced information technology, particularly electronic recordkeeping, for many years now. In compliance with both the requirements of the PRA and GPEA, FRA provides for electronic submission of application information under this Capital Assistance – Intercity Rail Service Program. In fact, all grant applications submitted under this program by State Departments of Transportation must be submitted to FRA

through the Internet at <http://www.grants.gov>. Only documents which are impractical to submit electronically, such as oversized engineering drawings, will be permitted to be transmitted to FRA in paper format.

It should be noted that the total burden for the proposed collection of information is fairly minimal.

**4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSES DESCRIBED IN ITEM 2 ABOVE.**

The Capital Assistance to States – Intercity Rail Service Program is new. The information collection requirements to our knowledge are not duplicated anywhere. The requirements were developed for the sole purpose of supporting this specific grant program.

Similar data are not available from any other source.

**5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF OMB FORM 83-I), DESCRIBE ANY METHODS USED TO MINIMIZE BURDEN.**

Participation in the Capital Assistance to States – Intercity Rail Service Program is completely voluntary. Application eligibility is limited, by statute, to States and the District of Columbia. As such, no small businesses or other small entities are anticipated to be impacted by this collection of information.

Again, it should be noted that the total burden for this proposed collection of information is fairly minimal.

**6. DESCRIBE THE CONSEQUENCE TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION IS NOT CONDUCTED OR IS CONDUCTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.**

If this information were not collected or collected less frequently after Congress appropriates necessary funding, then FRA would be unable to fulfill a Congressional mandate. Specifically, without this collection of information, FRA would be unable to determine eligibility for Capital Assistance to States - Intercity Passenger Rail Service funds and would be unable evaluate intercity passenger rail improvement projects that are proposed by any of the States or the District of Columbia. Without this collection of information, FRA would be unable to ensure that all requirements for the Capital Assistance to States - Intercity Passenger Rail Service Program are met, particularly the requirement that non-program funds pay at least 50 percent of the shared costs of a

project.

Without this collection of information, FRA would have no way to meet with grant applicants to discuss the nature of the project being considered to obtain clarifying details to aid it in its decision to approve or disapprove the proposed project and to ensure that, if agency approval is given, States fully understand their responsibilities in meeting the terms of the grant.

If this information were not collected, FRA would have no way to ensure that all applicable Federal statutes, such as the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and the Endangered Species Act, are complied with by States/the District of Columbia seeking Capital Assistance to States - Intercity Passenger Rail Service Program funds. Without this collection of information, FRA would be unable to fulfill its obligations under NEPA. The use of Federal funds in a project triggers the NEPA process. A grantee may have its own personnel conduct the required environmental assessment or may contract with private parties to perform the NEPA review, but FRA's Administrator must issue the final review document. Project construction can not begin until all appropriate environmental and historic documentation has been completed, and can not begin until the FRA Administrator has completed his/her review of this documentation and given his/her approval.

Without this collection of information, States/the District of Columbia would be unable to consult with FRA before beginning any environmental or historic preservation analysis for a potentially eligible project. Without such consultations, States might not fully understand and completely comply with Federal environmental and historic statutes and also might perform environmental or historic preservation analysis that would not meet Federal/agency requirements and thus not pass FRA review. Prior consultation with FRA would ensure State government funds spent for environmental or historic preservation analysis meets all Federal/agency requirements and is well spent.

Without this collection of information, FRA would have no way to monitor various aspects of agency approved Capital Assistance to States - Intercity Passenger Rail Service projects, including the progress and the completion or final performance of individual projects, the financial status of the project that details outlays and requests for reimbursement for physical construction, final requests for payment, patent disclosure (if applicable), and condition of Federally-owned property (if applicable) that are included in required close-out reports by State governments. Also, without this collection of information and the required reports mandated in the close-out procedures, FRA would have no way to determine whether State governments had complied with the requirement that an approved project that is completed have a full inspection of all construction work and would have no way to know, if a project were not completed, the details why the project was not completed. This monitoring and follow-up information is essential if FRA is to carry-out the Congressional mandate and ensure that Federal grant money is used appropriately and effectively.

In sum, the collection of information enables FRA to fulfill a Congressional mandate,

contribute to State/the District of Columbia economic development, and promote and enhance safe rail transportation throughout the United States. In this, it furthers DOT's goals and objectives as well as its core agency mission.

**7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:**

**-REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**

**-REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**

**-REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**

**-REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN THREE YEARS;**

**-IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**

**-REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**

**-THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUTE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**

**-REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

All the information collection requirements associated with today's (2/19/ 2008) **Federal Register** publication of the *Solicitation of Applications and Notice of Funds Availability (NOFA) for Capital Assistance to States – Intercity Rail Service Program* are in

compliance with this section.

8. **IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THOSE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

**DESCRIBE EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS ON THE AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, THE CLARITY OF INSTRUCTIONS AND RECORDKEEPING, DISCLOSURE, OR REPORTING FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.**

**CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS--EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.**

As required by the Paperwork Reduction Act of 1995 and 5 CFR 1320.13(d), FRA is publishing a notice in today's Federal Register (**February 19, 2008**), informing the public that it is seeking Emergency Clearance by the Office of Management and Budget and soliciting comment on the proposed collection of information. *73 FR 9161*.

FRA is also submitting the paperwork package for the proposed collection of information on the very same day as publication of the above **Federal Register** Notice.

Due to the abbreviated approval timeframe that is being requested by the agency, FRA is asking that comments regarding the proposed collection of information be sent directly to the Office of Information and Regulatory Affairs (OIRA).

Upon emergency approval by OMB, FRA intends to apply for a three-year clearance under regular PRA and OMB processing procedures.

9. **EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.**

There are no monetary payments provided or gifts made to respondents in connection

with this information collection.

10. **DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.**

Information collected is not of a confidential nature, and FRA pledges no confidentiality.

11. **PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE. THIS JUSTIFICATION SHOULD INCLUDE THE REASONS WHY THE AGENCY CONSIDERS THE QUESTIONS NECESSARY, THE SPECIFIC USES TO BE MADE OF THE INFORMATION, THE EXPLANATION TO BE GIVEN TO PERSONS FROM WHOM THE INFORMATION IS REQUESTED, AND ANY STEPS TO BE TAKEN TO OBTAIN THEIR CONSENT.**

There are no questions or information of a sensitive nature or data that would normally be considered private contained in this information collection.

12. **PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:**

**-INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCES IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDENS HOUR FOR CUSTOMARY AND USUAL BUSINESS PRACTICES**

**-IF THIS REQUEST FOR APPROVAL COVERS MORE THAN ONE FORM, PROVIDE SEPARATE HOUR BURDEN ESTIMATES FOR EACH FORM AND AGGREGATE THE HOUR BURDENS IN ITEMS 13 OF OMB FORM 83-I.**

**-PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE**

**CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.**

*The hourly and cost burdens listed below are estimates. Costs are a function of labor hours. FRA estimates that the average time to complete each grant application will run approximately 600 hours and that each application will cost approximately \$52,540 (as itemized below). FRA estimates the average hourly rate to hire a consultant to do the needed environmental assessment at \$125. Based on the 2007 edition of the Association of American Railroads (AAR) publication titled Railroad Facts, FRA has used the following labor rate for railroad hourly wages in its other cost calculations: \$73 per hour for railroad executives/officials; \$43 per hour for professional/administrative employees. Wage rates are burdened 40% to include fringe benefits and overhead.*

**Application Process**

- A. All grant applications for opportunities funded under this section must be submitted to FRA through [www.grants.gov](http://www.grants.gov). The electronic posting will contain all of the information needed to apply for the grant, including required supporting documentation.

FRA estimates that approximately seven (7) applications (with supporting documentation) will be submitted per year under the above requirement. It is estimated that it will take approximately 600 hours to prepare and electronically transmit each grant application to the agency. Total annual burden for this requirement is 4,200 hours.

Respondent Universe:

51  
States  
(including  
D.C.)

Burden time per response:

600  
hours

Cost per response:

\$52,540



Frequency of Response: On occasion

Annual number of Responses: 7 grant applications

Annual Burden: 4,200 hours

Annual Cost: \$367,780

**Calculation:**

**COST TO APPLICANT**

JOB TITLE	HOURLY RATE	LOADED WAGE RATE	HOURS	COST
Project Manager	\$35	\$80.00	80	\$6,400
Track Engineer	\$40	\$88.00	80	\$7,040
Structural Engineer	\$40	\$88.00	20	\$1,760
Traffic Engineer	\$40	\$88.00	20	\$1,760
Railroad Operations Analyst	\$40	\$88.00	100	\$8,800
Economist/Financial Analyst	\$40	\$88.00	100	\$8,800
Real Estate Specialist	\$35	\$80.00	20	\$1,600
Environmental Engineer	\$40	\$88.00	50	\$4,400
Attorney	\$55	\$121.00	80	\$9,680
Admin/Clerical	\$20	\$44.00	50	\$2,200
Sum			600	\$52,440
Supplies				\$100.00
			<b>Total</b>	<b>\$52,540</b>

7 grant applications x 600 hrs. = 4,200 hours  
 7 grant applications x \$52,540 = \$367,780

- B. Potential applicants may request a meeting with the FRA Associate Administrator for Railroad Development or his designee to discuss the nature of the project being considered.

FRA estimates that approximately five (5) of the States submitting applications will request a meeting with the FRA Associate Administrator for Railroad Development or his designee under the above requirement. It is estimated that it will take approximately 30 minutes to complete each request/letter for a meeting. Total annual burden for this requirement is three (3) hours.

Respondent Universe:

51  
States  
(including  
D.C.)

Burden time per response:

30  
minutes

Frequency of Response:

On occasion

Annual number of Responses: 5 requests/letters  
Annual Burden: 3 hours  
Annual Cost: \$129

**Calculation:** 5 requests/letters x 30 min. = 3 hours  
3 hrs. x \$43 = \$129

Additionally, FRA estimates that each of the five (5) face-to-face meetings with the FRA Associate Administrator for Railroad Development or his designee will take approximately two (2) hours to complete. Total annual burden for this requirement is 10 hours.

Respondent Universe:

51  
States  
(including  
D.C.)

Burden time per response:

2 hours

Frequency of Response: On occasion

Annual number of Responses: 5 project meetings  
Annual Burden: 10 hours

Annual Cost: \$730

**Calculation:** 5 project meetings x 2 hrs. = 10 hours  
10 hrs. x \$73 = \$730

C. Revisions to Grant Applications

Because of the limited amount of money (\$30 million) involved in this grant program, FRA believes that it will request approximately two of the original seven yearly grant applicants to submit revised applications to the agency (with any necessary supporting documentation) in order to refine the scope of the proposed project. It is estimated that it will take approximately 40 hours to prepare and electronically transmit the revised grant application to the agency. Total annual burden for this requirement is 80 hours.

Respondent Universe:

51  
States  
(including  
D.C.)

Burden time per response:

40  
hours

Frequency of Response: On occasion

Annual number of Responses: 2 grant application revisions  
Annual Burden: 80 hours

Annual Cost: \$5,840

**Calculation:** 2 grant application revisions x 40 hrs. = 80 hours  
80 hrs. x \$73 = \$5,840

Total annual burden for this entire requirement is 4,293 hours (4,200 + 3 + 10 + 80).

### Environmental Assessment

(a.) The provision of grant funds by FRA under this program is subject to a variety of environmental and historic preservation statutes and implementing regulations including, but not limited to, the National Environmental Policy Act (NEPA) (42 U.S.C. § 4332 et. seq.), Section 4(f) of the Department of Transportation Act (49 U.S. C. § 303(c)), the National Historic Preservation Act (16 U.S.C. § 470(f)), and the Endangered Species Act (16 U.S.C. § 1531). Appropriate environmental and historic documentation must be completed and approved by the Administrator prior to a decision by FRA to approve a project for construction.

FRA estimates that approximately seven (7) environmental and historic documents will be submitted to the agency under the above requirement. Depending on the type and complexity of the project, the environmental and historic documentation required will vary. On average, it is estimated that it will take approximately 200 hours to complete the required documentation and send it to FRA. Total annual burden for this requirement is 1,400 hours.

Respondent Universe: 51 States (including D.C.)  
Burden time per response:

200  
hours

Frequency of Response: On occasion

Annual number of Responses: 7 environmental documents  
Annual Burden: 1,400 hours  
Annual Cost: \$175,000

**Calculation:** 7 environmental documents x 200 hrs. = 1,400 hours  
1,400 hrs. x \$125 = \$175,000

FRA estimates that approximately seven (7) consultations with FRA will take place

before a State begins any environmental or historic preservation analysis. It is estimated that it will take approximately two (2) hours to complete the necessary consultation with FRA. Total annual burden for this requirement is 14 hours.

Respondent Universe:

50  
States/  
Local  
govern  
ments

Burden time per response:

2 hours

Frequency of Response:

On occasion

Annual number of Responses:	7 consultations
Annual Burden:	14 hours
Annual Cost:	\$1,022

**Calculation:** 7 consultations x 2 hrs. = 14 hours  
14 hrs. x \$73 = \$1,022

Total annual burden for this entire requirement is 1,414 hours (1,400 + 14).

### Close-Out Procedures

- A. Within 90 days after the expiration or termination of the grant, the state must submit to FRA any or all of the following information, depending on the terms of the grant: (1) Final performance or progress report; (2) Financial Status Report (SF-269) or Outlay Report and Request for Reimbursement for Construction Programs (SF-271); (3) Final Request for Payment (SF-270); (4) Patent disclosure (if applicable); (5) Federally-owned Property Report (if applicable).

FRA estimates that all seven (7) States will complete the necessary close-out documents stipulated under the above requirement. It is estimated that it will take approximately six (6) hours to complete all (each set) of the prescribed forms/reports. Total annual burden for this requirement is 42 hours.

Respondent Universe:

50  
States/  
Local  
govern  
ments

Burden time per response:

6 hours

Frequency of Response:

On occasion

Annual number of Responses:	7 sets of close-out documents
Annual Burden:	42 hours
Annual Cost:	\$1,806

**Calculation:** 7 sets of close-out documents x 6 hrs. = 42 hours  
 42 hrs. x \$43 = \$1,806

- B. If the project is completed, within 90 days after the expiration or termination of the grant, the state must complete a full inspection of all construction work completed under the grant and submit a report to FRA. If the project is not completed, the state must submit a report detailing why the project was not completed.

FRA estimates that all seven (7) states/local governments will complete the reports prescribed under the above requirement. It is estimated that it will take approximately 80 hours to complete the construction and necessary report. Total annual burden for this requirement is 560 hours.

Respondent Universe:

50  
States/  
Local  
govern  
ments

Burden time per response:

80  
hours

Frequency of Response:

On occasion

Annual number of Responses: 7 reports

Annual Burden: 560 hours

Annual Cost: \$40,880

**Calculation:** 7 reports x 80 hrs. = 560 hours  
560 hrs. x \$73 = \$40,880

Total burden for this information collection requirement is 602 hours.

The total burden for this entire information collection is 6,309 hours

- 13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION. (DO NOT INCLUDE THE COSTS OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).**

**-THE COST ESTIMATES SHOULD BE SPLIT INTO TWO COMPONENTS: (A) A TOTAL CAPITAL AND START-UP COST COMPONENT (ANNUALIZED OVER ITS EXPECTED USEFUL LIFE); AND (B) A TOTAL OPERATION AND MAINTENANCE AND PURCHASE OF SERVICES COMPONENT. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COSTS FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**

**-IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

**-GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEP RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no additional costs to respondents other than the costs listed above.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COSTS, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATIONAL EXPENSES SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF, AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

FRA estimates the cost to the Federal government to review each grant application at approximately \$5,600 per application. The cost is calculated as follows:

FRA estimates that two agency employees, one an operations person at the GS-13 Step 5 level (\$84.30 per hour including overhead costs) and one an environmental engineer at the GS-14 Step 5 level (\$99.60 per hour including overhead costs), will typically review each application. The review will take approximately 30 hours for each of the agency employees to complete. In addition to the labor cost, there is an estimated cost of \$50 for supplies. Thus, the cost to the Federal government is \$5,567 or \$5,600 per application (rounded off). The total cost for the seven (7) applications are as follows:



## **TOTAL COST**

7 applications @ \$5,600 = \$39,200

**15. EXPLAIN THE REASONS FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.**

This is a new collection of information. Consequently, there are no program changes or adjustments.

**16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.**

There are no plans for publication of this submission. The information will be used exclusively for purposes of determining compliance with U.S. laws and FRA safety regulations.

**17. IF SEEKING APPROVAL TO NOT DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL OF THE INFORMATION COLLECTION, EXPLAIN THE REASONS THAT DISPLAY WOULD BE INAPPROPRIATE.**

Once OMB approval is received, FRA will publish the approval number for these information collection requirements in the Federal Register.

**18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.**

No exceptions are taken at this time.

### Meeting Department of Transportation (DOT) Strategic Goals

This information collection supports several of DOT's strategic goals. First, it supports transportation safety. This collection of information will promote safety by allowing all 50 States/District of Columbia to submit applications for grants for specified intercity rail service improvement projects. Thus, States and the District of Columbia and their partners may apply for grants to improve fixed facilities, rolling stock, and other projects.

These projects, depending upon their nature and scope, may serve to enhance safety by developing new rail corridors/improving existing rail corridors, by upgrading critical highway-rail grade crossings, and by improving existing signaling systems so as to increase capacity and maximum speeds, thereby reducing the likelihood of accidents/incidents in the affected areas.

This information collection also supports the DOT goal of fostering economic growth and development. Developing a new rail corridor or improving an existing rail corridor can create jobs and improve the movement and number of people traveling up and down such corridors, thereby bringing more rail travelers to existing businesses and possibly creating opportunities for new businesses, which would give an economic boost to towns situated along that corridor.

Finally, this collection of information supports the DOT goal of human and natural environment. This collection of information requires an environmental assessment. Thus, it provides a means to ensure that all applicable Federal statutes, such as the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and the Endangered Species Act, are complied with by States/local governments seeking rail capital assistance grants to improve intercity rail service. Compliance by States/local governments will enhance their natural environment and increase the desirability to live in the affected communities. Without this collection of information, FRA would be unable to fulfill its obligations under NEPA. The use of Federal funds in a project triggers the NEPA process. A grantee may have its own personnel conduct the required environmental assessment or may contract with private parties to perform the NEPA review, but FRA's Administrator must issue the final review document. FRA will carefully scrutinize the environmental review document because the agency needs to be certain that severe environmental harm will not result if the proposed project is given the green light.

In this information collection, as in all its information collection activities, FRA seeks to do its utmost to fulfill DOT Strategic Goals and to be an integral part of One DOT.

