

SUPPORTING JUSTIFICATION

Notice of Funds Availability and Solicitation of Applications for Grants under the Railroad Rehabilitation and Repair Grant 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.**

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. L. 110-329; September 30, 2008), established the Railroad Rehabilitation and Repair Program, making \$20,000,000 in Federal funds available directly to States. The Secretary may retain up to one-half of 1 percent of the funds for the oversight of the design and implementation of projects funded by this Program. These Program grants can fund up to 80 percent of the cost of rehabilitation and repairs to Class II and Class III railroad infrastructure damaged by hurricanes, floods, and other natural disasters in areas that are located in counties that have been identified in a Disaster Declaration for Public Assistance by the President (i.e., declared a major disaster after January 1, 2008) under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974. Funding will be made available on a reimbursement basis. Rehabilitation and repairs include rights-of-way, bridges, signals, and other infrastructure which is part of the general railroad system of transportation and primarily used by railroads to move freight traffic.

The Federal Railroad Administration (FRA) requests that OMB grant emergency clearance status to FRA's Information Collection Request (ICR) related to its Notice of Funding Availability and Solicitation of Applications for Grants under the Railroad Rehabilitation and Repair Grant Program. Emergency Processing is required for the following reasons:

(1.) The program for which this ICR is submitted is a new program established by Congress as part of Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. L. 110-329; September 30, 2008). Because of the nature of these funds, current economic conditions, and the various states need for immediate assistance to vital freight transportation pathways and the important role these sectors of transportation play in the overall national economy, it would be impossible for FRA to go through normal clearance procedures without great public harm resulting. Further, the Congress created a new program in a Continuing Resolution Appropriations Act (rather than through the normal legislative process) because it was urgent that affected railroads, and surrounding communities damaged by natural disasters receive these funds immediately.

(2.) There has been a high level of interest expressed in discussions with FRA that the agency move quickly to make awards under this new program. FRA has been contacted by several 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 to assist States and affected communities, thereby meeting the demands of the stakeholders in this program.

It should be noted that grant funding will be open for a short period (until **January 16, 2009**, or the date on which all available funds have been committed) with the funds expected to be obligated soon.

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, and 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 by FRA 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 appropriating statute. Thus, the collection of information will provide the means for the agency to make the most well informed decisions regarding the awarding of the prescribed statutory grant money, and will facilitate prompt aid to eligible States and communities affected by recent natural disasters for needed railroad rehabilitation and improvement projects.

FRA will use the information collected 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 eligible States seeking Railroad Rehabilitation and Repair funds. Additionally, FRA will use the information collected to monitor various aspects of agency approved Railroad Rehabilitation and Repair projects, including the progress and the completion or final performance of individual projects, the financial status of projects that detail 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. Finally, FRA will use the required reports mandated in the close-out procedures to determine whether State governments have complied with the requirement that an approved project that is completed have a full inspection of all construction work and, if a project is not completed, the details as to 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.

3. DESCRIBE WHETHER, BY WHOM, 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 Railroad Rehabilitation and Repair Grant 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 Railroad Rehabilitation and Repair Grant 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 Railroad Rehabilitation and Repair Grant Program is completely voluntary. Application eligibility is limited, by statute, to 32 States with counties that the President declared a major disaster after January 1, 2008, under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974. 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, FRA would be unable to fulfill a Congressional mandate. Specifically, without this collection of information, FRA would be unable to determine eligibility for Railroad Rehabilitation and Repair funds and would be unable to evaluate rehabilitation and repair projects that are proposed by any of the eligible States. Without this collection of information, FRA would be unable to ensure that all requirements for the Railroad Rehabilitation and Repair Grant Program are met, particularly the requirement that non-program funds pay at least 20 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 making to prove 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 eligible States seeking Railroad Rehabilitation and Repair 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 Associate Administrator of Railroad Development (Associate 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 Associate Administrator has completed his/her review of this documentation and given his/her approval.

Without this collection of information, eligible States 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 preservation 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 meet all Federal/agency requirements and are well spent. Without this collection of information, FRA would have no way to monitor various aspects of agency approved Railroad Rehabilitation and Repair 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 proposed collection of information enables FRA to fulfill a Congressional mandate, contribute to eligible State economic development, and rehabilitate and repair eligible structures/projects so as to ensure 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 (11/06/2008) **Federal Register** publication of the *Notice of Funding Availability and Solicitation of Applications for Grants under the Railroad Rehabilitation and Repair Grant 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 (see 73 FR 66096; November 6, 2008) informing the public, the railroad community, and interested parties that it is seeking Emergency Clearance by the Office of Management and Budget for the proposed collection of information and is soliciting comments regarding this agency effort.

In keeping with the requirements of the Paperwork Reduction Act of 1995, FRA is also submitting the paperwork package for the proposed collection of information on the same day as publication of the above **Federal Register** Notice. As spelled out in this Notice, FRA is requesting Emergency OMB approval for this proposed collection of information by **November 21, 2008**. Due to the abbreviated approval timeframe that is being requested by the agency, FRA is asking that comments concerning the proposed collection of information be sent directly to the Office of Information and Regulatory Affairs (OIRA).

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.**

Note: Based on the language in Public Law 110-329, which stipulates that 80 percent of the cost of rehabilitation and repairs to Class II and Class III railroad infrastructure damaged by hurricanes, floods, and natural disaster that are located in counties identified in a Disaster Declaration for Public Assistance by the President under Title IV of the Robert T. Stafford Disaster Relief and Emergency Act of 1974 are eligible for the Congressionally mandated grant program, respondent universe is estimated at 32 States.

Application Process

- A. All grant applications for opportunities funded under this section must be submitted to FRA through 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 ten (10) applications (with supporting documentation) will be submitted per year under the above requirement. It is estimated that it will take approximately 315 hours to prepare and electronically transmit each grant application to the agency. Total annual burden for this requirement is 3,150 hours.

Respondent Universe:

32
States

Burden time per response:

315
hours

Frequency of Response:

On occasion

Annual number of Responses: 10 grant applications

Annual Burden: 3,150 hours

Calculation: 10 grant applications x 315 hrs. – 3,150 hours

- 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 two (2) 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 one (1) hour.

Respondent Universe:

32
States

Burden time per response:

30
minute
s

Frequency of Response: On occasion

Annual number of Responses: 2 requests/letters

Annual Burden: 1 hour

Calculation: 2 requests/letters x 30 min. = 1 hour

Additionally, FRA estimates that each of the two (2) 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 four (4) hours.

Respondent Universe:

32
States

Burden time per response:

2 hours

Frequency of Response: On occasion

Annual number of Responses: 2 project meetings

Annual Burden: 4 hours

Calculation: 2 project meetings x 2 hrs. = 4 hours

C. Revisions to Grant Applications

Because of the limited amount of money (\$20 million) involved in this grant program, FRA believes that it will request approximately two of the original ten 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:

32
States

Burden time per response:

40
hours

Frequency of Response:

On occasion

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

Calculation: 2 grant application revisions x 40 hrs. = 80 hours

Total annual burden for this entire requirement is 3,235 hours (3,150 + 1 + 4 + 80).

Environmental Assessment

The provision of grant funds by FRA under this program is subject to a variety of environmental and historic preservation statutes and implementing regulations. We anticipate that all applicants will submit FRA's categorical Exclusion Worksheet (<http://www.fra.dot.gov/us/content/1606>). The Categorical Exclusion must be completed and approved by the Associate Administrator for Railroad Development prior to a decision by FRA to approve a project for construction.

FRA estimates that approximately ten (10) 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 80 hours to complete the required documentation and send it to FRA. Total annual burden for this requirement is 800 hours.

Respondent Universe: 32 States
Burden time per response:

80

hours

Frequency of Response: On occasion

Annual number of Responses: 10 environmental documents

Annual Burden: 800 hours

Calculation: 10 environmental documents x 80 hrs. = 800 hours

FRA estimates that approximately zero (0) 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 0 hours.

Respondent Universe:

32
States

Burden time per response:

2 hours

Frequency of Response: On occasion

Annual number of Responses: 0 consultations

Annual Burden: 0 hour

Calculation: 0 consultations x 2 hrs. = 0 hour
0 hr. x \$73 = \$0

Total annual burden for this entire requirement is 800 hours (800 + 0).

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 ten (10) States will complete the necessary close-out documents stipulated under the above requirement. It is estimated that it will take approximately four (4) hours to complete all (each set) of the prescribed forms/reports. Total annual burden for this requirement is 40 hours.

Respondent Universe:

32
States/
Local
govern
ments

Burden time per response:

4 hours

Frequency of Response:

On occasion

Annual number of Responses: 10 sets of close-out documents

Annual Burden: 40 hours

Calculation: 10 sets of close-out documents x 4 hrs. = 40 hours

- 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 ten (10) states will complete the reports prescribed under the above requirement. It is estimated that it will take approximately 80 hours to complete the necessary construction and inspection report. Total annual burden for this requirement is 800 hours.

Respondent Universe:

32
States/
Local
govern
ments

Burden time per response:

80
hours

Frequency of Response:

On occasion

Annual number of Responses: 10 reports

Annual Burden: 800 hours

Calculation: 10 reports x 80 hrs. = 800 hours

Total burden for this information collection requirement is 840 hours (800 + 40).

The total burden for this entire information collection is 4,875 hours (Application process 3,235 hours + Environment assessment 800 hours + Close-out Procedures 840 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 resulting from the proposed collection of information.

- 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 \$31,300 per application. The cost is calculated as follows:

FRA estimates that three agency employees, one financial analyst person at the GS-14

Step 8 level (\$128.00 per hour including overhead costs), one structural engineer GS-12 step 1 (\$73.50 per hour including overhead costs), and one environmental engineer at the GS-11 Step 1 level (\$61.35 per hour including overhead costs), will typically review each application. The review will take approximately 20 hours for each of the agency employees to complete. In addition to the labor cost, there is an estimated cost of \$35 for supplies. Thus, the cost to the Federal government is \$5,257 or \$5,260 per application (rounded off). The total cost for the ten (10) applications are as follows:

TOTAL COST

10 applications @ \$5,260 = \$52,600

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 the top DOT strategic goal, namely transportation safety. Specifically, the proposed collection of information will enable FRA to determine eligibility for Railroad Rehabilitation and Repair Grant funds and thereby provide the means for States and communities hit hard by natural disasters to rehabilitate and repair vital infrastructure so that freight traffic can be moved safely and efficiently along important rail corridors. Track, signals, and other infrastructure that is in disarray or not properly maintained can lead to accidents/incidents causing numerous injuries, fatalities, and extensive property damage. The Railroad Rehabilitation and Repair Grant Program is designed to reduce the risk of rail traffic being moved along Class II and Class III railroad infrastructure that is not up to Federal safety standards by providing critical funding for much needed rehabilitation and repair for eligible areas.

The proposed collection of information also supports the DOT strategic goal of economic growth and trade. In particular, the proposed collection of information will allow FRA to direct \$20 million in grant money to States and communities devastated by natural disaster. The money awarded through the grant program will be an economic shot in the arm to them and will create jobs for individuals repairing and rebuilding affected infrastructure. It will revitalize transportation in affected areas to produce greater movement of goods, thus contributing to economic growth. Along corridors near Canada

and Mexico, it will facilitate greater movement of goods back and forth, thus fostering trade.

Finally, the proposed collection of information supports the DOT strategic goal of human and natural environment. The collection of information provides FRA with the 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 eligible States seeking Railroad Rehabilitation and Repair 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 Associate Administrator of Railroad Development (Associate 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 Associate Administrator has completed his/her review of this documentation and given his/her approval.

In sum, the proposed collection of information enables FRA to fulfill a Congressional mandate, contribute to eligible State economic development, and rehabilitate and repair eligible structures/projects so as to ensure safe rail transportation throughout the United States. In this information collection and indeed in its other information collection activities, FRA seeks to do its utmost to fulfill DOT Strategic Goals and to be an integral part of One DOT.