

Supporting Statement for
Paperwork Reduction Act Submission

Waybill Sample

A. Justification

1. Need for Information

The Surface Transportation Board is statutorily responsible for the economic regulation of common carrier railroads operating in the United States. Some of the information the Board uses to carry out its responsibilities comes from rail-carload waybills. 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 points of all railroad interchanges, the number of cars, the car types, the movement weight in hundredweight, the commodity, and the freight revenue. Under 49 C.F.R. Pt 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, 11145.

To address the previous terms of clearance, we clarify that a final rule has not been issued in Ex Parte No. 385 (Sub-No. 7), which concerns reporting of rail movements of certain hazardous materials. Therefore, the STB is not seeking approval of a modification to this collection at this time. The STB will address comments regarding modifications of this collection in its proposed rule prior to publication of any final rule modifying this collection.

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 evidence in Board proceedings. The Waybill Sample is also a major source of information for states 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

Respondents may report electronically, and the vast majority of respondents do so. Currently, electronic filers submit flat text files to the Board through an STB contractor, using the FTP or MQ protocol. Respondents should contact Paul Aguiar by phone at (202) 245-0323 or email at AguiarP@stb.dot.gov to get instructions for submitting the Waybill Sample electronically or in paper hard copy.

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 C.F.R. § 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 § 1220.6. The agency has treated § 1220.6 as controlling in this matter.)

8. Consultation Outside Agency

As required, the Board provided a 60-day comment period (see 75 Fed. Reg. 37,522 (6/29/2010)), and a 30-day comment period (see 76 Fed. Reg. 212 (1/3/2011)) regarding this collection.

9. Payment or Gift

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

10. Assurance of Confidentiality

The Board recognizes that some of the submitted information is commercially sensitive, and thus the Board's regulations place limitations on releasing Waybill Sample data. See 49 C.F.R. § 1244.9.

11. Sensitive Information

This form does not collect any sensitive personal information.

12. Estimated Burden Hours

The total burden hours (annually including all respondents) is estimated at 320 hours (based on 52 respondents, 6 of whom (by their own choice) report monthly and 46 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 250 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.

13. Additional Costs

No "non-hour cost" burdens associated with this collection have been identified. 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 \$340,092.

15. Changes in Burden Hours.

No changes are sought.

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, www.stb.dot.gov (under Industry Data/Economic Data/Waybill).

17. Display of Expiration date for OMB approval

The control number for this collection is 2140-0015. The expiration date 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

No exceptions are sought.

B. Collection of Information Employing Statistical Methods

Not Applicable.