



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 2, 2015

Mr. Howard Shelanski
Administrator, Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Dear Administrator Shelanski:

On August 20, 2015, the Federal Railroad Administration (FRA) issued a Notice of Safety Advisory (Safety Advisory 2015-04) recommending track owners and railroads ensure: (1) engineering instructions on ballast safety are updated; (2) track inspectors are trained on the updated instructions and the Safety Advisory; and (3) supervisors provide adequate oversight of track inspectors to achieve identification and remediation of ballast defects and other track conditions. Safety Advisory 2015-04 was published in the Federal Register on August 26, 2015 (*see* 80 FR 51868), and FRA's Notice requesting Office of Management and Budget (OMB) Emergency Clearance Processing for the associated information collection was published in the Federal Register on September 1, 2015 (*see* 80 FR 52842).

Safety Advisory 2015-04 emphasizes the importance of timely repairing ballast defects and conditions on main tracks, and explains that ballast defects and ballast conditions that are not repaired in a timely manner can cause track components to deteriorate rapidly and compromise the stability of the track structure. The advisory alerts track owners and railroads to the issue of unsafe combinations of track conditions by highlighting a July 18, 2013 derailment of a CSX Transportation train that resulted from a combination of marginal track conditions at a fouled ballast location on the Metro-North Commuter Railroad Company's Hudson Line. To prevent the development of such unsafe combinations of track conditions, FRA believes it is important for track owners and railroads to assess current internal engineering instructions and update them to provide specific guidance to track inspectors on how to identify ballast defects and other track conditions. It is also important that track owners and railroads provide clear guidance on how to determine and apply appropriate remedial action, particularly in locations where the combination of track geometry and structure conditions produces an increased risk of derailment. Finally, FRA believes that track owners and railroads should ensure that supervisors provide adequate oversight of track inspectors to achieve identification and remediation of ballast defects and other track conditions.

As provided under 5 C.F.R. § 1320.13, *Emergency Processing*, FRA is requesting emergency processing for this new collection of information as specified in the Paperwork Reduction Act of 1995 and its implementing regulations. FRA cannot reasonably comply with normal clearance procedures because the use of normal clearance procedures is likely to disrupt the collection of information. Safety Advisory 2015-04 takes effect immediately upon issuance. FRA cannot wait the normal 90-day period for public comment.

Upon OMB approval of its emergency clearance request, FRA will follow the normal clearance procedures for the information collection associated with Safety Advisory 2015-04.

Sincerely,

Corey Hill
Acting Executive Director