

**Department of Transportation
Office of the Chief Information Officer
Supporting Statement**

Flammable Hazardous Materials by Rail Transportation
OMB Control No. 2137-0628

(Expiration Date: 03/31/19)

Introduction

The U. S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) requests that the Office of Management and Budget (OMB) revise the information collection titled, “Flammable Hazardous Materials by Rail Transportation.” This information collection was originally a result of a May 8, 2015 Final Rule [80 FR 26643] titled, “Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains (HHFTs)” under Docket No. PHMSA-2012-0082. This revised information collection addresses the burden associated with the requirements for the creation of oil spill response plans and notification requirements for the movement of flammable liquids by rail.

Part A. Justification

1. Circumstances that make collection of information necessary.

This is a request for a revised information collection for information and recordkeeping requirements pertaining to the requirements for the creation of oil spill response plans and notification requirements for the movement of flammable liquids by rail..

Expansion in United States energy production has led to significant challenges in the transportation system. Specifically, the expansion in oil production has led to increasing volumes of product being transported to refineries. With a growing domestic supply, rail transportation, in particular, has emerged as a flexible alternative to transportation by pipeline or vessel. However, the increase in shipments of large quantities of flammable liquids by rail has led to an increase in the number of train accidents, which pose a significant safety and environmental concern. This increase in the number of shipments transporting oil by rail—and the corresponding increase in train accidents—makes it necessary for PHMSA to adopt regulations that collect specific information about shipments of oil by rail to ensure public safety.

These regulations are promulgated under the Federal hazardous materials transportation law, 49 U.S.C. 5101–5127.

Docket HM-251B: “Oil Spill Response Plans and Information Sharing for High-Hazard Flammable Trains (HM-251B)”

On July 29, 2016 PHMSA, in coordination with the Federal Railroad Administration (FRA), published a notice of proposed rulemaking (NPRM) [81 FR 55067], titled “Oil Spill Response

Plans and Information Sharing for High-Hazard Flammable Trains (HM-251B),” in order to propose requirements to improve oil spill response readiness and mitigate effects of rail incidents involving petroleum oil and certain high-hazard flammable trains (HHFTs). The NPRM may result in an increase in annual burden and costs under OMB Control No. 2137-0682 due to proposed requirements pertaining to the requirements for the creation of oil spill response plans and notification requirements for the movement of flammable liquids by rail.

2. How, by whom, and for what purpose the information is to be used.

Rail carriers, shippers, PHMSA’s Office of Hazardous Materials Safety (OHMS), the FRA, and the Association of American Railroads (AAR) may use this information to ensure rail tank cars transporting flammable liquids are properly classified, ensure trains are routed appropriately, and ensure all relevant incident data is collected.

49 CFR 173.41: Sampling and testing program for mined gas and liquid

Section 173.41 of the Hazardous Materials Regulations (HMR; 49 CFR 171-180) requires a sampling and testing program for mined gases and liquids, including crude oil. A sampling and testing program is used to ensure that shipments of mined gases and liquids, including crude oil, are shipped in the appropriate rail car. This section requires a sampling and testing program that specifies the following, at a minimum:

- (1) A frequency of sampling and testing that accounts for variability of the material, including the time, temperature, method of extraction (including chemical use), and location of extraction;
- (2) Sampling at various points along the supply chain to understand the variability of the material during transportation;
- (3) Sampling methods that ensure a representative sample of the entire mixture, as packaged, is collected;
- (4) Testing methods to enable complete analysis, classification, and characterization of the material under the HMR;
- (5) Statistical justification for sample frequencies;
- (6) Duplicate samples for quality assurance purposes; and
- (7) Criteria for modifying the sampling and testing program.

49 CFR 174.310(b)(1): Routing analysis

Section 174.310(b)(1) requires rail carriers to conduct a routing and safety security analysis for HHFTs related to crude oil transportation. Specifically, PHMSA is requiring rail carriers to compile annual data on specified shipments of hazardous materials; use the data to analyze safety and security risks along rail routes where those materials are transported; assess alternative routing options; and make routing decisions based on those assessments. This data will in turn be used by State and/or regional Fusion Centers that: (1) have been established to coordinate with State, local, and tribal officials on security issues; and (2) are located within the area encompassed by the rail carriers rail system.

49 CFR 171.16: Incident reporting

The HMR currently require incident reports to be submitted in accordance with § 171.16, which includes requiring carriers of HHFTs to file an incident report for a release of product during transportation. Due to an increase in the shipments of crude oil by rail, PHMSA expects a corresponding increase in the number of hazardous materials incidents specific to crude oil transportation may occur in the future. PHMSA will monitor and capture any increase in incidents specific to crude oil transportation within the applicable information collection (OMB Control No. 2137-0039 “Hazardous Materials Incidents Reports”).

Tank car paperwork burden under §§ 173.241, 173.242, and 173.242

The HM-251 Final Rule [80 FR 71952] published on November 18, 2015 established a January 1, 2017 deadline for retrofitting non-jacketed DOT-111 tank cars in PG I service. Owners of non-jacketed DOT-111 tank cars in Packing Group I service in an HHFT, who are unable to meet the January 1, 2017 deadline, are required to submit a report to DOT with the following information regarding the retrofitting progress:

- The total number of tank cars retrofitted to meet the DOT-117R specification;
- The total number of tank cars built or retrofitted to meet the DOT-117P specification;
- The total number of DOT-111 tank cars (including those built to CPC-1232 industry standard) that have not been modified;
- The total number of tank cars built to meet the DOT-117 specification; and
- The total number of tank cars built or retrofitted to a DOT-117, 117R, or 117P specification that are Electronically Controlled Pneumatic (ECP) brake ready or ECP brake equipped.

PHMSA uses this information to ensure that the transition of tank cars to the new specification occurs in a timely manner.

3. Extent of automated information collection.

PHMSA has made this burden as simple as possible and requests information that is necessary to ensure safe operation. Specifically, this information is considered critical in ensuring that rail cars containing crude oil are transported safely. The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. PHMSA and the FRA authorize electronic filing and recordkeeping, nonetheless requiring these records to be available upon request.

4. Efforts to identify duplication.

There is no duplication as the information is unique to specific situations. Each response is unique, and information derived from one may not be inferred to another.

5. Efforts to minimize the burden on small businesses.

PHMSA periodically reviews the collection of this information to ensure that the amount of information needed is kept to a minimum.

6. Impact of less frequent collection of information.

Those most affected (i.e., the offerors and shippers of crude oil by rail) determine the frequency of the collection of information. It is not possible to conduct the collection less frequently and still ensure the necessary level of safety to life and property inherent in transporting hazardous materials. The information collected is essential for both PHMSA and the FRA to ensure the safe transportation of crude oil by rail. Without adequate testing data, PHMSA and the FRA cannot ensure that crude oil is properly classified and packaged in accordance with the HMR. In addition, without proper routing analysis, States and local emergency responders may not have the adequate information to respond to a major incident involving crude oil transportation.

7. Special circumstances.

This collection of information is generally conducted in a manner consistent with the guidelines in 5 CFR 11320.5(d)(2).

8. Compliance with 5 CFR 1320.8.

PHMSA and the FRA published an NPRM under Docket No. PHMSA-2014-0105 on July 29, 2016 in the Federal Register [81 FR 50067] requesting public comments. The comment period will close on September 27, 2016.

9. Payments or gift to respondents.

This collection of information provides no payment or gift to respondents.

10. Assurance of confidentiality.

None of the data collected contain personally identifiable information (PII) or business confidential information. Therefore, PHMSA provides no guarantees of confidentiality to applicants.

11. Justification for collection of sensitive information.

Not applicable. This collection of information requires no sensitive information.

12. Estimate of burden hours for information requested.

Comprehensive Oil Spill Response Plans (OSRP)

PHMSA estimates that there will be approximately 73 respondents, based on a review of the number of railroad carriers in existence that transport trains with 20 or more tank cars loaded with liquid petroleum oil in a continuous block or 35 or more tank cars loaded with liquid petroleum oil throughout the train. PHMSA estimates that it will take a rail carrier 80 hours to produce a comprehensive oil spill response plan as proposed in the NPRM referenced above. In addition, the comprehensive oil spill response plan will have an addendum for each response zone that the applicable trains pass through. PHMSA estimates this addendum will take 15 hours per response zone. The comprehensive oil spill response plans will also require annual maintenance, which is expected to take 20 hours for Class I railroads, 11 hours for Class II railroads, and 9.5 hours for Class III railroads. PHMSA used an hourly labor rate of \$73.89 to estimate the cost of initial plan development and its maintenance. This labor rate is based on the median wage estimate from the Bureau of Labor Statistics (BLS) Occupational Employment and Wages, May 2014 for the wage series “11-1021 General and Operational Managers.”

Initial Comprehensive Oil Spill Response Plan – Developed and then reviewed by the railroad in full every 5 years

There are 7 Class I railroads in existence that will be required to create a comprehensive oil spill response plan at 80 hours per plan, resulting in 560 burden hours. Each Class I railroad is expected to have 8 response zones at 15 hours per response zone, resulting in 840 burden hours. Combined, this will result in a total of 1,400 burden hours for Class I railroad oil spill response plans. An operations manager will perform this task at an hourly wage of \$73.89, resulting in a burden cost of \$103,446.00.

There are 11 Class II railroads in existence that will be required to create a comprehensive oil spill response plan at 80 hours per plan, resulting in 880 burden hours. Each Class II railroad is expected to have 2 response zones at 15 hours per zone, resulting in 330 burden hours. Combined, this will result in a total of 1,210 burden hours for Class II railroad oil spill response plans. An operations manager will perform this task at an hourly wage of \$73.89, resulting in a burden cost of \$89,406.90.

There are 55 Class III railroads in existence that will be required to create a comprehensive oil spill response plan at 80 hours per plan, resulting in 4,400 burden hours. Each Class III railroad is expected to have 1 response zone at 15 hours per zone, resulting in 825 burden hours. Combined, this will result in a total of 5,225 burden hours for Class III railroad oil spill response plans. An operations manager will perform this task at an hourly wage of \$73.89, resulting in a burden cost of \$386,075.25.

There is a total of 8,795 annual burden hours for all comprehensive oil spill response plans. The total burden cost is \$649,862.55. The review of a comprehensive plan is required every 5 years, resulting in an annual burden of 1,567 hours per year and a total annual cost of \$115,785.63.

Presented below is a summary of the numbers described above:

Initial Comprehensive Oil Spill Response Plan – Developed and then reviewed by the railroad in full every 5 years

Class I – (7 responses x 80 hours per plan) + (7 responses x 8 response zones x 15 hours per zone) = 1,400 burden hours x \$73.89 hourly rate = \$103,446.00.

Class II – (11 responses x 80 hours per plan) + (11 responses x 2 response zones x 15 hours per zone) = 1,210 burden hours x \$73.89 hourly rate = \$89,406.90.

Class III – (55 responses x 80 hours per plan) + (55 responses x 1 response zone x 15 hours per zone) = 5,225 burden hours x \$73.89 hourly rate = \$386,075.25.

Total Hours = 7,835 / 5 years = **1,567** Annual Burden Hours x \$73.89 = **\$115,785.63** in Annual Cost.

Comprehensive Oil Spill Response Plan Maintenance – Conducted Annually

There are 7 Class I railroads in existence that will be required to maintain their oil spill response plan annually at 20 hours per plan, resulting in 140 annual burden hours. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$10,344.60.

There are 11 Class II railroads in existence that will be required to maintain their oil spill response plan annually at 11 hours per plan, resulting in 121 annual burden hours. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$8,940.69.

There are 55 Class III railroads in existence that will be required to maintain their oil spill response plan annually at 9.5 hours per plan, resulting in 522.5 annual burden hours. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$38,607.52.

There is a total of 783.5 annual burden hours.

Presented below is a summary of the numbers described above:

Class I – 7 responses x 20 hours per response = 140 annual burden hours x \$73.89 = \$10,344.60 annual burden cost.

Class II – 11 responses x 11 hours per response = 121 annual burden hours x \$73.89 = \$8,940.69 annual burden cost.

Class III – 55 responses x 9.5 hours per response = 522.5 annual burden hours x \$73.89 = \$38,607.52 annual burden cost.

Total Hours for Plan Maintenance = **783.5** Annual Burden Hours x \$73.89 per hour = **\$57,892.81** Annual Burden Cost.

Notifications to Emergency Response Commissions

For the creation of the initial plan, PHMSA estimates that there will be approximately 178 respondents based on a review of the number of railroad carriers shipping class 3 flammable liquids. PHMSA estimates that it will take a rail carrier 30 hours to create the initial notification plan for the State Emergency Response Commissions (SERCs), 30 hours to create the initial notification plan for the Tribal Emergency Response Commissions (TERCs), and 15 hours to create the initial notification plan for other state delegated agencies.

Class I Railroads. PHMSA expects 7 responses (30 hours per response), resulting in 210 burden hours for SERC plans. PHMSA expects 7 responses (30 hours per response), resulting in 210 burden hours for TERC plans. PHMSA expects 7 responses (15 hours per response), resulting in 105 burden hours for other state delegated agency plans. This will result in an initial one year total burden of 525 hours for Class I railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$38,792.25.

Class II Railroads. PHMSA expects 11 responses (30 hours per response), resulting in 330 burden hours for SERC plans. PHMSA expects 11 responses (30 hours per response), resulting in 330 burden hours for TERC plans. PHMSA expects 11 responses (15 hours per response), resulting in 165 burden hours for other state delegated agency plans. This will result in an initial one year total burden of 825 hours for Class II railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$60,959.25.

Class III Railroads. PHMSA expects 160 responses (30 hours per response), resulting in 4,800 burden hours for SERC plans. PHMSA expects 160 responses (30 hours per response), resulting in 4,800 burden hours for TERC plans. PHMSA expects 160 responses (15 hours per response), resulting in 2,400 burden hours for other state delegated agency plans. This will result in an initial one year total burden of 12,000 hours for Class III railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$886,680.00.

Initial Plan Creation (year one - one time)

Class I – 7 responses x 30 hours for SERC plan = 210 burden hours

7 responses x 30 hours for TERC plan = 210 burden hours

7 responses x 15 hours for other State delegated agency plan = 105 burden hours

Class II – 11 responses x 30 hours for SERC plan = 330 burden hours

11 responses x 30 hours for TERC plan = 330 burden hours

11 responses x 15 hours for other state delegated agency plan = 165 burden hours

Class III – 160 responses x 30 hours for SERC plan = 4,800 burden hours

160 responses x 30 hours for TERC plan = 4,800 burden hours

160 responses x 15 hours for other state delegated agency plan = 2,400 burden hours

Total Initial Year Burden = **13,350** Burden Hours/ **\$986,431.50** Burden Cost.

For the maintenance of the notification plan, PHMSA estimates that there will be approximately 178 respondents based on a review of the number of railroad carriers shipping class 3 flammable liquids. PHMSA estimates that it will take a rail carrier 12 hours to maintain the notification plan for the State Emergency Response Commissions (SERCs), 12 hours to maintain the notification plan for the Tribal Emergency Response Commissions (TERCs), and 6 hours to maintain the notification plan for other state delegated agencies.

Class I Railroads. PHMSA expects 7 responses (12 hours per response), resulting in 84 burden hours for SERC plans. PHMSA expects 7 responses (12 hours per response), resulting in 84 burden hours for TERC plans. PHMSA expects 7 responses (6 hours per response), resulting in 42 burden hours for other state delegated agency plans. This will result in an annual total burden of 210 hours for Class I railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$15,516.90.

Class II Railroads. PHMSA expects 11 responses (12 hours per response), resulting in 132 burden hours for SERC plans. PHMSA expects 11 responses (12 hours per response), resulting in 132 burden hours for TERC plans. PHMSA expects 11 responses (6 hours per response), resulting in 66 burden hours for other state delegated agency plans. This will result in an annual total burden of 775 hours for Class II railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$57,264.75.

Class III Railroads. PHMSA expects 160 responses (12 hours per response), resulting in 1,920 burden hours for SERC plans. PHMSA expects 160 responses (12 hours per response), resulting in 1,920 burden hours for TERC plans. PHMSA expects 160 responses (6 hours per response), resulting in 960 burden hours for other state delegated agency plans. This will result in an

annual burden of 4,800 hours for Class III railroads. An operations manager will perform this task at an hourly wage of \$73.89, resulting in an annual burden cost of \$35,240.00.

Annual Maintenance

Class I – 7 responses x 12 hours for SERC plan = 84 burden hours

7 responses x 12 hours for TERC plan = 84 burden hours

7 responses x 6 hours for other state delegated agency plan = 42 burden hours

Class II – 11 responses x 12 hours for SERC plan = 132 burden hours

11 responses x 12 hours for TERC plan = 132 burden hours

11 responses x 6 hours for other state delegated agency plan = 66 burden hours

Class III – 160 responses x 12 hours for SERC plan = 1,920 burden hours

160 responses x 12 hours for TERC plan = 1,920 burden hours

160 responses x 6 hours for other state delegated agency plan = 960 burden hours

Total Annual Maintenance Burden = **5,340/ \$394,572.60**

Total Additional Burden

OMB No. 2137-0682, “Flammable Hazardous Materials by Rail Transportation”

Additional One-Year Annual Burden:

Additional Annual Number of Respondents:	178
Additional Annual Responses:	1,127
Additional Annual Burden Hours:	21,435.5
Additional Annual Burden Cost:	\$1,583,437.09

Additional Subsequent Year Burden:

Additional Annual Number of Respondents:	593
Additional Annual Responses:	593
Additional Annual Burden Hours:	8,135.5

Additional Annual Burden Cost: \$595,700.09

Baseline for Previously-Approved Burden Hours

Total estimate of annual burden hours:

First-Year Annual Burden:

Total Annual Number of Respondents:	1,612
Total Annual Responses:	2,529
Total Annual Burden Hours:	103,815
Total Annual Burden Cost:	\$6,888,295.50

Subsequent Year Burden:

Total Annual Number of Respondents:	1,612
Total Annual Responses:	2,529
Total Annual Burden Hours:	28,255
Total Annual Burden Cost:	\$1,989,949.50

Calculation of Burden Hours and Cost:

First Year – Start Up

49 CFR 173.41: Sampling and testing plans

The Final Rule requires that a report compiling sampling and testing procedures and tracking testing results be produced, made available on request, and updated as necessary. PHMSA estimates the first-year hourly burden necessary to document a sampling and testing program report at 40 hours per shipper.

PHMSA assumes a Chemical Engineer is the labor category most appropriate to describe the person responsible for sampling methodologies, testing protocols, and presenting test results. The median hourly wage for a Chemical Engineer is estimated at \$75.05. Based on data from the Hazmat Intelligence Portal (HIP), PHMSA estimates there are 1,804 entities that offer mined gases and liquids for transportation to which sampling and testing requirements would apply.

PHMSA estimates there are 1,804 offerors of mined liquids and gases and 40 hours for development and implementation of the sampling and testing program, resulting in 72,160 burden hours (1,804 offerors x 40 hours/entity). For offerors subject to the sampling and testing program, PHMSA estimates the costs to develop and implement such a program would be \$5,415,608 (1,804 offerors x 40 hours/entity x \$75.05/hour).

Subsequent Year – Update

The Final Rule requires companies that offer mined liquids and gases for transportation to update their sampling and testing program as necessary to account for changing circumstances. PHMSA assumes that companies will review and update their sampling and testing programs once a year and estimates 10 hours per shipper for annual updates. PHMSA estimates the costs to update a sampling and testing program would be on average \$1,353,902 per year (1,804 offerors x 10 hours/entity x \$75.05/hour).

Sampling and Testing Plans	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Sampling and Testing Plan - Year 1	1,804	1,804	40	72,160.00	\$75.05	\$5,415,608.00
Sampling and Testing Plan - Subsequent year burden	1,804	1,804	10	18,040.00	\$75.05	\$1,353,902.00

49 CFR 174.310(b)(1): Routing analysis

Routing – Collection by Line Segment

The Final Rule requires a rail carrier transporting HHFTs to use the data it compiles annually to analyze the safety and security risks for the transportation route(s) used by its trains. In performing this analysis, the rail carrier must consult with State, local, and tribal officials, as appropriate, regarding security risks to high-consequence targets, countermeasures already in place, and the community emergency response capability along, or in proximity to, the route(s) utilized. This analysis will be conducted by both Class II and Class III railroads. The Surface Transportation Board designates which class a railroad meets. Class II railroads haul freight and are mid-sized in terms of operating revenue. Railroads considered by the AAR as “Regional Railroads” are typically Class II. Class III railroads are typically local short-line railroads serving a small number of towns and industries or hauling cars for one or more larger railroads. Both Class II and Class III railroads are estimated to require 40 hours to collect the data they use to analyze routes. PHMSA expects 10 Class II and 160 Class III railroads to conduct an assessment of their line segments. The number of railroads to be analyzed is multiplied by the hourly labor rate (\$62.25) to develop costs for this requirement. PHMSA estimates the cost for routing analyses for Class II railroads will be \$24,900.00 (10 Class II railroads x 40 hours/railroad x \$62.25/hour). PHMSA estimates the cost for routing analyses for Class III railroads will be \$398,400.00 (160 Class III railroads x 40 hours/railroad x \$62.25/hour). The table below presents the hourly and cost burden estimates for this requirement:

Routing - Collection by Line Segment	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Class II Railroads	10	10	40	400.00	\$62.25	\$24,900.00
Class III Railroads	160	160	40	6,400.00	\$62.25	\$398,400.00
Subtotal	170	170		6,800		\$423,300.00

Routing – Security Analysis

The primary route security analyses conducted in Year 1 will cost more than the analyses done in subsequent years due to amount of information needed to initiate the analyses. Much of this information will carry on to the security analyses done in subsequent years. In addition, Class II

railroads are estimated to have more routes per carrier than Class III railroads and have a more complex route analyses to perform. PHMSA estimates that 34 Class III railroads will analyze 128 routes and 10 Class II railroads will analyze 50 routes.

Class II railroads are estimated to require 80 hours per route to conduct the initial analysis of primary routes. PHMSA estimates the total cost for Class II railroads will be \$249,000.00 (50 Class II railroad routes x 80 hours/railroad route x \$62.25/hour). Class III railroads are estimated to require 40 hours per route. PHMSA estimates the total cost for Class III railroads will be \$796,800.00 (320 Class III railroad routes x 40 hours/railroad route x \$62.25/hour). The table below presents the hourly and cost burdens estimates for this requirement:

Routing Security Analysis - Year 1	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Class II Railroads	10	50	80	4,000.00	\$62.25	\$249,000.00
Class III Railroads	160	320	40	12,800.00	\$62.25	\$796,800.00
Subtotal	170	370		16,800		\$1,045,800.00

After the first year's route analyses are completed, PHMSA expects that analyses performed on the same routes in subsequent years will require less time to complete. PHMSA anticipates the majority of the routes analyzed in Year 1 will continue to be used in future years. Rail companies would analyze the same number of routes in later years as described above in the initial year analysis section. Class II railroads are estimated to require 16 hours per route to update route analyses on an annual basis. PHMSA estimates the total cost for Class II railroads will be \$49,800.00 (50 Class II railroad routes x 16 hours/railroad route x \$62.25/hour). Class III railroads are estimated to require 8 hours per route. PHMSA estimates the total cost for Class III railroads will be \$159,360.00 (320 Class III railroad routes x 8 hours/railroad route x \$62.25/hour). The table below presents the hourly and cost burden estimates for this requirement:

Routing Analysis Year 2-20	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Class II Railroads	10	50	16	800.00	\$62.25	\$49,800.00
Class III Railroads	160	320	8	2,560.00	\$62.25	\$159,360.00
Subtotal	170	370		3,360		\$209,160.00

Routing – Alternate Security Analysis

The alternate route security analyses conducted in Year 1 will cost more than the analyses done in subsequent years due to amount of information needed to initiate the analyses. Much of this information will carry on to the security analyses done in subsequent years. In addition, Class II railroads are estimated to have more routes per carrier than the Class III railroads and have a more complex route analyses to perform. PHMSA estimates that 64 Class III railroads will analyze 32 routes and 10 Class II railroads will analyze 40 routes.

Class II railroads are estimated to require 120 hours per route to conduct the initial analysis of primary routes. PHMSA estimates the total cost for Class II railroads will be \$298,800.00 (40 Class II railroad routes x 120 hours/railroad route x \$62.25/hour). Class III railroads are estimated to require 40 hours per route. PHMSA estimates the total cost for Class III railroads will be \$199,200.00 (80 Class III railroad routes x 40 hours/railroad route x \$62.25/hour). The table below presents the hourly and cost burden estimates for this requirement:

Alternate - Routing Security Analysis - Year 1	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Class II Railroads	10	40	120	4,800.00	\$62.25	\$298,800.00
Class III Railroads	160	80	40	3,200.00	\$62.25	\$199,200.00
Subtotal	170	120		8,000		\$498,000.00

After the first year's alternate route analyses are completed, PHMSA expects that analyses performed on the same routes in subsequent years will require less time to complete. PHMSA anticipates the majority of the routes analyzed in Year 1 will continue to be used in future years. Rail companies would analyze the same number of routes in later years as described above in the initial year analysis section. Class II railroads are estimated to require 12 hours per route to update alternate route analyses on an annual basis. PHMSA estimates the total cost for Class II railroads will be \$29,880.00 (40 Class II railroad routes x 12 hours/railroad route x \$62.25/hour). Class III railroads are estimated to require 4 hours per route. PHMSA estimates the total cost for Class III railroads will be \$7,968.00 (32 Class III railroad routes x 4 hours/railroad route x \$62.25/hour). The table below presents the hourly and cost burden estimates for this requirement:

Alternate - Routing Security Analysis - Year 2-20	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Class II Railroads	10	40	12	480.00	\$62.25	\$29,880.00
Class III Railroads	64	32	4	128.00	\$62.25	\$7,968.00
Subtotal	74	72		608		\$37,848.00

49 CFR 171.16: Incident reporting

From 2012 to 2015, PHMSA identified 45 incidents, for an average of 15 incidents per year, involving the derailment and release of crude oil/ethanol. Each report would be submitted by a single respondent and would take approximately 2 additional hours to submit per response in accordance with the current requirements. PHMSA estimates the total cost for incident reports will be \$1,888.50 (15 incidents x 2 hours per incident report x \$62.25/hour). The table below presents the hourly and cost burden estimates for this requirement:

	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Crude Oil Incident Reporting	15	15	2	30.00	\$62.95	\$1,888.50

Tank car paperwork burden under §§ 173.241, 173.242, and 173.242

For this information collection, PHMSA identified 50 respondents, each submitting one response per year. PHMSA expects each report to take approximately .5 hours per response. PHMSA estimates the total cost for incident reports will be \$1,699.00 (50 reports x .5 hours per report x \$67.96/hour). The table below presents the hourly and cost burden estimates for this requirement:

Tank Car Paperwork Burden	Respondents	Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
Tank Car Retrofit Burden	50	50	0.5	25	\$67.96	\$1,699.00

13. Estimate of total annual costs to respondents.

This collection does not require participants to produce any additional paperwork other than that which is described in question 12.

14. Estimate of cost to the Federal Government.

The total estimated annual cost to the Federal Government is approximately \$21,279.05 as indicated below:

Sampling and Testing

Information collected under the sampling and testing program as well as the routing analysis is not received by the Federal Government. However, enforcement personnel may review the sampling and testing plans, as well as the routing analysis, on an as-need basis. PHMSA expects enforcement personnel to spend up to 416 hours per year reviewing this data. This review will be performed by a GS-13 employee making approximately \$50 per hour. This will result in a total cost of \$20,800 to the Federal Government.

Incident reporting under § 171.16

The projected estimated annualized cost to the Federal Government is approximately \$479.05. PHMSA expects to receive an average of 11 incident reports annually. The unit cost per incident report is calculated at \$43.55, which includes programmatic costs associated with government personnel and overhead.

15. Explanation of program changes or adjustments.

PHMSA is collecting information that has not been collected before, resulting in a new information collection request

16. Publication of results of data collection.

There is no publication for statistical use, and no statistical techniques are involved.

17. Approval for not displaying the expiration date of OMB approval.

Upon OMB approval of this revised information collection, OMB Control number 2137-0628 and will be displayed in the HMR, specifically under § 171.6 "Control Numbers under the Paperwork Reduction Act."

18. Exceptions to certification statement.

There is no exception to the certification of this request for information collection approval.