

**SUPPORTING STATEMENT
FOR REQUEST OF OMB APPROVAL
UNDER THE PAPERWORK REDUCTION ACT AND 5 C.F.R. § 1320**

The Surface Transportation Board (STB or Board) requests a three-year extension of approval for the Board's collection of the Waybill Sample.

A. Justification.

1. Why the collection is necessary. The Surface Transportation Board is, by statute, responsible for the economic regulation of common carrier freight railroads and certain other carriers 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.

2. How the collection will be used. 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. Extent of automated information collection. Respondents may report electronically, and the clear 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. The instructions for the Waybill Sample, "Procedure for Sampling Waybill Records by Computer," are available on the Board's website at http://www.stb.gov/stb/industry/econ_waybill.html. Respondents may also contact Pedro Ramirez by phone at (202) 245-0333 or email at Pedro.Ramirez@stb.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. Effects on small business. 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. Impact of less frequent collections. 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. No special circumstances apply to this collection. (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 four years, that retention period conflicts with the one-year retention period for waybills provided in § 1220.6. The agency has treated § 1220.6 as controlling in this matter.)

8. Compliance with 5 C.F.R. § 1320.8. As required, the Board published a notice providing a 60-day comment period regarding this collection. See 82 Fed. Reg. 14,786 (Mar. 22, 2017). No comments were received. A 30-day notice was published concurrently with this submission to Office of Management and Budget (OMB). 82 Fed. Reg. 25,043 (May 31, 2017).

9. Payments or gifts to respondents. The Board does not provide any payment or gift to respondents.

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. Justification for collection of sensitive information. No sensitive information of a personal nature is requested.

12. Estimation of burden hours for respondents.

(1) Number of respondents: 53

(2) Frequency of response: Seven (7) respondents report monthly, quarterly, and annually; 46 report quarterly and annually

(3) Annual hour burden for all respondents: 555 hours. This estimate is made up of the annual burden hours for the (a) five railroads that conduct their own sampling, and report monthly, quarterly, and annually (85 responses X 2.5 hours = 212.50 hours, or 42.5 hours per railroad), (b) two railroads that conduct their own sampling, and report quarterly and annually (10 responses X 2.5 hours = 25 hours, or 12.5 hours per railroad), (c) two railroads that have the contractor sample their waybills, and report monthly, quarterly, and annually (34 responses X 1.25 hours = 42.50 hours, or 21.25 hours per railroad), and (d) 44 railroads that have the contractor sample their waybills, and report quarterly and annually (220 responses X 1.25 hours = 275.00 hours, or 6.25 hours per railroad).

13. Other costs to respondents. 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. Estimated costs to the Board. The Board contracts out the collection of the Waybill Sample. The cost of the contract is \$157,193.

15. Changes in burden hours. Based on staff’s estimates, the number of respondents changed from 51 to 53 and the hourly burdens for responses changed marginally. The number of overall responses change more substantially from 220 to 349.

16. Plans for tabulation and publication. Waybill-Sample data, aggregated at the industry level to protect commercially sensitive information (and referred to as the Public Use Waybill Sample), is available on the Board’s website, www.stb.gov (under Industry Data/Economic Data/Waybill).

17. Display of expiration date for OMB approval. The expiration date appears on the instruction document for the collection, which is posted on the Board’s website.

18. Exceptions to Certification Statement. Not applicable.

B. Collections of Information Employing Statistical Methods.

Not applicable.