

# **INFORMATION COLLECTION SUPPORTING STATEMENT**

## **1652-0051 Rail Transportation Security Exp. 10/31/2018**

- 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. (Annotate the CFR parts/sections affected).**

Under 49 U.S.C. 114, the Transportation Security Administration (TSA) has broad authority to secure all modes of transportation, including rail. This information collection will enhance the security of the Nation's freight and passenger rail systems. Pursuant to this authority, TSA promulgated rail transportation security regulations in 2008, codified at 49 CFR part 1580. These regulations require certain freight railroad carriers, rail hazardous materials shippers ("shippers"), and rail hazardous materials receivers ("receivers") to maintain and/or submit information to TSA.

- 49 CFR 1580.101 requires freight railroad carriers, rail hazardous materials shippers ("shippers"), and rail hazardous materials receivers ("receivers") located in a Department of Homeland Security (DHS)-designated high threat urban area (HTUA) to appoint a Rail Security Coordinator (RSC) and an alternate RSC at the corporate level, and submit the RSC's contact information to TSA. RSC contact information includes the individual's name, title, phone number(s), and email address(es). This provision requires regulated parties to designate at least one RSC as the primary contact for intelligence information and security-related activities and communications with TSA. Such designations assist TSA in carrying out its statutory authority to secure the rail mode of transportation. For similar reasons, 49 CFR 1580.201 requires passenger railroad carriers and rail transit systems to appoint an RSC and alternate at the corporate level and to submit the same RSC contact information to TSA as required under 49 CFR 1580.101.
- 49 CFR 1580.103 requires freight railroad carriers, shippers, and receivers in an HTUA that handle certain categories and quantities of rail security-sensitive materials (RSSM) set forth in 49 CFR 1580.100(b) to provide location and shipping information on rail cars under their physical custody and control to TSA upon request. Information concerning the location of these rail cars would be critical to decisions concerning possible rerouting, stopping, or otherwise protecting shipments and populations to address specific security threats or incidents.
- 49 CFR 1580.105 requires freight railroad carriers, shippers, and receivers in an HTUA that handle certain categories and quantities of materials set forth in 49 CFR 1580.100(b) to report significant security concerns, which includes security incidents, suspicious activities, and threat information, to TSA. Detecting terrorist activities entails piecing together seemingly unrelated or minor observations, encounters, and incidents and analyzing information from other sources to identify indications of planning and preparation for an attack. For similar reasons, 49 CFR 1580.203 requires passenger railroad carriers and rail transit systems to report to TSA

- significant security concerns, which includes security incidents, suspicious activities, and threat information.
- 49 CFR 1580.107 requires the documentation of the secure exchange of custody of rail cars carrying RSSM as outlined in 49 CFR 1580.100(b) between shippers and railroad carriers, and between different railroad carriers within an HTUA, or of cars that may enter an HTUA, and between railroad carriers and receivers in an HTUA. TSA requires the exchanging parties to document the exchange, which constitutes a recordkeeping requirement under the Paperwork Reduction Act (PRA). This section addresses the risk that rail cars left unattended in a non-secure area may be vulnerable to tampering. These situations create opportunities for individuals to compromise the security of rail cars transporting poisonous inhalation hazard, explosive, or radioactive material through tampering with valves or the placement of a covert explosive device.

**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.**

All information collected from covered entities is used by TSA and DHS to enhance the security of the Nation's rail systems.

RSC Information

TSA collects RSC information via email, and regular mail. RSC information provides TSA with a point of contact for covered entities, and TSA has used this contact information to build a contacts database that allows TSA to provide timely notification of vital security information to large groups of stakeholders.

Location and Shipping Information

TSA collects location and shipping information pursuant to 49 CFR 1580.103(c) via electronic data transmission, by facsimile transmission, posting to a secure website, and other formats approved by TSA. Location and shipping information will primarily be used in times of heightened threat or attack to ascertain the location and number of potential targets in a specified geographic area so that the appropriate countermeasures can be implemented.

Significant Security Concerns Information

TSA collects significant security concerns information telephonically from freight railroad carriers, shippers, and receivers in an HTUA that handle certain categories and quantities of materials set forth in 49 CFR 1580.100(b), and analyzes this information to develop threat assessments and guide the allocation of security resources with the overall goal to deter or detect a terrorist attack. TSA also collects significant security concerns information telephonically from passenger railroad carriers and rail transit systems, and analyzes this information to develop threat assessments and guide the allocation of security resources with the overall goal to deter or detect a terrorist attack. TSA is revising the collection to include a proof of concept, to be conducted with 9 railroads, for option to submit significant security concern electronically.

Chain of Custody and Control Documentation (recordkeeping requirement)

TSA inspects for covered parties' compliance with the documentation requirements for the secure exchange of custody of rail cars carrying RSSM. This is required to ensure that

certain rail cars are not left unattended in non-secure areas. Covered parties must document the exchange of custody, and may do so electronically or in writing.

- 3. Describe whether, 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. [Effective 03/22/01, your response must SPECIFICALLY reference the Government Paperwork Elimination Act (GPEA), which addresses electronic filing and recordkeeping, and what you are doing to adhere to it. You must explain how you will provide a fully electronic reporting option by October 2003, or an explanation of why this is not practicable.]**

In compliance with the GPEA, TSA encourages electronic submissions for this information collection to decrease submission and collection burdens on the covered parties and on the government. TSA permits some of the information to be provided in whatever format the regulated party chooses, including email and telephone. Automated submissions will not be allowed for certain aspects of the collection, as TSA requires the human point of contact for providing the specifics of its request for car location and shipping information, and to ensure that the documented chain of custody and control was attended or in a secure area when the covered rail cars were exchanged.

TSA's regulations require significant security concern information be reported telephonically, but is initiating a proof of concept with nine railroads that would allow electronic reporting of significant security concerns. While collecting significant security incidents telephonically provides a degree of expediency in that the reporting party does not necessarily need to prepare a written document prior to making a report to TSA, railroads have requested the ability to submit information electronically. It is possible electronic reporting may save time by reducing the need for subsequent calls to address transcription errors: enhancing accuracy of timely reporting, which leads to expedited analysis. TSA will initiate an Electronic Reporting of Significant Security Concerns Proof of Concept to test and evaluate the efficiency and efficacy of having railroads electronically submit written reports of significant security concerns to TSA.

While TSA has not developed any forms for this collection of information, the proof of concept may indicate whether standardizing the information collection through a form would enhance the efficiency of the reporting, including reducing the burden of the collection.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in Item 2 above.**

In order to avoid duplication of other reporting requirements, in the initial submission of the information collection request (ICR), TSA worked with the Coast Guard; the relevant modal administrations of the Department of Transportation (DOT), including the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the Federal Railroad Administration (FRA); and the Nuclear Regulatory Commission. TSA believes these reporting requirements are not duplicative because each supports a particular agency mission

and programmatic purpose. TSA has since worked with PHMSA, and again concluded that the reporting requirements are not duplicative of any information PHMSA collects.

**5. *If the collection of information has a significant impact on a substantial number of small businesses or other small entities (Item 5 of the Paperwork Reduction Act submission form), describe the methods used to minimize burden.***

The information collection outlined in this supporting statement impacts small businesses; however, TSA has determined that the collection will not have a significant impact on a substantial number of small businesses. In order to minimize any burden this information collection creates, TSA is allowing submission of information electronically for most of the requirements.

Location and Shipping Information

For the location and shipping information collection required under 49 CFR 1580.103, TSA allows shippers, receivers, and Class II and III railroads, which include small businesses, to respond to TSA's request within 30 minutes of a TSA notification. TSA may approve a longer period of time based on the threat and the covered party's circumstances. TSA existing practices also provide covered parties with the choice to respond using a variety of TSA-approved methods.

**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 the information collection were not conducted, TSA's ability to enhance the security of the Nation's rail systems would be hindered. TSA has carefully tailored its information collection activities to only those collections that are necessary to support its security programs. Because the collection as described in this statement are regulatory requirements under 49 CFR part 1580, the following obstacles exist to reduce the reporting burden or information collection:

RSC Information

RSCs are required to perform two main functions: to serve as a point of contact with TSA on security matters and communications; and to coordinate security practices and procedures with appropriate law enforcement and emergency response agencies. Without the collection of RSC information (and an alternate), TSA would have to rely on the various trade associations to voluntarily disseminate vital security information to their members. This would impede TSA's goal of two-way information sharing with the owner/operator in three ways. First, not all covered parties are members of a trade association. Therefore, timely threat information, security guidance, information circulars and other TSA/DHS security products would not reach the entire necessary audience. Second, TSA is unable to create a one-on-one relationship with covered parties that would facilitate information flow from the covered party to TSA. Third, a main function of the RSC, to serve as TSA's primary contact for security information and communications and to coordinate security practices with other entities, is impossible if TSA and other entities were not aware of the RSC's identity. Because covered parties are required to report RSC information only once initially, with follow-up reporting required within seven days only if the RSC information changes, it is not practical for TSA to reduce the reporting burden.

#### Location and Shipping Information

During heightened threat or an incident, TSA uses the location and shipping information to identify whether there are any cars carrying explosives, toxic inhalation hazards, or radioactive material in or near high population areas or potential targets, and to initiate appropriate mitigation measures. While TSA may collect this information at any time, as a general practice, TSA limits its collection of location and shipping information to times of heightened security threat, natural disasters, and a sufficient number of inspections to ensure the covered parties' ability and willingness to comply with 49 CFR 1580.103.

#### Significant Security Concerns Information

Consistent with TSA's authority to "assess threats to transportation," 49 U.S.C. 114(f)(2), TSA requires covered entities to report significant security concerns, which includes incidents, suspicious activities, and threat information. While immediate threat information must be provided to first responders, the information collected through this requirement allows DHS to develop a broader picture of terrorist threats, piecing together seemingly unrelated or minor observations, encounters, and incidents and analyzing information from various sources to identify indications of planning and preparations of attack. Without this collection, TSA/DHS will lack sufficient information for analysis to assist in detecting threats to rail transportation.

#### Chain of Custody and Control Documentation

TSA requires carriers to document the exchange of custody and control of rail cars carrying RSSM to ensure that covered entities comply with all other requirements of that section. Without this collection, TSA is unable to ensure that rail cars containing covered materials are attended during the exchange of custody and therefore, not left unattended in a non-secure area and vulnerable to sabotage while awaiting transfer. This collection cannot be accomplished less frequently because it is immediate verification of compliance with a regulatory requirement.

**7. *Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d)(2).***

The needs for this information require that it not be limited to quarterly reporting (one of the factors for consideration under 5 CFR 1320.5(d)(2)). In the interest of transportation security and to aid in detecting terrorist activities, covered parties need to report significant security concerns as they occur in order to ensure timely reporting of incidents, suspicious activities, and threat information. For the same reasons, TSA require reporting of location and shipping information on rail cars in their physical custody and control to TSA upon request. Both of these situations may require reporting more frequently than on a quarterly basis.

- 8. Describe efforts to consult 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. 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 these comments. Specifically address comments received on cost and hour burden.**

TSA published a *Federal Register* notice, with a 60-day comment period soliciting comments of the following collection of information. See 83 FR 10511 (March 9, 2018). Additionally, TSA published a 30-day notice in the *Federal Register*. See 83 FR 40542 (August 15, 2018). Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, the notices included a specific request for comments on the extent to which this request for information could be modified to reduce the burden on respondents. These notices did not generate any comments on the collection of information. TSA has also been conducting outreach to its stakeholders as part of its regulatory reform efforts. In response to that outreach, TSA received a specific request from the rail industry to implement a process for electronic reporting of significant security concerns as an alternative to the currently required telephonic reporting. As previously noted, TSA is initiating an Electronic Reporting of Significant Security Concerns Concept of Operations to test and evaluate the efficiency and efficacy of having railroads submit written reports of significant security concerns to TSA.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

TSA will not provide any payment or gift to respondents.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

In many cases of this information collection TSA has provided covered parties with the assurance that information submitted to TSA or collected by TSA representatives will be treated as sensitive security information (SSI) under 49 CFR part 1520.

#### RSC Information

The personal information of RSCs provided to TSA under this collection will not normally be shared with organizations external to DHS. However, if needed for official business purposes, the information may be shared with other Federal, State, local, or tribal government agencies, including DOT. Federal agencies are subject to the safeguarding requirements of the Federal Information Security Management Act, Title III of the E-Government Act, Pub. L. 107-347 (FISMA) and the Privacy Act of 1974. To the extent that information is shared with non-Federal entities, such as State, local, or tribal Government agencies, TSA expects that information will be safeguarded in accordance with procedures designed to protect such information. A privacy impact assessment (PIA), entitled

DHS/TSA/PIA-038 Performance and Results Information System (PARIS), was published on September 18, 2012, on [www.dhs.gov](http://www.dhs.gov).

#### Location and Shipping Information

Location and shipping information required by this rule, maintained and submitted by the regulated party, is not considered SSI. When DHS or DOT receives the location and shipping information provided by the regulated party, it is included as part of a broader analysis of the location of rail cars subject to the location reporting requirement. This compilation, not the raw data, constitutes SSI under revised 49 CFR 1520.5(b)(12). Such compilations require greater protection than the information maintained by the regulated party for its business purposes because the release of a compilation of location and shipping information to the public would increase the risk that the compiled information could be used to identify vulnerabilities or to plan an attack on critical assets.

#### Significant Security Concerns Information

Under 49 CFR 1520.5(b)(7), reports of significant security concerns are considered SSI once TSA receives them.

### ***11. Provide additional justification for any questions of sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.***

TSA will not ask any questions of a sensitive or private nature.

### ***12. Provide estimates of hour and cost burdens of the collection of information.***

This Information Collection Request requires respondents to report information to TSA on the basis of when a particular event occurs, such as a transfer of custody or the discovery of a significant security concern, rather than a quarterly or annual reporting requirement. As such, the number of annual respondents fluctuates based on how often respondents covered by this Information Collection experience events that trigger a response. TSA estimates the number of annual respondents to be 1,760. This is the total number of primary and alternate RSC's for entities that may be required to submit information to TSA as a result of this Information Collection.

#### Rail Security Coordinator Information

TSA estimates that there will be 475 annual responses to this information collection for Rail Security Coordinator Information.<sup>1</sup> TSA estimates that the hour burden per response will be 60 minutes (1 hour), for an annual hour burden of 475 hours.<sup>2</sup> To calculate an hour burden cost to the public, TSA uses a fully-loaded<sup>3</sup> hourly wage of \$76.13, for Emergency Management Directors.<sup>4</sup> TSA calculates an annual hour cost burden to respondents of

<sup>1</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>2</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>3</sup> A fully-loaded wage rate includes non-wage employer compensation costs, such as retirement and health benefits, among others.

<sup>4</sup> Hourly wage of Emergency Management Directors is \$50.51. Bureau of Labor Statistics (BLS). May 2016 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 482000 - Rail Transportation. Occupation Code 11-9161 Emergency Management Directors. Last Modified March 31, 2017. Accessed January 2, 2018. [https://www.bls.gov/oes/2016/May/naics3\\_482000.htm#11-0000](https://www.bls.gov/oes/2016/May/naics3_482000.htm#11-0000). TSA calculates a compensation factor to

\$36,162. TSA calculates a three-year total hour burden cost of \$108,486. Table 1 summarizes these calculations.

**Table 1: Hour Burden Cost for Rail Security Coordinator Information**

<b>Number of Annual Responses</b>	<b>Hours per Response</b>	<b>Total Annual Hour Burden</b>	<b>Annual Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$76.13</b>	<b>E = D x 3</b>
475	1	475.00	<b>\$36,162.05</b>	<b>\$108,486.14</b>

NOTE: Calculations in the table may not be exact due to rounding.

#### Location and Shipping Information Reporting Burden

TSA estimates that there will be 655 annual responses to this information collection for Location and Shipping Information Reporting.<sup>5</sup> TSA estimates that the hour burden per response will be 30 minutes (0.5 hours) for an annual hour burden of 327 hours.<sup>6</sup> To calculate an annual hour burden cost, TSA uses a fully-loaded<sup>7</sup> wage rate of \$43.30, for dispatch officers.<sup>8</sup> TSA calculates an annual hour burden cost to respondents of \$14,175. TSA calculates a three-year total hour burden cost of \$42,524. Table 2 summarizes these calculations.

**Table 2: Hour Burden Cost for Location and Shipping Information**

<b>Number of Annual Responses</b>	<b>Hours Per Response</b>	<b>Total Annual Hour Burden</b>	<b>Annual Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$43.30</b>	<b>E = D x 3</b>
655	0.5	327.33	<b>\$14,174.50</b>	<b>\$42,523.51</b>

NOTE: Calculations in the table may not be exact due to rounding.

fully load the hourly wage. TSA divides total compensation (\$28.11) by the wages and salaries (\$18.65) for workers in the production, transportation, and material moving occupation group to calculate a load factor of 1.5072. BLS. Employer Costs for Employee Compensation News Release - September 2017. Table 5. Employer Costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers, by major occupational group and bargaining unit status, Transportation and Material Moving Occupational Group. Last updated December 15, 2017. Accessed January 2, 2018.

[https://www.bls.gov/news.release/archives/ecec\\_12152017.htm](https://www.bls.gov/news.release/archives/ecec_12152017.htm). The fully loaded wage is calculated by multiplying the hourly wage (\$50.51) by the load factor (1.5072) for a fully-loaded hourly wage rate of \$76.13.

<sup>5</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division. The average number of location and shipment information reports from FY15 (876), FY16 (542), and FY17 (546) was 654.66667.

<sup>6</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>7</sup> A fully-loaded wage rate includes non-wage employer compensation costs, such as retirement and health benefits, among others.

<sup>8</sup> Hourly wage rate for Dispatchers is \$28.73. BLS. May 2016 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 482000 - Rail Transportation. Occupation Code 43-5030 Dispatchers. Last Modified March 31, 2017. Accessed January 4, 2018.

[https://www.bls.gov/oes/2016/May/naics3\\_482000.htm#13-0000](https://www.bls.gov/oes/2016/May/naics3_482000.htm#13-0000). TSA calculates a compensation factor to fully load the hourly wage. TSA divides total compensation (\$28.11) by the wages and salaries (\$18.65) for workers in the production, transportation, and material moving occupation group to calculate a load factor of 1.5072. BLS. Employer Costs for Employee Compensation News Release - September 2017. Table 5. Employer Costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers, by major occupational group and bargaining unit status, Transportation and Material Moving Occupational Group. Last updated December 15, 2017. Accessed January 2, 2018.

[https://www.bls.gov/news.release/archives/ecec\\_12152017.htm](https://www.bls.gov/news.release/archives/ecec_12152017.htm). The fully loaded wage is calculated by multiplying the hourly wage (\$28.73) by the load factor (1.5072) for a fully-loaded hourly wage rate of \$43.30.



### Significant Security Concerns Reporting

TSA estimates that there will be 4,961 annual responses to this information collection for Significant Security Concern Reporting.<sup>9</sup> TSA estimates that the hour burden per response will be 60 minutes (1 hours) for an annual hour burden of 4,961 hours.<sup>10</sup> To calculate an annual hour burden cost, TSA uses a fully-loaded<sup>11</sup> wage rate of \$43.30, for dispatch officers.<sup>12</sup> TSA calculates an annual hour burden cost to respondents of \$214,840. TSA calculates a three-year total hour burden cost of \$644,521. Table 3 summarizes these calculations.

**Table 3: Hour Burden Cost for Significant Security Concerns**

<b>Number of Annual Responses</b>	<b>Hours Per Response</b>	<b>Total Annual Hour Burden</b>	<b>Annual Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$43.30</b>	<b>E = D x 3</b>
4,961	1	4,961.33	<b>\$214,840.44</b>	<b>\$644,521.33</b>

NOTE: Calculations in the table may not be exact due to rounding.

### Chain of Custody Documentation

TSA estimates that there will be 214,000 annual responses to this information collection for Chain of Custody Documentation.<sup>13</sup> TSA estimates that the hour burden per response will be 30 minutes (0.5 hours) for an annual hour burden of 107,000 hours.<sup>14</sup> To calculate an annual hour burden cost, TSA uses a fully-loaded<sup>15</sup> wage rate of \$46.36, for Operations Managers.<sup>16</sup>

<sup>9</sup> TSA, Office of Security Operations, Transportation Security Operations Center. The average number of security reports from FY15 (4,529), FY16 (5,210), FY17 (5,145) was 4,961.33333.

<sup>10</sup> TSA, Office of Security Operations, Transportation Security Operations Center.

<sup>11</sup> A fully-loaded wage rate includes non-wage employer compensation costs, such as retirement and health benefits, among others.

<sup>12</sup> Hourly wage rate for Dispatchers is \$28.73. BLS. May 2016 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 482000 - Rail Transportation. Occupation Code 43-5030 Dispatchers. Last Modified March 31, 2017. Accessed January 4, 2018.

[https://www.bls.gov/oes/2016/May/naics3\\_482000.htm#13-0000](https://www.bls.gov/oes/2016/May/naics3_482000.htm#13-0000). TSA calculates a compensation factor to fully load the hourly wage. TSA divides total compensation (\$28.11) by the wages and salaries (\$18.65) for workers in the production, transportation, and material moving occupation group to calculate a load factor of 1.5072. BLS. Employer Costs for Employee Compensation News Release - September 2017. Table 5. Employer Costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers, by major occupational group and bargaining unit status, Transportation and Material Moving Occupational Group. Last updated December 15, 2017. Accessed January 2, 2018.

[https://www.bls.gov/news.release/archives/ecec\\_12152017.htm](https://www.bls.gov/news.release/archives/ecec_12152017.htm). The fully loaded wage is calculated by multiplying the hourly wage (\$28.73) by the load factor (1.5072) for a fully-loaded hourly wage rate of \$43.30.

<sup>13</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>14</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>15</sup> A fully-loaded wage rate includes non-wage employer compensation costs, such as retirement and health benefits, among others.

<sup>16</sup> Hourly wage rate for Operations Managers is \$46.36. BLS. May 2016 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 482000 - Rail Transportation. Occupation Code 11-3071 Transportation, Storage, and Distribution Managers. Last Modified March 31, 2017. Accessed January 4, 2018.

[https://www.bls.gov/oes/2016/May/naics3\\_482000.htm#13-0000](https://www.bls.gov/oes/2016/May/naics3_482000.htm#13-0000). TSA calculates a compensation factor to fully load the hourly wage. TSA divides total compensation (\$28.11) by the wages and salaries (\$18.65) for workers in the production, transportation, and material moving occupation group to calculate a load factor of 1.5072. BLS. Employer Costs for Employee Compensation News Release - September 2017. Table 5. Employer Costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers, by major occupational group and bargaining unit status, Transportation and Material Moving Occupational

TSA calculates an annual hour burden cost to respondents of \$7,476,687. TSA calculates a three-year total hour burden cost of \$22,430,062. Table 4 displays the estimated number of chain of custody records by event and Table 5 displays the hour burden cost for chain of custody documentation.

**Table 4: Estimated Number of Chain of Custody Records by Event**

<b>Event Type</b>	<b>Approximate Number of Events Per Year<sup>17</sup></b>	<b>Number of Responses Per Event</b>	<b>Total Responses Per Event Type</b>
Shipment originations	48,000	2	96,000
Placement at Hazmat receiver	12,000	2	24,000
Carrier Interchange inside HTUA	18,000	2	36,000
Carrier Interchange outside HTUA w/path through HTUA	29,000	2	58,000
<b>Estimated total of transfer of custody records (responses)</b>			<b>214,000</b>

NOTE: Calculations in the table may not be exact due to rounding.

**Table 5: Hour Burden Cost for Chain of Custody Documentation**

<b>Number of Annual Responses</b>	<b>Hours Per Response</b>	<b>Total Annual Hour Burden</b>	<b>Annual Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$69.88</b>	<b>E = D x 3</b>
214,000	0.5	107,000	\$7,476,687.25	\$22,430,061.75

NOTE: Calculations in the table may not be exact due to rounding.

#### Total Hour and Hour Cost Burden for Respondents

TSA calculates a total hour burden and a total hour burden cost for the three-year period by summing the total hour burdens and hour burden costs from each of the four elements of this collection. TSA calculates a total annual hour burden of 112,764 hours and a total annual hour burden cost of \$7,741,864. Table 6 summarizes these calculations. TSA calculates a total three-year hour burden of 338,291 hours and a total three-year hour burden cost of \$23,225,593. Table 6 summarizes these calculations.

Group. Last updated December 15, 2017. Accessed January 2, 2018.

[https://www.bls.gov/news.release/archives/ecec\\_12152017.htm](https://www.bls.gov/news.release/archives/ecec_12152017.htm). The fully loaded wage is calculated by multiplying the hourly wage (\$46.36) by the load factor (1.5072) for a fully-loaded hourly wage rate of \$69.88.

<sup>17</sup> Numbers based on actual shipment data for FY 2017 (October 1 2016 – September 30 2017) from the Rail Asset Integrated Logistics System Dashboard.

**Table 6: Total Hour and Hour Cost Burden for Respondents**

	<b>Annual Hour Burden and Cost for Rail Security Coordinator Information</b>	<b>Annual Hour Burden and Cost for Location and Shipping Information</b>	<b>Annual Hour Burden and Cost for Significant Security Concerns</b>	<b>Annual Hour Burden and Cost for Chain of Custody Documentation</b>	<b>Total Annual Hour Burden and Cost</b>	<b>Total Three Year Respondent Hour Burden Cost</b>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E = A + B + C + D</b>	<b>F = E x 3</b>
Hours	475.00	327.33	4,961.33	107,000.00	<b>112,763.67</b>	<b>338,291.00</b>
Costs	\$36,162.05	\$14,174.50	\$214,840.44	\$7,476,687.25	<b>\$7,741,864.24</b>	<b>\$23,225,592.73</b>

NOTE: Calculations in the table may not be exact due to rounding.

**13. Provide an estimate of annualized capital and start-up costs.**

There is no additional annual cost burden to respondents or recordkeepers in excess of what is documented above. Information is typically stored electronically, and TSA assumes the marginal cost of electronic storage for this collection to be de minimis.

**14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, and other expenses that would not have been incurred without this collection of information.**

Rail Security Coordinator Information

For each change in Rail Security Coordinator information reported to TSA, a TSA employee typically sends 20 minutes (0.33 hours) processing the information change.<sup>18</sup> TSA estimates that there will be a total of 475 responses annually. TSA calculates the annual TSA hour burden 158 hours. The pay band of the TSA employee processing a change in Rail Security Coordinator information is a G band or H band employee. TSA uses a fully loaded wage rate of \$38.37 for this pay band.<sup>19</sup> TSA calculates a total annual hour burden cost to TSA of \$6,075. TSA calculates the total three-year hour burden cost to be \$18,224. Table 7 summarizes these calculations.

**Table 7: TSA Hour Burden Cost for Rail Security Coordinator Information**

<b>Number of Annual Responses</b>	<b>TSA Hours per Response</b>	<b>Total TSA Annual Hour Burden</b>	<b>Annual TSA Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$38.37</b>	<b>E = D x 3</b>
475	0.33	158	\$6,074.57	<b>\$18,223.70</b>

NOTE: Calculations in the table may not be exact due to rounding.

Location and Shipping Information

TSA estimates that there are 655 inspections conducted each year.<sup>20</sup> Each inspection takes 60 minutes (1 hour) but requires two inspector.<sup>21</sup> Therefore, TSA uses an hour burden per inspection of 2 hours. TSA calculates the total TSA annual hour burden to be 1,309 hours.

<sup>18</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>19</sup> These data show all components of TSA employee compensation including benefits. This wage constitutes a fully loaded wage rate. TSA, Office of Finance. Modular Cost Standards Data.

<sup>20</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>21</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

The pay bands of TSA employees conducting these inspections are G band, H band and I band. TSA uses a fully loaded wage rate of \$44.60<sup>22</sup> to estimate the annual hour burden cost to TSA. TSA estimates a total annual hour burden cost of \$58,397. TSA estimates a three-year total annual hour burden cost of \$175,190. Table 8 summarizes these calculations.

**Table 8: TSA Hour Burden Cost for Location and Shipping Information**

<b>Number of Annual Responses</b>	<b>TSA Hours per Response</b>	<b>Total TSA Annual Hour Burden</b>	<b>Annual TSA Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$44.60</b>	<b>E = D x 3</b>
654.67	2	1,309.33	\$58,396.57	<b>\$175,189.71</b>

NOTE: Calculations in the table may not be exact due to rounding.

#### Significant Security Concerns

TSA estimates that there are 4,961 annual reports of significant security concerns.<sup>23</sup> For each report of a significant security concern, a TSA employee must document the report and respond to the reported concern. TSA estimates the documentation and response to take an average of three hours per report.<sup>24</sup> TSA calculates the total TSA annual hour burden to be 14,884 hours. The pay bands of TSA employees responding to reports of a significant security concern are I band and J band. TSA uses a fully loaded wage rate of \$66.11<sup>25</sup> to estimate the annual hour burden cost to TSA. TSA estimates a total annual hour burden cost of \$983,968. TSA estimates a three-year total hour burden cost of \$2,951,959. Table 9 summarizes these calculations.

**Table 9: TSA Hour Burden Cost for Significant Security Concerns**

<b>Number of Annual Responses</b>	<b>TSA Hours per Response</b>	<b>Total TSA Annual Hour Burden</b>	<b>Annual TSA Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$66.11</b>	<b>E = D x 3</b>
4,961.33	3	14,884	\$983,986.19	<b>\$2,951,958.57</b>

NOTE: Calculations in the table may not be exact due to rounding.

#### Chain of Custody Documentation

TSA estimates that there are 5,199 inspections of Chain of Custody Documentation annually.<sup>26</sup> Each inspection takes three hours, however two inspectors are required.

<sup>22</sup> This is a weighted average of G/H band (\$80,069.19) and I band (132,115.17) salaries. There are six G/H band employees and two I band employees. (\$44.60 = [(0.25 x \$132,115.17) + (0.75 x \$80,069.19)] ÷ 2087). OPM changed the 2080 work hours to 2087 by amending 5 U.S.C. 5504(b), the latter is assumed to capture year-to-year fluctuations in work hours. Source: Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. Law 99-272, 100 Stat. 82, April 7, 1986) These data show all components of TSA employee compensation including benefits. This wage constitutes a fully loaded wage rate. TSA, Office of Finance. Modular Cost Standards Data.

<sup>23</sup> TSA, Office of Security Operations, Transportation Security Operations Center.

<sup>24</sup> TSA, Office of Security Operations, Transportation Security Operations Center.

<sup>25</sup> This is a weighted average of I band \$132,115.17 and J band (\$155,543.55) salaries. There are three I band employees and one J band employee. (\$66.11 = [(0.75 x \$132,115.17) + (0.25 x \$155,543.55)] ÷ 2087). OPM changed the 2080 work hours to 2087 by amending 5 U.S.C. 5504(b), the latter is assumed to capture year-to-year fluctuations in work hours. Source: Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. 99-272, 100 Stat. 82, April 7, 1986). These data show all components of TSA employee compensation including benefits. This wage constitutes a fully loaded wage rate. TSA, Office of Finance. Modular Cost Standards Data.

<sup>26</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

Therefore, TSA estimates the hour burden of each inspection to be six hours.<sup>27</sup> TSA calculates the annual TSA hour burden to be 31,194 hours. The pay bands of TSA employees conducting the inspection are G band, H band, and I band. TSA uses a fully loaded wage rate of \$44.60<sup>28</sup> to estimate the total annual hour burden cost to TSA. TSA estimates a total annual hour burden cost to be \$1,391,260. TSA estimates the total three-year hour cost burden to be \$4,173,779. Table 10 summarizes these calculations.

**Table 10: TSA Hour Burden Cost for Chain of Custody Documentation**

<b>Number of Annual Responses</b>	<b>TSA Hours per Response</b>	<b>Total TSA Annual Hour Burden</b>	<b>Annual TSA Hour Burden Cost</b>	<b>Total Three Year Hour Burden Cost</b>
<b>A</b>	<b>B</b>	<b>C = A x B</b>	<b>D = C x \$44.60</b>	<b>E = D x 3</b>
5,199	6	31,194	\$1,391,259.66	<b>\$4,173,778.99</b>

NOTE: Calculations in the table may not be exact due to rounding.

#### Total TSA Hour and Cost Burden

TSA calculates a total hour burden and a total hour burden cost for the three-year period by summing the total hour burdens and hour burden costs from each of the four elements of this collection. TSA calculates a total three-year hour burden of 142,637 hours and a total three-year hour burden cost of \$7,319,151. Table 11 summarizes these calculations.

This information collection does not impact other federal agencies. Therefore, the TSA cost represents the Federal Government Cost.

**Table 11: Total Hour and Hour Cost Burden for TSA**

	<b>Annual Hour Burden and Cost for Rail Security Coordinator Information</b>	<b>Annual Hour Burden and Cost for Location and Shipping Information</b>	<b>Annual Hour Burden and Cost for Significant Security Concerns</b>	<b>Annual Hour Burden and Cost for Chain of Custody Documentation</b>	<b>Total Annual Hour Burden and Cost</b>	<b>Total Three Year Respondent Hour Burden Cost</b>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E = A + B + C + D</b>	<b>F = E x 3</b>
Hours	158.33	1,309.33	14,884.00	31,194.00	<b>47,545.67</b>	<b>142,637.00</b>
Costs	\$6,074.57	\$58,396.57	\$983,986.19	\$1,391,259.66	<b>\$2,439,716.99</b>	<b>\$7,319,150.98</b>

NOTE: Calculations in the table may not be exact due to rounding.

#### **15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

The types of collections of information have not changed but the estimations of burden have changed. More regulated parties have complied with the regulation and provided information.

<sup>27</sup> TSA, Office of Security Policy and Industry Engagement, Surface Division.

<sup>28</sup> This is a weighted average of G/H band (\$80,069.19) and I band (132,115.17) salaries. There are six G/H band employees and two I band employees. (\$44.60 = [(0.25 x \$132,115.17) + (0.75 x \$80,069.19)] ÷ 2087). OPM changed the 2080 work hours to 2087 by amending 5 U.S.C. 5504(b), the latter is assumed to capture year-to-year fluctuations in work hours. Source: Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. 99-272, 100 Stat. 82, April 7, 1986). These data show all components of TSA employee compensation including benefits. This wage constitutes a fully loaded wage rate. TSA, Office of Finance. Modular Cost Standards Data.

The following is a summary of the changes that resulted in revised estimations of burden:

- RSC Information: There has been a small change in the estimated hourly burden for this information collection. The previously estimated hour burden was 804 hours. TSA now estimates an annual hour burden of 475. This change is due to a decrease in annual responses.
- Location and Shipping Information: This collection has an increase in burden. Previously, TSA estimated an annual hour burden of 165. TSA now estimates an annual hour burden of 327. This change is due to an increase in annual responses. The amount of time per response remains the same.
- Significant Security Concerns Information: This collection has a slight decrease in the annual hour burden. Previously, TSA estimated an annual hour burden of 5,475 hours. TSA now estimates that there is an annual hour burden of 4,961 hours, a decrease of 514 hours. This change is due to TSA now estimating a per-response hour burden.
- Chain of Custody and Control Documentation: Previously, TSA estimated an annual hour burden of 39,000 hours. TSA now estimates an annual hour burden of 107,000 hours. This increase in the annual hour burden is due to a large increase in the number of annual responses. TSA has improved data fidelity, and bases its estimate of the number of annual responses on actual data from the Rail Asset Integrated Logistics System Dashboard.

**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.**

None of this information will be published.

**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.**

TSA is not seeking approval to not display the expiration date for OMB approval of the information collection.

**18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.**

There are no exceptions.