

Department of Transportation
Federal Motor Carrier Safety Administration

SUPPORTING STATEMENT
Transportation of Hazardous Materials, Highway Routing

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) approval for the proposed extension of the OMB Control Number 2126-0014, "Transportation of Hazardous Materials, Highway Routing," information collection request (ICR), which will expire on April 30, 2020. The ICR is being extended so that the Federal Motor Carrier Safety Administration (FMCSA) can comply with the statutory requirement to update and publish a registry of hazardous materials routing designations.

Part A. Justification.

1. CIRCUMSTANCES THAT MAKE COLLECTION OF INFORMATION NECESSARY

Highway Routing designations are collected under authority of 49 U.S.C. 5112 and 5125 (Attachments A and B). That authority places responsibility on the Secretary of Transportation (Secretary) to specify and regulate standards for establishing, maintaining, and enforcing routing designations. In 49 CFR § 397.73(b), FMCSA requires that States, the District of Columbia, Indian tribes, and U.S. Territories notify the FMCSA if they establish, modify, maintain, or enforce non-radioactive hazardous materials highway routing designations, so that FMCSA can then publish the information in the *Federal Register* and on the FMCSA website at: <https://www.fmcsa.dot.gov>.

The information collection requirements contained in this request for renewal are required by 49 CFR § 397.73 (Attachment C). These requirements have been determined to be essential by FMCSA and to be the minimum required to satisfy 49 U.S.C. 5112 and 5125. Several States the District of Columbia, an Indian tribe, and U.S. Territories have designated/restricted highway routes and/or imposed restrictions or limitations affecting the highway transportation of certain hazardous materials. While these localized routing designations are intended to improve safety, the proliferation of uncoordinated State and local routing designations could impede the free flow of commerce, have little or no demonstrable positive effect on public safety, and result in the exportation of risk from one jurisdiction to another.

This information collection supports the DOT Strategic Goals of Safety, Economic Competitiveness and Improving the Safety and Performance of the Nation's Transportation System by providing timely routing information to ensure the safe transportation of non-radioactive hazardous materials.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE IS THE INFORMATION USED

The FMCSA maintains the current status of all highway routing designations on their website at <https://www.fmcsa.dot.gov>. FMCSA publishes this information annually so carriers of placarded non-radioactive hazardous materials (NRHM) will have knowledge of the restrictions.

3. EXTENT OF AUTOMATED INFORMATION COLLECTION

The FMCSA estimates that 100% of the States and Indian tribes that are providing the information do so electronically. States that are presently restricting/designating routes are using various technologies to collect and organize this information. The FMCSA utilizes a computer system to store and retrieve the routing information. This enables FMCSA to provide routing information as mandated by statute.

4. EFFORTS TO IDENTIFY DUPLICATION

There are no existing reporting requirements or available data that duplicate the information which is collected.

5. EFFORTS TO MINIMIZE THE BURDEN ON SMALL BUSINESSES

This information collection does not apply to small businesses. This information requirement only involves States, the District of Columbia, Indian tribes, and U.S. Territories that choose to implement highway routing designations.

6. IMPACT OF LESS FREQUENT COLLECTION OF INFORMATION

Under 49 CFR § 397.73, FMCSA is required to publish an annual report of updates to the designations of the routing systems. If this information is not collected, FMCSA will not be able to meet the statutory requirements of the Hazardous Materials Transportation Safety Improvement Act.

7. SPECIAL CIRCUMSTANCES

There are no special circumstances related to this information collection.

8. COMPLIANCE WITH 5 CFR 1320.8

The FMCSA published a notice in the Federal Register (84 FR 40125) with a 60-day public comment period to announce this proposed information collection August 13, 2019 (see Attachment D). One anonymous comment in support of the information collection was received in response to that notice. The FMCSA published a notice in the Federal Register (85 FR 4762) on January 27, 2020, with a 30-day public comment period that announced this information would be sent to OMB for approval (see Attachment E).

9. PAYMENTS OR GIFTS TO RESPONDENTS

No payments or gifts will be provided to the respondents.

10. ASSURANCE OF CONFIDENTIALITY

The information to be collected is not confidential and is available to the public.

11. JUSTIFICATION FOR COLLECTION OF SENSITIVE INFORMATION

The information to be collected is not sensitive in nature.

12. ESTIMATE OF BURDEN HOURS FOR INFORMATION REQUESTED

The FMCSA estimates there will be an average of one response every two years per State/U.S. Territory/Indian tribe and that each response will impose an estimated burden of 15 minutes, or 0.25 hours.

The Hazardous Material Routing Program was initiated in 1992. There are 36 States and the District of Columbia that have designated hazardous materials highway routes. In addition, 19 States/U.S. Territories have submitted reports on hazardous material routing citing no designated highway routes. There has been one response for designated routes from an Indian tribe.

Estimated Total Annual Burden Hours: 7 hours [57 annual respondents × 1 response per 2 years × 15 minutes/60 minutes per response = 7.125 rounded to 7].

Estimated Number of Respondents (once every 2 years): 57 [36 States plus the District of Columbia with designated hazardous materials highway routes + 19 States/U.S. Territories without designated hazardous materials highway routes + 1 Indian tribe with a designated route = 57].

Estimated Number of Responses (once every 2 years): 57

Estimated Annualized Hourly Cost Burden: \$11,115 [\$195 x 57 respondents].

Estimated wage and compensation of first-line supervisors (Federal Government)¹

Occupation	BLS Occupation Code	Annual Salary	Hourly Wage	Total Hours	Total Cost
First-Line Supervisors of Transportation	53-1048	\$55,110	\$27.95	7	\$195.65

13. ESTIMATE OF TOTAL ANNUAL COSTS TO RESPONDENTS

There are no additional costs to respondents beyond those associated with the annual hourly burden presented in Section 12.

14. ESTIMATE OF COST TO THE FEDERAL GOVERNMENT

The costs to the Federal Government are limited to labor costs associated with updating computer files and a web site whenever a State or Indian tribe reports changes to highway routing designations, and publishing an annual update in the *Federal Register* as required by regulation. These activities occupy approximately 1% of the time of a GS 14 Transportation Specialist at FMCSA in the HM Division, resulting in an estimated cost to the Federal government as \$1328.18, as shown in the table below.

Estimate of hourly employee compensation (Federal Government)²

Federal Occupation Code	Occupation	General Schedule Designation	Annual Salary	Percent of Time	Total Cost
2101	Transportation Specialist	GS14 Step 5	\$ 132,818	1%	\$1328.18

15. EXPLANATION OF PROGRAM CHANGES OR ADJUSTMENTS

There are no program changes, however there is an adjustment in the agency's estimate. The hourly cost burden was not calculated in the previous ICR submission, however the annual salary and wage costs for the IC activities has now been calculated and presented as \$11,115.

16. PUBLICATION OF RESULTS OF DATA COLLECTION

The collection of information will be used to inform the affected parties of hazardous materials highway routing designations. The information will be collected and published in the *Federal Register* annually. Any changes will be published periodically to update the report. If a State, U.S. Territory or Indian Tribe chooses not to designate routes for the transportation of placarded non-radioactive material, only a statement to that effect is required to be submitted to FMCSA. Once a State, U.S. Territory or Indian Tribe implements a program, it will have 60 days to notify FMCSA of any changes.

17. APPROVAL FOR NOT DISPLAYING THE EXPIRATION DATE FOR OMB APPROVAL

No such approval is requested.

18. EXCEPTIONS TO CERTIFICATION STATEMENT

No exceptions to the certification statement are requested.

ATTACHMENTS

- A.** 49 U.S.C. 5112
- B.** 49 U.S.C. 5125
- C.** 49 CFR § 397.73
- D.** 60-day Federal Register (84 FR 40125) August 13, 2019
- E.** 30-day Federal Register (85 FR 4762) January 27, 2020

¹ Department of Labor Statistics:

https://www.bls.gov/oes/current/oes_nat.htm#53-0000

² Office of Personnel Management, "2019 General Schedule (GS) Locality Pay Tables," January 2019:

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2019/general-schedule/>