

FEDERAL RAILROAD ADMINISTRATION
Track Safety Standards
(Title 49 Code of Federal Regulations Part 213)
SUPPORTING JUSTIFICATION
OMB Control No. 2130–0010

Summary

- This submission is a request for an extension with change of the last three–year approval granted by the Office of Management and Budget (OMB) on June 2, 2017, which now expires on June 30, 2020.
- The Federal Railroad Administration (FRA) published the required 60–day *Federal Register* Notice on April 15, 2020. See 85 FR 21064. FRA received no comments in response to this Notice.
- The total number of burden hours requested for this information collection is 233,899 hours. The total number of burden hours previously approved by OMB was 1,816,152 hours.
- The total number of responses requested for this information collection is 1,404,410. The total number of responses previously approved by OMB was 2,765,261.
- Overall, the adjustments decreased the burden by 1,582,253 hours and decreased responses by 1,360,851 after a thorough review of the data.

** The answer to question **number 12** itemizes the hourly burden associated with each requirement of this rule.

** The tables in answer to question number 15 itemize **program changes and adjustments**.

1. Circumstances that make collection of the information necessary.

The first Federal Track Safety Standards were published on October 20, 1971, following the enactment of the Federal Railroad Safety Act of 1970, Pub. L. No. 91–458, 84 Stat. 971 (October 16, 1970), in which Congress granted to FRA comprehensive authority over “all areas of railroad safety.”¹ FRA envisioned the new Standards to be an evolving set of safety requirements subject to continuous revision allowing the regulations to keep pace with industry innovations and agency research and development. The most comprehensive revision of the Standards resulted from the Rail Safety Enforcement and Review Act of 1992, Pub. L. No. 102–365, 106 Stat. 972 (Sept. 3, 1992), later amended by the Federal Railroad Safety Authorization Act of 1994, Pub. L. No. 103–440, 108 Stat. 4615 (Nov. 2, 1994). The amended statute is codified at 49 U.S.C. 20142 and required

¹ 36 FR 20336.

the Secretary of Transportation (Secretary) to review and then revise the Track Safety Standards, which are contained in 49 CFR Part 213. The Secretary has delegated such statutory responsibilities to the FRA Administrator.² FRA carried out this review on behalf of the Secretary, which resulted in FRA issuing a final rule amending the Standards in 1998.³

Pursuant to 49 U.S.C. 20103, the Secretary may prescribe regulations as necessary in any area of railroad safety. FRA began its examination of rail integrity issues through the Railroad Safety Advisory Committee (RSAC) on October 27, 2007. On October 16, 2008, the Rail Safety Improvement Act (RSIA) (Pub. L. 110–432, Division A) was enacted. Section 403(a) of the RSIA required the Secretary to conduct a study of track issues, known as the Track Inspection Time Study (Study). The Study was completed and presented to Congress on May 2, 2011. Section 403(c) of the RSIA further provided that FRA prescribe regulations based on the results of the study two years after its completion.

FRA notes that Section 403 of the RSIA contained one additional mandate, which FRA has already fulfilled, promulgating regulations for concrete crossties. On April 1, 2011, FRA published a final rule on concrete crosstie regulations per this mandate in Section 403(d). That final rule specifies requirements for effective concrete crossties, for rail fastening systems connected to concrete crossties, and for automated inspections of track constructed with concrete crossties.⁴

Beginning in 2015, the Track Safety Standards Working Group of the RSAC met numerous times to “consider specific improvements to the Track Safety Standards . . . designed to enhance rail safety by improving track inspection methods, frequency, and documentation.” To streamline and ensure its regulations are as up to date as practicable, FRA periodically reviews and proposes amendments to its regulations.

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

This is an extension with change to a current collection of information entirely associated with FRA’s Part 213 rule. The information collected under Part 213 is used by FRA to ensure and enhance rail safety. Railroads initially use inspection reports/records to see that tracks are inspected periodically, to confirm that the inspectors are properly qualified in carrying out their duties, and to ensure that tracks are in safe condition for train operations.

Railroads also use these reports/records for maintenance planning, particularly where defective track is discovered and where repetitive unsafe conditions occur. This information helps railroads address and correct track problems and provides invaluable

² 49 CFR 1.89.

³ 63 FR 34029, June 22, 1998; 63 FR 54078, Oct. 8, 1998.

⁴ See 76 FR 18073.

information in the event of a train derailment, collision, or other train accident/incident.

The information collected under § 213.237 is used by FRA to ensure and enhance rail safety. Specifically, railroads are required to send a detailed request to FRA to change the designation of a rail inspection segment or establish a new segment. Collecting service failure rates that are averaged over excessively large segments of track (such as segments longer than a subdivision length) might fail to identify discrete areas of weakness with chronically high concentrations of service failures. At the same time, if a segment size is too small, one random failure could trigger a service failure rate in excess of the railroad's/track owner's performance target under this section. In order to maintain consistency and uniformity, FRA requires that if a railroad wishes to change or deviate from its segment lengths, the railroad must receive FRA approval to make that change.

Also, under § 213.237, railroads/track owners must notify FRA and all affected employees of the designation's effective date after FRA's approval or conditional approval. FRA inspectors use this notification to ensure that railroads conduct necessary internal rail inspections over these specified segments as appropriate. Further, this information is used by railroad employees to understand any changes to their duties, particularly pertaining to maintenance activities and conducting internal rail inspections over these designated segments.

Additionally, under § 213.237, if the service failure rate identified in paragraph (a) of this section is not achieved, railroads/track owners must inform FRA of this fact within 45 days of the end of the defined 12-month period in which the performance target is exceeded, and they must provide an explanation as to why the performance target was not achieved. FRA uses this information to determine whether railroads are properly carrying out their internal rail inspections and whether they need to take additional measures to meet their performance targets, reduce rail defects, and maintain rail safety.

The information collected under § 213.7 is used by FRA to ensure that individuals designated by railroads/track owners as qualified to inspect continuous welded rail (CWR) track or supervise the installation, adjustment, and maintenance of CWR track meet the criteria detailed in this section.

The information collected under § 213.118 and § 213.119 is used by FRA to ensure that railroads/track owners develop and implement plans containing written procedures which address the installation, adjustment, maintenance and inspection of CWR, inspection of CWR joints, and a training program for the application of those procedures. To ensure compliance with the requirements of this rule, FRA confirms that railroads or track owners specify in their written procedures that all joints in CWR in the various track classes are inspected according to the schedule prescribed in § 213.119(h)(6)(i).

Regarding Gage Restraint Measurement Systems (GRMS), FRA uses the information collected to ascertain those line segments on which GRMS technology—supplemented by the use of Portable Track Loading Fixtures (PTLF)—needs to be implemented by

track owners. Specifically, FRA reviews the information to ensure that certain minimal data are provided by railroads, including the segment's timetable designation milepost limits, track class, million gross tons of traffic per year, and any other identifying characteristics of the segment. FRA uses the information provided to evaluate the appropriateness of implementing GRMS technology on a given segment of track. FRA uses the technical data provided to ensure that minimum GRMS design requirements have been met and that GRMS vehicles have been properly calibrated in order to maintain the integrity of the data they provide.

Moreover, FRA reviews records of the two most recent GRMS inspections at locations meeting the requirements specified in section 213.241(b) of this Part to ascertain the location and nature of each First Level exception and the nature and date of initiated remedial action, if any, for each First Level exception identified.

Other Track Safety Information

Under § 213.4, FRA uses the information collected to ensure that railroads properly identify a segment(s) of track as excepted either in their timetables, special instructions, general orders, or other appropriate records. When a piece of track is designated excepted that is not listed in its timetables, a railroad will issue special instructions or a general order identifying the excepted track so that its employees know what procedures or practices to follow. Also, FRA uses the information collected to verify that the FRA has been notified by the railroad, at least 10 days in advance, when a segment of track is removed from excepted status. Ensuring the safety of railroad employees and the traveling public is FRA's paramount concern.

Under § 213.5, FRA uses the information collected to verify that the agency is properly informed in writing, at least 30 days in advance, when a track owner assigns responsibility for the track to another person by lease or otherwise. FRA reviews the notifications provided by railroads to make sure essential information is transmitted to the agency.

Under § 213.17, FRA reviews exemption petitions to see if it is safe and in the public interest to grant exemptions from any or all requirements prescribed in this Part to a railroad.

Under § 213.57, FRA uses the information collected to ensure that the track owner notifies the agency at least 30 calendar days in advance before a proposed implementation of the higher curving speeds allowed under the formula specified in paragraph (c) of this section.

Under revised § 213.237, currently, Classes 4 and 5 track, as well as Class 3 track over which passenger trains operate, are required to be tested for internal rail defects at least once every accumulation of 40 million gross tons (mgt) or once a year (whichever time is

shorter), and Class 3 track over which passenger trains do not operate are required to be tested at least once every accumulation of 30 mgt or once per year (whichever time is longer). The railroads then utilize this information to generate and maintain a service failure performance target.

Under § 213.238, FRA is adding a section to require that each provider of rail flaw detection have a documented training program to ensure that a flaw detection equipment operator is qualified to operate each of the various types of equipment currently utilized in the industry for which he or she is assigned.

Under § 213.241, track owners to which this Part applies must keep a record of each inspection required to be performed on its track under this subpart. FRA reviews this information to ensure that track inspections are completed as required and to ensure that essential records are maintained and available to its inspectors so they can carry out their duties. Federal and State investigators examine these inspection records to determine a railroad's compliance with the inspection frequency requirement of the Track Safety Standards and to verify that persons assigned to inspect tracks have been properly designated. The track owners must retain these records for at least two years after the inspection and for one year after remedial action is taken. In the event of an accident/incident, these records provide extremely valuable information, particularly if a problem with track caused the unfortunate event. The absence of these inspection records would substantially harm the Federal Government's railroad safety program.

Moreover, railroads, too, use the information mentioned above. Railroad companies initially use inspection reports/records to see that tracks are inspected periodically, to confirm that the inspectors are properly qualified in carrying out their duties, and to ensure that tracks are in safe condition for train operations. Railroad companies also use these reports/records for maintenance planning, particularly where defective track is discovered and where repetitive unsafe conditions occur.

3. Extent of automated information collection.

FRA strongly encourages the use of advanced information technology, wherever feasible, to reduce burden on respondents. The Track Safety regulations permit great flexibility in the methods employed to establish employee qualifications and to determine track conditions and only specify information which must be contained in the records. The form of that record is discretionary, and entities may use any medium capable of displaying information, including electronic recordkeeping. Records and reports in Part 213 may be either in hardcopy or electronic form.

Part 213 allows each railroad to design its own electronic system as long as the system meets the specified criteria to safeguard the integrity and authenticity of each record. Currently, railroads/ track owners submit/collect approximately 85 percent of all responses electronically.

4. Efforts to identify duplication.

Records of track inspection results describe a continuously changing condition at any given moment in time. Records of qualified track inspectors are unique to a specific railroad property, and no duplication of information exists. Consequently, there is no duplication of information because this information is new. The information regarding GRMS systems involves a relatively recent technology, and, therefore, there is no possibility of duplication.

The data collected under this rule or similar data are not available from any other source.

5. Efforts to minimize the burden on small businesses.

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) and Executive Order 13272 (67 FR 53461, Aug. 16, 2002) require agency review of proposed and final rules to assess their impacts on small entities.

“Small entity” is defined in 5 U.S.C. 601 as a small business concern that is independently owned and operated and is not dominant in its field of operation. The U.S. Small Business Administration (SBA) has authority to regulate issues related to small businesses and stipulates in its size standards that a “small entity” in the railroad industry is a for profit “line-haul railroad” that has fewer than 1,500 employees, a “short line railroad” with fewer than 500 employees, or a “commuter rail system” with annual receipts of less than seven million dollars.⁵

Federal agencies may adopt their own size standards for small entities in consultation with SBA and in conjunction with public comment. Pursuant to that authority, FRA has published a final statement of agency policy that formally establishes “small entities” or “small businesses” as railroads, contractors, and hazardous materials shippers that meet the revenue requirements of a Class III railroad as set forth in 49 CFR 1201.1–1, which is \$20 million or less in inflation adjusted annual revenues, and commuter railroads or small governmental jurisdictions that serve populations of 50,000 or less.⁶

The \$20 million limit is based on the Surface Transportation Board’s revenue threshold for a Class III railroad carrier. Railroad revenue is adjusted for inflation by applying a revenue deflator formula in accordance with 49 CFR 1201.1–1. The current threshold is \$37.1 million or less.⁷ For other entities, the same dollar limit in revenues governs whether a railroad, contractor, rail equipment supplier, or other respondent is a small entity.

⁵ Size Eligibility Provisions and Standards, 13 CFR part 121, subpart A.

⁶ 68 FR 24891 (May 9, 2003) (codified at appendix C to 49 CFR part 209).

⁷ The Class III revenue threshold is \$37,108,875 or less, last updated in 2018. (The Class II threshold is between \$37,108,875 and \$463,860,933; and the Class I threshold is \$463,860,933 or more.)

The requirements of this Part are applicable to all railroads, although not all requirements would be relevant to all railroads. Based on the railroads that are required to report accident/incidents to FRA under part 225, FRA estimates there are approximately 736 Class III railroads, with 695 of them operating on the general system. These are of varying size, with some a part of larger holding companies.

FRA does not anticipate that this rule will negatively impact a substantial number of small entities. FRA further believes that small entities may see cost savings associated with this rule.

6. Impact of less frequent collection of information.

If the information were not collected, or were collected less frequently, rail safety in the United States would be seriously jeopardized. The data collected under Part 213 allows FRA to verify that track inspections are being done in accordance with the regulation.

Without this information, FRA would not know—and not be able to determine—whether track is safe and whether the track owner/railroad conducted necessary rail inspections sufficient to maintain prescribed service failure target rate.

Information collected and reviewed by FRA as a result of the Track Safety Standards enhance rail safety by ensuring that track owners designate only qualified persons to inspect and maintain track and to supervise restorations and renewals of track under traffic conditions. This, in turn, will help to reduce the number of accidents/incidents and corresponding injuries, deaths, and property damage.

Inspection records are extremely important and are used by Federal and State investigators in the enforcement of the Track Safety Standards and, thus, help promote rail safety. Track owners are required to retain inspection records for at least two years after the actual inspection and for one year after the remedial action is taken. The frequency of inspection is related to the rate of track degradation. A relaxation of that frequency would increase the risk of an accident caused by an undetected defect. In the event of a train accident/incident, particularly one implicating track structure, these inspection records would provide invaluable investigatory assistance in determining the exact cause(s) of the accident/incident and keen insight into designing appropriate remedial measures.

In sum, the information collected aids FRA in its primary mission, which is to promote and enhance rail safety throughout the nation.

7. Special circumstances.

Under § 213.233, track inspections must be made in accordance with the following schedule: (1) Excepted track and Class 1, 2, and 3 track (main track and sidings) must be inspected weekly with at least three calendar days interval between inspections, or before

use, if the track is used less than once a week, or twice weekly with at least one calendar day interval between inspections, if the track carries passenger trains or more than 10 million gross tons of traffic during the preceding calendar year; (2) Excepted track and Class 1, 2, and 3 track (other than main track and sidings) must be inspected monthly with at least 20 calendar days interval between inspections; and (3) Class 4 and 5 track must be inspected twice weekly with at least one calendar day interval between inspections. Inspection records are required to be kept by track owners under § 213.241, and each record of an inspection must be prepared on the day the inspection is made. Also, under § 213.341, initial inspection of new field welds, either those joining the ends of CWR strings or those made for isolated repairs, must be conducted not less than one day and not more than 30 days after the welds have been made.

All information collection requirements contained in this rule are in compliance with this section.

8. Compliance with 5 CFR 1320.8.

As required by the Paperwork Reduction Act of 1995, FRA published a notice in the Federal Register on April 15, 2020, soliciting comment on this particular information collection. See 85 FR 21064. FRA received no comments pertaining to this collection of information in response to this notice.

9. Payments or gifts to respondents.

There are no monetary payments or gifts made to respondents associated with the information collection requirements contained in this information collection request.

10. Assurance of confidentiality.

Information collected is not of a confidential nature, and FRA pledges no confidentiality.

11. Justification for any questions of a sensitive nature.

There are no questions or information of a sensitive nature or data that would normally be considered private in this collection of information.

12. Estimate of burden hours for information collected.

CFR Section	Respondent universe	Total Annual responses	Average time per responses	Total annual burden hours	Total cost equivalent ⁸
213.4(f) – Excepted track –	746 railroads	15 notices	10 minutes	2.5 hours	\$190

⁸ The dollar equivalent cost is derived from the Surface Transportation Board's Full Year Wage A&B data series using the appropriate employee group hourly wage rate that includes a 75-percent overhead charge.

Notification to FRA about removal of excepted track					
213.5(c) – Responsibility for compliance – Notification of assignment to FRA	746 railroads	15 notices	1 hour	15 hours	\$1,140
213.7(a)–(b) – Designations: Names on list with written authorizations	746 railroads	2,500 documents	10 minutes	416.7 hours	\$31,669
213.17(a) – Waivers	746 railroads	10 petitions	2 hours	20 hours	\$1,520
213.57(e) – Curves, elevation and speed limitations – Request to FRA for vehicle type approval	746 railroads	4 requests	8 hours	32 hours	\$2,432
213.57(f) – Written Notification to FRA prior to implementation of higher curving speeds	746 railroads	4 notifications	2 hours	8 hours	\$608
213.57(g) – Written consent of track owners obtained by railroad providing service over that track	746 railroads	4 written consents	45 minutes	3 hours	\$228
213.110(a) – Gage restraint measurement systems (GRMS) – Implementing GRMS – notices & reports	746 railroads	1 notification	45 minutes	.8 hours	\$61
213.110(g) – GRMS vehicle output reports	746 railroads	1 report	5 minutes	.1 hours	\$8
213.110(h) – GRMS vehicle exception reports	746 railroads	1 report	5 minutes	.1 hours	\$8
213.110(j) – GRMS/PTLF – procedures for data integrity	746 railroads	1 documented procedure	1 hour	1 hour	\$76
213.110(n) – GRMS inspection records	746 railroads	2 records	30 minutes	1 hour	\$76

213.118(a)–(c) – Continuous welded rail (CWR) – Revised plans w/procedures for CWR	438 railroads	10 plans	4 hours	40 hours	\$3,040
213.118(d) – Notification to FRA and RR employees of CWR plan effective date	438 railroads	750 notifications to employees	15 seconds	3.1 hours	\$236
213.118(e) – Written submissions after plan disapproval	438 railroads	5 written submissions	2 hours	10 hours	\$760
213.118(e) – Final FRA disapproval and plan amendment	438 railroads	5 amended plans	1 hour	5 hours	\$380
213.234(f) – Automated inspection of track constructed with concrete crossties – Recordkeeping requirements	30 railroads	2,000 records	30 minutes	1,000 hours	\$76,000
213.237(b)(2) – Inspection of Rail – Detailed request to FRA to change designation of a rail inspection segment or establish a new segment	65 railroads	4 requests	15 minutes	1 hour	\$76
213.237(b)(3) – Notification to FRA and all affected employees of designation’s effective date after FRA’s approval/conditional approval	65 railroads	1 notice to FRA + 15 bulletins	15 minutes	4 hours	\$304
213.237(d) – Notice to FRA that service failure rate target in paragraph (a) of this section is not achieved	65 railroads	4 notices	15 minutes	1 hour	\$76
213.237(d) – Explanation to FRA as to why	65 railroads	4 letters of explanation / plans	15 minutes	1 hour	\$76

performance target was not achieved and provision to FRA of remedial action plan					
213.241 – Inspection records ⁹	746 railroads	1,375,000 records	10 minutes	229,166.7 hours	\$17,416,669
213.303(b) – Responsibility for compliance – Notification of assignment to FRA	2 railroads	5 notices	30 minutes	2.5 hours	\$190
213.305(a)–(c) – Designation of qualified individuals; general qualifications – Written authorization for remedial actions	2 railroads	20 written documents	30 minutes	10 hours	\$760
213.305(e) – Designation of qualified individuals; general qualifications; recordkeeping requirements for designations	2 railroads	200 records	10 minutes	33.3 hours	\$2,531
213.317(a)–(b) – Waivers	2 railroads	2 petitions	8 hours	16 hours	\$1,216
213.329(e) – Curves, elevation and speed limitations – FRA approval of qualified vehicle types based on results of testing	2 railroads	2 cover letters + 2 technical reports + 2 diagrams	30 minutes + 16 hours + 15 minutes	33.5 hours	\$2,546
213.329(f) – Written notification to FRA 30 days prior to implementation of higher curving speeds	2 railroads	2 notices	2 hours	4 hours	\$304
213.329(g) – Written consent of other affected track owners by railroad	2 railroads	2 written consents	45 minutes	1.5 hours	\$114

⁹ Note: Each record of an inspection under §§ 213.4, 213.119, 213.233, 213.235, and 213.237 is covered under § 213.241.

213.333(d) – Automated vehicle–based inspection systems – Track Geometry Measurement System (TGMS) output/exception reports	7 railroads	7 reports	1 hour	7 hours	\$532
213.341(b)–(d) – Initial inspection of new rail & welds – Inspection records	2 railroads	800 records	2 minutes	26.7 hours	\$2,029
213.343(a)–(e) – Continuous welded rail (CWR) – Procedures for installations and adjustments of CWR	2 railroads	2 plans	4 hours	8 hours	\$608
213.343(h) – Recordkeeping requirements	2 railroads	8,000 records	2 minutes	266.7 hours	\$20,269
213.345(a)–(c) – Vehicle qualification testing – Vehicle qualification program for all vehicle types operating at track Class 6 speeds or above	2 railroads	2 program plans	120 hours	240 hours	\$18,240
213.345(d) – Previously qualified vehicle types qualification programs	2 railroads	2 program plans	8 hours	16 hours	\$1,216
213.345(h) – Written consent of other affected track owners by railroad	4 railroads	4 written consents	30 minutes	2 hours	\$230
213.369(d) – Inspection Records – Record of inspection of track	2 railroads	15,000 records	10 minutes	2,500 hours	\$190,000
Total	746 railroads	1,404,410 responses	N/A	233,899 hours	\$17,776,417

13. Estimate of total annual costs to respondents.

There are no additional costs to respondents other than the hour burden costs.

14. Estimate of Cost to Federal Government.

The estimated costs to the Federal Government pertain to the Part 213 requirements associated with the Vehicle/Track Interaction Safety Standards Final Rule, which was published on March 13, 2013 (78 FR 16051). To calculate the government administrative cost, the 2020 Office of Personnel Management wage rates were used for the Washington, D.C. area. For each GS level, step 5 was used as a midpoint. Wages were considered at the burdened wage rate by adding in an overhead cost of 75 percent (or multiplying the wage rate by 1.75).

1. \$544 – Section 213.333(a) & (b) – Four (4) hours for FRA Track Staff Director (GS–15) to review request from railroads concerning track geometry measurements taken from a distance different from that specified under section 213.333(b)(1).
2. \$5,879 – Section 213.333 (k)(1) – 16 hours each for FRA Track Staff Director (GS–15) and two staff members (GS–14) to review requests for alternate location of devices for measuring lateral accelerations mounted on a truck frame.
3. \$19,324 – Section 213.333(l) – 40 hours each for FRA Track Staff Director (GS–15) and three staff members (GS–14) to review reports submitted to FRA of monitoring data collected in accordance with sections 213.333 (j) and (k).
4. \$19,324– Section 213.345(a) – 40 hours each for FRA Track Staff Director (GS–15) and three staff members (GS–14) to review railroad vehicle type qualification programs developed to ensure that vehicle/track system will not exceed the wheel/rail force safety limits and the carbody and truck acceleration criteria specified in section 213.333(a)(1) and 21.333(a)(2).
5. \$20,956 – Section 213.345(a) – 40 hours each for FRA Track Staff Director (GS–15) and three staff members (GS–14) to review railroad vehicle type qualification programs (that include analyses and tests) for operation at the same class and cant deficiency on another route.
6. \$925 – Section 213.333(h) – Eight (8) hours for FRA Track staff member (GS–14) to review written consent of track owner submitted by railroad that provides service with the same vehicle type over trackage of one or more track owner(s).

TOTAL Vehicle/Track Interaction Costs = \$66,952

FRA's cost for CWR requirements:

7. \$8,009 – 75 hours for FRA staff to review 279 revised procedures/plans (under section 213.118, which describe the scheduling and conduct of physical track inspections to detect cracks and other incipient failures in CWR). The cost for FRA reviewing staff is equally divided between GS–13s and GS–14s.
8. \$23,853 – 235 hours for FRA staff to review 20 additional revised procedures/plans, 100 written notifications, and 20 amended training programs. The cost for FRA reviewing staff is equally divided between GS–12s, GS–13s, and GS–14s.

TOTAL CWR Costs = \$31,187

Additionally, FRA's cost for GRMS requirements:

1. \$9,575 – 16 hours for 2 GS–14s to review technical data + 30 hours for 2 GS–13s to review notifications.
2. \$494 – 6 hours for one GS–12 to review training programs.

Total GRMS Costs = \$10,069

GRAND TOTAL COST = \$108,209

15. Explanation of program changes and adjustments.

This information collection request is an extension with a change to the last approved submission. The current OMB agency inventory exhibits a total burden of 1,816,152 hours and 2,765,261 responses, while the present submission reflects a total burden of 233,899 hours and 1,404,410 responses. Overall, the burden for this submission has decreased by 1,582,253 hours and by 1,360,851 responses.

FRA provided a thorough review of this package and determined many of our initial figures were based on rough estimates. Additionally, we realized some of the estimates were double counted and others were outdated. Moreover, other estimates were not Paperwork Reduction Act requirements, thus leading to the increased figures, which were decreased accordingly in this submission. Thus, our latest review has refined our estimates to be more accurate. The table below provides specific information on the review of any that have changed.

TABLE FOR ADJUSTMENTS

Part 213 Section	Responses & Avg. Time (Previous Submission)	Responses & Avg. Time (This Submission)	Burden Hours (Previous Submission)	Burden Hours (This Submission)	Difference (plus/minus)

213.4 – Excepted track – Designation of tracks as excepted	20 orders 15 minutes	0 orders 0 minutes	5 hours	0 hours	– 5 hours – 20 responses
213.5 – Responsibility of track owners	10 written notices 8 hours	15 written notices 1 hour	80 hours	15 hours	– 65 hours + 5 responses
213.7(a) – Designations: Names on list with written authorizations	1,500 10 minutes	2,500 10 minutes	250 hours	417 hours	+ 167 hours + 1,000 responses
213.7(c) (1&2) – Comprehensive CWR Training – (c)(3) Written authorization to employee to prescribe CWR remedial actions & successful completion of recorded exam on CWR procedures as part of qualification process (d) Persons partially designated to supervise certain renewals and inspect track	10,000 employees 4 hours 10,000 authorizations @ 10 min. ea. + 10,000 recorded exams @ 60 min. ea.	0 employees 0 hours 0 authorizations 0 minutes	40,000 hours 11,667 hours	0 hours 0 hours	– 40,000 hrs. – 10,000 resp. – 11,667 hours – 20,000 resp.
	1,000 partial designations 10 minutes	0 partial designations 0 minutes	167 hours	0 hours	– 167 hours – 1,000 responses
213.17 – Waivers	6 petitions 72 hours	10 petitions 2 hours	432 hours	20 hours	– 412 hours + 4 responses
213.57 – Curves, elevation and speed limitations – Request to FRA for vehicle type approval – Written Notification to FRA prior to implementation of higher curving speeds – Written consent of track owners	2 requests 40 hours	4 requests 8 hours	80 hours	32 hours	– 48 hours + 2 responses
	2 notifications 8 hours	4 notifications 2 hours	16 hours	8 hours	– 8 hours + 2 responses
	2 consents 45 minutes	4 consents	2 hours	3 hours	+ 1 hour + 2 responses

obtained by railroad providing service over that track		45 minutes			
213.110 – Gage restraint measurement systems (GRMS)	1 notification + 1 tech report 45 minutes + 4 hours	1 notification 45 minutes	5 hours	1 hour	– 4 hours – 1 response
– GRMS vehicle output reports	50 reports 5 minutes	1 report 5 minutes	4 hours	0.1 hour	– 3.9 hours – 49 responses
– GRMS vehicle exception reports	50 reports 5 minutes	1 report 5 minutes	4 hours	0.1 hours	– 3.9 hours – 49 responses
– GRMS/PTLF – procedures for data integrity	1 report 2 hours	1 report 1 hour	2 hours	1 hour	– 1 hour 0 responses
– GRMS training programs/sessions	2 programs + 5 sessions 16 hours	0 programs 0 hours	112 hours	0 hours	– 112 hours – 7 responses
– GRMS inspection records	50 records 1 hour	2 records 30 minutes	50 hours	1 hours	– 49 hours – 48 responses
213.118 Continuous welded rail (CWR); plan review and approval – Revised plans w/procedures for CWR	100 plans 4 hours	10 plans 4 hours	400 hours	40 hours	– 360 hours – 90 responses
– Notification to FRA and RR employees of CWR plan effective date	100 notifications + 10,000 notices 15 min + 2 min	750 notifications 15 seconds	733 hours	3 hours	– 730 hours – 9,350 responses
– Written submissions after plan disapproval	20 submissions 2 hours	5 submissions 2 hours	40 hours	10 hours	– 30 hours – 15 responses
– Final FRA disapproval and plan amendment	20 amended plans 1 hour	5 amended plans 1 hour	20 hours	5 hours	– 15 hours – 15 responses
213.119 –	10,000	0 programs	40,000	0 hours	– 40,000 hours

Continuous welded rail (CWR); plan contents – Annual CWR retraining of employees	retrained employees 4 hours		hours		– 10,000 responses
– Record keeping for special inspections	10,000 records 2 minutes	0 records	333 hours 12,000 hours	0 hours	– 333 hours – 10,000 responses – 12,000 hours
– Record keeping for CWR rail joints	360,000 records 2 minutes	0 records	8,000 hours	0 hours	– 360,000 responses – 8,000 hours
– Periodic records for CWR rail adjustments	480,000 records 1 minute	0 records	47 hours	0 hours	– 480,000 responses – 47 hours
– Copy of track owner’s CWR procedures	279 manuals 10 minutes	0 manuals		0 hours	– 279 responses
213.233 – Track inspections: notation on inspection form as to which track inspectors were on	300,000 notations 1 minute	0 notations 0 minutes	5,000 hours	0 hours	– 5,000 hours – 300,000 responses
213.234(f) – Automated inspection of track constructed with concrete crossties – Recordkeeping requirements	0 records	2,000 records 30 minutes	0 hours	1,000 hours	+ 1,000 hours + 2,000 responses
213.237(b)(2) – Inspection of Rail – Detailed request to FRA to change designation of a rail inspection segment or establish a new segment	10 requests 15 minutes	4 requests 15 minutes	3 hours	1 hour	– 2 hours – 6 responses
(b)(3) – Notification to FRA and all affected employees of designation’s effective date after FRA’s approval/conditional	50 notices to FRA + 120 bulletins 15 minutes	1 notice to FRA + 15 bulletins 15 minutes	43 hours	4 hours	– 39 hours – 154 responses

approval					
(d) – Notice to FRA that service failure rate target in paragraph (a) of this section is not achieved	12 notices 15 minutes	4 notices 15 minutes	3 hours	1 hour	– 2 hours – 8 responses
(d) – Explanation to FRA as to why performance target was not achieved and provision to FRA of remedial action plan	24 letters of explanation / plans 15 minutes	4 letters of explanation / plans 15 minutes	6 hours	1 hour	– 5 hours – 20 responses
213.241 – Inspection records	1,542,089 records (varies) minutes	1,375,000 records 10 minutes	1,672,941 hours	229,167 hours	– 1,443,774 hours – 167,089 responses
213.303 – Responsibility for compliance	1 notification 8 hours	5 notifications 30 minutes	8 hours	2.5 hours	– 6 hours + 4 responses
213.305(c)(4) – Designation of qualified individuals; general qualifications – Written authorization for remedial actions	200 written documents 10 minutes	20 written documents 30 minutes	33 hours	10 hours	– 23 hours – 180 responses
(e) – Railroads produced designation record upon FRA request	0 records 0 minutes	200 records 10 minutes	0 hours	33 hours	+ 33 hours + 200 responses
213. 317 – Waivers	1 petition 80 hours	2 petitions 8 hours	80 hours	16 hours	– 64 hours + 1 response
213.329 Curves, elevation and speed limitations – FRA approval of qualified vehicle types based on results of testing	200 documents 4 hours	2 cover letters + 2 technical reports + 2 diagrams (varies)	800 hours	33.5 hours	– 767 hours – 194 responses
– Written notification to FRA 30 days prior to implementation of higher curving speeds	20 notifications 40 hours	2 notifications 2 hours	800 hours	4 hours	– 796 hours – 18 responses
– Written Consent of	20 written consents 45 minutes	2 written consents 45 minutes	15 hours	1.5 hours	– 14 hours – 18 responses

Other Affected Track Owners by Railroad					
213.333 Automated vehicle insp. system – Measurements – – Request for atypical measurement – TGMS output/exception Reports – Track/Vehicle Performance Measurement System: Copies of most recent exception reports/additional records – Notification to track personnel when onboard accelerometers indicate track-related problem – Requests for an alternate location for device measuring lateral accelerations – Report to FRA providing analysis of collected monitoring data	1 request 8 hours 50 reports 10 hours 50 reports/ records 10 hours 2 notifications 10 hours 1 request 1 hour 1 report 8 hours	0 request 0 hours 7 reports 1 hour 0 reports/ records 0 hours 0 notifications 0 hours 0 request 0 hour 0 report 0 hours	8 hours 500 hours 500 hours 20 hours 1 hour 8 hours	0 hours 7 hours 0 hours 0 hours 0 hours 0 hours	– 8 hours – 1 response – 493 hours – 43 responses – 500 hours – 50 responses – 20 hours – 2 responses – 1 hour – 1 response – 8 hours – 1 response
213.341 – Initial inspection of new rail & welds – Mill inspection – Record of inspection of field welds	20 reports 16 hours 1,000 records 20 minutes	0 reports 0 hours 800 records 2 minutes	320 hours 333 hours	0 hours 27 hours	– 320 hours – 20 responses – 306 hours – 200 responses
213.343 – Record of CWR work that does not conform with	3,000 records 4 hours	8,000 records 2 minutes	12,000 hours	266.7 hours	– 11,733 hours + 5,000 responses

written procedures – Procedures for installations and adjustments of CWR	0 reports 0 hours	2 plans 4 hours	0 hours	8 hours	+ 8 hours + 2 responses
213.345 Vehicle qualification testing – Vehicle qualification program for all vehicle types operating at track Class 6 speeds or above – Previously qualified vehicle types qualification programs – Written consent of other affected track owners by railroad	50 programs 120 hours 50 programs 40 hours 3 written consents 8 hours	2 programs 120 hours 2 programs 8 hours 4 written consents 30 minutes	6,000 hours 2,000 hours 24 hours	240 hours 16 hours 2 hours	– 5,760 hours – 48 responses – 1,984 hours – 48 responses – 22 hours – 1 response
213.369(d) – Inspection Records – Record of inspection of track	15,000 records 1 minute	15,000 records 10 minutes	250 hours	2,500 hours	+ 2,250 hours 0 responses
- Internal defect inspections and remedial action taken	50 records 5 minutes	0 records	4 hours	0 hours	– 4 hours – 50 responses

16. Publication of results of data collection.

There will be no publications involving these information collection requirements.

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

Once OMB approval is received, FRA will publish the approval number for these information collection requirements in the Federal Register.

18. Exception to certification statement.

No exceptions are taken at this time. In this information collection, as in all its information collection activities, FRA seeks to do its very best to fulfill DOT Strategic Goals and to be an integral part of One DOT.