

**1FEDERAL RAILROAD ADMINISTRATION**  
**1Accident/Incident Reporting and Recordkeeping**  
**(Title 49 Code of Federal Regulations (CFR) Part 225)**  
**SUPPORTING JUSTIFICATION**  
**OMB Control No. 2130-0500**

Summary of Submission

- This submission is a request for an extension without change (with changes in estimates) of the last three-year approval granted by the Office of Management and Budget (OMB) on June 21, 2018, which expires June 30, 2021.
- The Federal Railroad Administration (FRA) published the required 60-day **Federal Register** Notice on February 18, 2021. See 86 FR 10068. FRA received one comment in response to this Notice.
- Overall, the adjustments decreased the burden by 10,731 hours and decreased responses by 20,383 after a thorough review of the data.
- The answer to question number 12 itemizes all information collection requirements.
- The answer to question number 15 itemizes all adjustments.
- There are no program changes at this time.

**1. Circumstances that make collection of the information necessary.**

In 1960, the Accident Reports Act was amended to remove language conferring rulemaking authority on the ICC.<sup>1</sup> In 1966, the Department of Transportation Act transferred the responsibility for prescribing regulations to carry out the Accident Reports Act, as amended, from the ICC to the Secretary of Transportation.<sup>2</sup> In addition, the Secretary delegated this responsibility to the Administrator of the Federal Railroad Administration by regulation.<sup>3</sup> Later, in 1988, the Accident Reports Act was amended so as to expand its applicability from “common carriers engaged in interstate commerce by railroad” to include all “railroads.”<sup>4</sup> The same legislation required railroads to include in any of their reports that assigned employee error as a cause of an accident/incident to include, at the employee’s option, a statement “explaining any factors the employee alleges contributed to the accident or incident.”<sup>5</sup>

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<sup>1</sup> Pub. L. 86-762 (September 13, 1960); 74 Stat. 903.

<sup>2</sup> Sec. 6(e)(1)(K) of Pub. L. 89-670 (October 15, 1966), 80 Stat. 939.

<sup>3</sup> 49 CFR 1.49(c)(11).

<sup>4</sup> Section 15 of Pub. L. 100-342 (June 22, 1988), 102 Stat. 633.

<sup>5</sup> Id. at Sec. 24.

In 1994, the Accident Reports Act was repealed, and its provisions were revised, re-enacted as positive law, and re-codified without substantive change at 49 U.S.C. 20901-20903, Accidents and Incidents.<sup>6</sup> In 1996, FRA published extensive amendments to its accident/incident reporting regulations.<sup>7</sup> This was the first major revision of the accident/incident reporting requirements since 1974. The primary purpose of the revision was to increase the accuracy, completeness, and utility of FRA's accident database and to clarify certain definitions and regulatory requirements. Among other things, these amendments required railroads to adopt and comply with an Internal Control Plan (ICP) to ensure accurate reporting of accidents and incidents.

In 2003, FRA again published extensive amendments to its accident/incident reporting regulations.<sup>8</sup> The primary purpose of these revisions was to conform FRA's accident/incident reporting requirements to the Department of Labor's Occupational Safety Health Administration (OSHA's) newly revised occupational injury and illness recording and reporting requirements.<sup>9</sup> FRA's 2003 Final Rule also addressed other issues and provided for an alternative method of recording claimed occupational illnesses with the advent of Form FRA F 6180.107, "Alternative Record for Illness Claimed to be Work-Related."

In 2018, FRA amended its accident/incident reporting regulations to clarify ambiguous regulations; add necessary definitions; require the reporting of additional types of injuries to all persons; require the reporting of suicide data; include a comprehensive list of accident/incident reporting exceptions; allow for consolidated accident/incident reporting by integrated railroad systems; set forth requirements for railroad electronic recordkeeping systems for purposes of part 225; update regulatory text; enhance the quality of information available for railroad casualty analysis; clarify and limit which highway-rail grade crossing fatalities must be telephonically reported to the National Response Center (NRC); clarify and refine the requirements and criteria for using and retaining Form FRA F 6180.107, "Alternative Record for Illnesses Claimed to be Work-Related," and the alternative railroad-designed record; eliminate the oath and notarization requirements for Form FRA F 6180.55, "Railroad Injury and Illness Summary"; allow for the electronic submission via the Internet of Forms FRA F 6180.54, "Rail Equipment Accident/Incident Report"; FRA F 6180.55, "Railroad Injury and Illness Summary"; FRA F 6180.55a, "Railroad Injury and Illness Summary" (Continuation Sheet); FRA F 6180.57, "Highway-Rail Grade Crossing Accident/Incident Report"; and FRA F 6180.81, "Employee Human Factor Attachment"; set forth record retention requirements for certain accident/incident recording and reporting records not previously addressed; and update FRA's address information.

Additionally, in 2018, FRA revised its accident/incident recording and reporting forms to

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<sup>6</sup> Pub. L. 103-272, 108 Stat. 745 (July 5, 1994).

<sup>7</sup> 61 FR 30940, June 18, 1996; 61 FR 67477, December 23, 1996.

<sup>8</sup> 69 FR 10107-10140, March 3, 2003.

<sup>9</sup> 66 FR 5916-6135, January 19, 2001

capture essential additional data and amended the FRA Accident/Incident Guide to provide clear information to railroads on the completion of regulatory required forms.

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

Along with railroads, labor organizations, local and national news reporters, States and their police agencies, college faculty/students throughout the country studying rail and rail-highway safety, FRA is one of the primary users of the information obtained under this collection. Accident and Incident reporting information is entered into FRA's database, and information in the database is made publicly available on FRA's Website for anyone wishing to see it. For instance:

- FRA uses this information to assess the risks that exist on the nation's railroads. The information allows FRA to track the nature, number, type, severity, and cause(s) of railroad-related accidents and incidents, and to develop strategies and programs to reduce the occurrence of such accident/incidents.
- FRA uses the information collected under §225.6, Consolidated Reporting, to determine whether the parent corporation of an integrated system of railroads should be permitted to report the accidents and incidents of its subsidiary railroads. By treating all components of an integrated system as a single railroad, FRA seeks to gather more meaningful and accurate accident/incident data.
- FRA uses telephonic reports mandated under §225.9 to promptly respond to and investigate the following accidents/incidents caused by an event or exposure arising from the operation of a railroad.
- FRA uses the information collected under §225.11 to monitor, on a continuing (monthly) basis, all accident/incidents described in §225.19. For reporting purposes, reportable accident/incidents are divided into three groups: (i) Highway-Rail Grade Crossing; (ii) Rail Equipment; and (iii) Death, Injury, and Occupational Illness. This information enables the agency to take necessary steps to eliminate the likelihood/cause(s) of similarly caused accidents/incidents in the future.
- FRA uses the information collected under §225.12 to track the number of rail equipment accidents/incidents where railroads cite employee human factor(s), such as an employee's act/omission/physical condition, as a primary or contributing cause of the accident. FRA safety specialists use this data to spot dangerous practices by railroad employees, individually and system-wide, and to develop and institute appropriate remedial safety measures to save lives and protect railroad property from similar future occurrences.
- FRA reviews late and amended reports submitted to the agency under §225.13 to gather the most accurate and complete data that it can obtain involving railroad accidents/incidents that are reported to the agency on a monthly basis.
- FRA carefully examines the information submitted by railroads under §225.18 to assess whether alcohol or drug use by railroad employees played a primary or contributing role in the occurrence of a rail equipment accident/incident. Any

information developed concerning possible drug or alcohol use must be reported by the railroads to FRA. All submitted information enables FRA to make a thorough evaluation of each specific case and to determine whether appropriate action(s) have been taken or need to be taken by the railroad and/or FRA to ensure that employees in safety-sensitive positions do not abuse alcohol and drugs while on duty.

- FRA uses the information collected under § 225.19 to keep close watch on the causes, extent, number, and frequency of highway-rail grade crossing accidents, rail equipment accident/incidents, and railroad related casualties that occur throughout the country.
- Section § 225.21(k) addresses Form FRA F 6180.150, “Highway User Statement.” These forms must be sent out by railroads to individuals whenever there is a highway-rail grade accident/incident. FRA uses the information collected under § 225.21(k) (Form FRA F 6180.150, “Highway User Statement”) to ascertain the nature and extent of any injuries/illnesses, to discover problematic highway-rail grade crossings across the country, and to design programs to reduce and eliminate these types of accidents/incidents from happening in the future.
- FRA uses the records that are required under §225.25 to ensure that the Nation’s railroads are complying with applicable Federal safety regulations. FRA requires railroads to complete records for all reportable, and certain non-reportable, accidents/incidents involving rail equipment and accidents/incidents resulting in death, injury or occupational illness.

Additionally, this information collection is used by a wide array of organizations and individuals. It provides context to all users examining rail operations and rail safety in the United States. It enables FRA to establish and maintain an extensive database that the agency utilizes to develop and implement appropriate safety programs. The information collected is essential to the FRA’s mission and to the fulfillment of its regulatory responsibilities mandated under the various Federal railroad safety laws.

Furthermore, the information is used by FRA to discern and monitor existing safety problems and emerging trends that may adversely affect the operational safety of a large number of the nation’s rail carriers, as well as the health and well-being of railroad employees. FRA is especially concerned with reducing, to the greatest extent possible, rail occupational injuries and deaths. The information collected helps facilitate prompt agency corrective action, where necessary.

### **3. Extent of automated information collection.**

FRA has strongly encouraged and highly endorsed the use of advanced information technology, wherever possible, to reduce burden on respondents. In particular, FRA has long championed the use of electronic recordkeeping by railroads to reduce their paperwork time and cost burdens. In keeping with the requirements of the Paperwork Reduction Act (PRA) and the Government Paperwork Elimination Act, FRA allows

railroads to submit accident/incident reports, updates, and amendments to FRA through optical media transfer.

In 2018, FRA made two changes regarding Form FRA F 6180.55 that it believes reduced railroad burden related to completing and/or submitting this form. FRA replaced the oath and notarization requirement for this form with a requirement that the signature be signed under penalty of perjury in accordance with 28 U.S.C. §1746. Additionally, FRA allowed railroads to make their monthly submission of this form via optical media or electronically via the Internet in .pdf or .jpg file format rather than in hard copy. However, because these documents are signed by the railroad reporting officer under penalty of perjury, FRA is required to ensure that the original copies of the documents are available in the event of litigation. Railroads must retain a duplicate of their original hard copy of Form FRA F 6180.55 report submissions for a period of two years under §225.27(b).

The other forms required by this collection of information are either kept on the premises by railroad and are not filed with FRA, sent by railroads to employees, or are completed/collected by FRA and not the railroads. Records required to be retained by the railroads under §225.27 (a) and (b) may be kept electronically or on paper by the railroads. Under § 225.27(c), railroads that choose to take advantage of FRA's electronic submission options and file their Form FRA F 6180.55 reports through optical media transfer must retain the original completed and signed submission for a period of five (5) years; railroads that choose to file their Form FRA F 6180.55 reports with FRA electronically via the Internet must retain the original completed and signed submission, as well as a hard copy print out of FRA's acknowledgment receipt, for a period of five (5) years.

FRA provides all its forms, including the accident/incident forms, and the *Guide for Preparing Accident/Incident Reports*, on its Website for convenient downloading. Additionally, FRA provides free software called the Accident/Incident Report Generator (AIRG) to railroads to allow them to do their Federally-required accident/incident recordkeeping on a personal computer.

FRA estimates railroads will submit approximately 54% of their responses electronically for this information collection request.

**4. Efforts to identify duplication.**

The promotion/enhancement of rail safety is perhaps the most important function of FRA, and the agency has been granted regulatory authority in this area. One of the agency's primary tools in accomplishing this is the collection of accident/incident data. Although other Federal agencies use this information, there are none that collect duplicate information. In areas where there are mutual concerns among agencies, arrangements have been made to exchange information rather than impose new requirements.

To eliminate duplication and reduce burden, FRA collects and reports worker on-duty injuries and illnesses to OSHA. Since FRA's data are adequate for DOL's needs, this information is routinely made available for use in DOL's studies. Similarly, the Office of Hazardous Materials Transportation collects data from all transportation modes concerning unintentional releases of hazardous materials. FRA uses this information that pertains to railroads rather than impose a separate reporting burden.

FRA and the National Transportation Safety Board (NTSB) conduct investigations of major accidents. These represent a very small percentage of the accidents/incidents that occur annually. While the amount of information obtained in these investigations is extensive, the limited number of accidents investigated would be insufficient to provide any understanding of railroads operating environment if FRA did not collect additional data.

**5. Efforts to minimize the burden on small businesses.**

“Small entity” is defined in 5 U.S.C. §601 as including 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.<sup>10</sup>

SBA's “size standards” may be altered by Federal agencies, 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 being 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.<sup>11</sup> 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.

There are approximately 714 small railroads that could potentially be affected. FRA anticipates that most of the recording and reporting burdens imposed by this regulation will be borne by railroads that are not considered small, due to the decreased likelihood that a small railroad will experience an accident/incident necessitating such recording and/or reporting.

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<sup>10</sup> See “Size Eligibility Provisions and Standards,” 13 CFR part 121 subpart A.

<sup>11</sup> See 68 FR 24891, May 9, 2003, codified at Appendix C to 49 CFR part 209.

FRA anticipates that the computer-related burdens will be borne by the larger railroads because the large railroads have chosen to retain their accident/incident records and reports electronically in their own systems. Large railroads also submit their accident/incident reports to FRA electronically via their own systems. Most small railroads complete their federally required accident/incident recordkeeping and reporting on a personal computer using FRA supplied AIRG software. This software allows railroads to send reports to FRA electronically. FRA will send a free updated or new version of the AIRG software to any railroad that requests it.

Recordkeeping burdens for this collection have been reduced by simplifying the method used to count employee absences and work restrictions and by reducing the requirement to keep track of lengthy employee absences. Also, "Train Accident Cause Codes" and Probable Reason for Injury/Illness Circumstances Codes" have been added so that accident and injury data will be more precise and the need for some narratives eliminated, thus reducing the time and effort necessary to complete reporting forms. These changes help both large and small railroads.

FRA has determined and certified through the rulemaking process that this information collection request will not have a significant economic impact on a substantial number of small entities.

#### **6. Impact of less frequent collection of information.**

If this information were not collected or collected less frequently, railroad safety in the United States would be significantly impeded. Without this collection of information, FRA would be less able to fulfill a variety of Congressionally mandated responsibilities and would be hindered in its ability to carry out its mission of promoting and enhancing national rail safety by means of regulation, emergency orders, bulletins, and the establishment of different types of safety programs.

Without the consolidated reporting information collected under §225.6, FRA would not be able to obtain accurate and necessary data. Because merged railroads may operate as independent entities, or as a single larger commonly controlled integrated railroad system, compliance with and enforcement of part 225 is increasingly difficult, because the operations of merged railroads often become so integrated that parent railroad corporations (as well as FRA) cannot simply disaggregate their operations, especially in terms of identifying which subsidiary railroad employs a worker or owns the equipment or trackage involved in an accident/incident. As a result, accident and incident recording and reporting inaccuracies are more likely to occur, and remain undiscovered by FRA, which undermines the integrity of FRA's accident and incident data.

If FRA did not receive immediate telephonic reports by railroads of certain accidents/incidents and other events, the agency and other first responders to these rail emergencies could not act as quickly and appropriately as they need to during such

occurrences.

Without this collection of information, rail employees alleged to have caused or contributed to an accident/incident or other event would not have a forum to respond on the record (or confidentially) to give their version of events to FRA and their employer so that the true sequence of events and the true cause(s) of that particular accident/incident could be determined and any recurrences prevented.

Without this collection of information, FRA would not have necessary information about the possible use of alcohol or drugs by employees in an accident/incident. It is essential for FRA and the railroads to know whether or not drugs or alcohol played any role in a collision, derailment, fire, explosion, or some other adverse rail event where railroad employees, contractors, or members of the public are injured or killed, or where there is substantial damage to rail property or the surrounding community.

Without this collection of information, FRA would be unable to get a clear idea of injuries and illnesses affecting the nation's railroad employees. Review of railroad Injury and Illness Summary reports each month allows FRA to get the big picture of the nation's rail environment and facilitates the ability to quickly spot actual or potential problems that might indicate increased operational dangers or heightened risk to the health and welfare of railroad employees and the traveling public. If data indicate a trend is emerging, FRA and the railroads can institute immediate corrective measures to reduce any risk/dangers and thus avert the potentially high human and economic costs that might otherwise result.

This collection of information provides essential data that enables FRA to promote and enhance national rail safety, and thereby fulfill its primary mission.

## **7. Special circumstances.**

Under § 225.25 of this rule, FRA requires railroads to complete records for all reportable, and certain non-reportable, accidents/incidents involving rail equipment and accidents/incidents resulting in death, injury, or occupational illness. These records are required to be kept as early as practicable, but no later than seven (7) working days after the railroad receives information or acquires knowledge that a recordable accident/incident has occurred.

Title 49 U.S.C. 20901 specifies that reports shall be made on a monthly basis.

Additionally, railroads are required to maintain the Railroad Employee Injury and/or Illness Record, Form FRA F 6180.98; the Alternative Record for Illnesses Claimed to be Work-Related, Form FRA F 6180.107; and the Monthly List of Injuries and Illnesses required by § 225.25 for at least five years after the end of the calendar year to which they relate. If a railroad opts to submit its monthly Railroad Injury and Illness Summary,



Form FRA F6180.55, to FRA electronically, the railroad must retain the original signed and completed report for a period of five years. Railroads must also retain Form FRA F 6180.150, Highway User Statement, for five years as well.

In the event a railroad opts to submit their monthly Form FRA F 6180.55, “Railroad Injury and Illness Summary”, electronically rather than in hard copy, the railroad must retain the original completed hard copy for a period of five years after the calendar year to which it relates. If the railroad opts to submit the report to FRA via the Internet, the railroad is required to also retain a hard copy print out of FRA’s electronic notice acknowledging receipt of the submission for a period of five years after the calendar year to which the report acknowledged relates.

FRA requires the above records be kept for a period of five years so that there is a valid document available in the future that the agency can consult when conducting periodic and annual audits to ensure that railroads are fully complying with the requirements of this regulation. The five-year retention period also assists FRA and participating State agencies when conducting follow-up accident/incident investigations.

All other information collection requirements are in compliance with this section.

#### **8. Compliance with 5 CFR 1320.8.**

In accordance with the Paperwork Reduction Act of 1995, Pub.L. No.104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. §§ 3501-3520), and its implementing regulations, 5 CFR Part 1320, FRA published a notice in the Federal Register on February 18, 2021, soliciting public comments on these information collection requirements. FRA solicited comments regarding whether the collection is necessary for FRA to properly execute its functions; the accuracy of FRA’s estimates; ways to enhance the quality, utility, and clarity of the information collected; and, way for FRA to minimize the burden on the public.<sup>12</sup> FRA received one comment in response to this Notice.

On March 11, 2021, Dennis J. Fixler, the Chief Economist of the Bureau of Economic Analysis (BEA), sent an electronic letter expressing BEA's strong support of the continued collection of data by FRA on the Accident/Incident Reporting and Recordkeeping forms. He noted that the data collected on these forms are crucial to key components of BEA's economic statistics. In his letter, Dr. Fixler stated that BEA uses data collected on these forms to prepare estimates of the employee compensation component of national income and state personal income. Specifically, Dr. Fixler stated that data on the number of employee injuries and deaths from forms F6180.55 and F6180.55a, Railroad Injury and Illness Summary, are used to prepare estimates of workers’ compensation for the railroad industry, that these same data are used to prepare estimates of workers’ compensation for the railroad industry by state. FRA appreciates

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<sup>12</sup> See 86 FR 10068.

the BEA's feedback and support of this information collection request.

Consultations with representatives of the effected population:

Additionally, FRA receives public feedback through its Railroad Safety Advisory Committee (RSAC) Part 225 working group. This working group's mission is to provide advice and recommendations to the larger RSAC on Part 225 requirements, including the associated accident/incident reporting forms. Stakeholders, such as major railroads and labor organizations, attend these working group meetings and have the opportunity to share feedback regarding the burdens associated with these forms. This working group has been meeting for approximately 18 months and the last working group meeting was held on January 7, 2021. Recent discussions have focused on improvements to these forms, including the possibility of consolidating FRA F 6180.78 and FRA F 6180.81 into one form, which could potentially reduce the overall burden of this collection. However, discussions are ongoing as FRA staff continue to solicit feedback from these stakeholders about potential improvements.

**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 regulation.

**10. Assurance of confidentiality.**

The information contained on various report forms is a matter of public record and, therefore, confidentiality is not promised to any respondent.

Pursuant to 49 U.S.C. 20903, monthly reports filed by railroads under the accident/incident reporting requirements may not be admitted as evidence or used for any purpose in any action for damages growing out of any matters mentioned in these monthly reports.

Injury/illness reports submitted to FRA do not have names, social security numbers, or similar information.

It should be noted that the rule was amended to apply to "privacy concern cases." A railroad is not permitted to post information on an occupational injury or illness that is a "privacy concern case."

State agencies participating in investigative activities under 49 CFR Part 212 could obtain records and reports from the railroads and FRA in regards to suicide or suicide attempts. All of the reports that the States may access, with two exceptions, contain no personally identifying information (PII). State agencies participating in investigative activities

under Part 212 will have access to relevant claims and medical records, in addition to Federal records and reports pursuant to § 225.35(b), which do contain Personally Identifiable Information (PII). Once the State agencies obtain these documents, their disclosure will be subject to State privacy laws, rather than FOIA requests. While FRA wants to limit the general public’s access to these documents and their dissemination due to their sensitive nature, FRA believes that States will be able to use this information to improve safety.

FRA emphasizes that it will not report suicide data cases to OSHA and that it will not include suicide data in its periodic summaries of data on the number of injuries and illnesses associated with railroad operations. Suicide data will not be available on FRA’s Website for individual reports or downloads but rather in aggregate format on FRA’s Website and via requests under the Freedom of Information Act.

**11. Justification for any questions of a sensitive nature.**

Except as noted above in the response to question number 10, there are no questions or information of a sensitive nature, or data that would normally be considered private matters contained in this collection of information.

FRA notes that the collection of suicide data also aids the Federal Transit Administration (FTA) in its collection and analysis of commuter railroad accidents, since FRA provides certain commuter railroad safety data to FTA. FTA relies on FRA to provide to it data on the types of accidents occurring on commuter rail, their primary causes, and the consequences, in terms of fatalities (which for FTA includes suicides under 49 CFR part 659), injuries, and property damage.

**12. Estimate of burden hours for information collected.**

The estimates for the respondent universe, annual responses, and average time per response are based on the experience and expertise of FRA’s Office of Railroad Safety.

FRA is including the dollar equivalent cost for each of the itemized hours below using the Surface Transportation Board’s full-year wage A&B data series as the basis for each cost calculation. For professional and administrative staff, the hourly wage is \$77.47 per hour (\$44.27 x 1.75). For maintenance of way and structures staff, the hourly wage rate is \$59.24 per hour (\$33.57 x 1.75).

CFR Section/Subject	Respondent universe	Total annual responses	Average time per	Total annual	Wage Rate (D)	Total annual	Section analyses and estimates
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		(A)	response (B)	burden hours (C) = A * B		dollar cost equivalent (E) = C * D <sup>13</sup>	
225.6(a)— Consolidated reporting—Request to FRA by parent corporation to treat its commonly controlled carriers as a single railroad carrier for purposes of this part	765 railroads	0.33 request	40 hours	13.20 hours	\$77.47	\$1,022.60	A parent corporation may request in writing that FRA treat its commonly controlled railroad carriers, which operate as a single, seamless, integrated United States rail system, as a single railroad carrier for purposes of this Part.  FRA estimates that it will receive one (1) request in the next three years under the above requirements. It is estimated that it will take approximately 40 hours to complete the consolidated justification and request letter.
—(b) Written agreement by parent corporation with FRA on specific subsidiaries included in its railroad system	<i>The burden for this requirement is included in 225.6(a).</i>						
—(c) Notification by parent corporation regarding any change in the subsidiaries making up its railroad system and amended written agreement with FRA	<i>The burden for this requirement is included in 225.6(a).</i>						
225.9— Telephonic reports of certain accidents/incidents and other events	765 railroads	3,123 phone reports	15 minutes	780.75 hours	\$77.47	\$60,484.70	To the extent that the necessity to report an accident/incident depends upon a determination of fact or an estimate of property damage, a report will be considered immediate if made as soon as possible following the time that the determination or estimate is made, or could reasonably have been made, whichever comes first, taking into consideration the health and safety of those affected by the accident/incident, including actions to protect the environment. NTSB has other specific requirements regarding the timeliness of reporting.  FRA estimates that it will receive approximately 3,123

<sup>13</sup> Totals (burden hours and annual dollar cost equivalent) may not add due to rounding.

							telephonic reports each year under the above requirements. It is estimated that it will take approximately 15 minutes to complete each phone report.
225.11—Reporting of accidents/incidents—Form FRA F 6180.54	765 railroads	1,970 forms	2 hours	3,940.00 hours	\$77.47	\$305,231.80	Each railroad subject to this Part must submit to FRA a monthly report of all railroad accidents/incidents described as follows: (1) Highway-Rail Grade crossing accidents/incidents described in § 225.19; (2) Rail Equipment accidents/incidents described in § 225.19; and (3) Death, Injury, and Occupational Illness accidents/incidents described in § 225.19. <i>(Note: The burden for § 225.11 (a) and § 225.11 (c) are included under that of § 225.19).</i>  Based on past history and the most recent data, FRA estimates that it will receive the same approximately 1,970 forms reporting railroad accidents/incidents per year. FRA estimates it will take approximately 2 hours to complete each form.
225.12(a)—Rail equipment accident/incident reports alleging human factor as cause—Form FRA F 6180.81	765 railroads	772 forms	15 minutes	193.00 hours	\$77.47	\$14,951.71	This form must be completed only when a railroad, in reporting a rail equipment accident/incident to FRA, assigns any of the cause codes listed in Appendix C of the FRA Guide under "Train Operations-Human Factors" as the primary cause or a contributing cause of the rail equipment accident/incident. The form must be attached to the Rail Equipment Accident/Incident Report and must be submitted within 30 days after the expiration of the month in which the accident/incident occurred.  FRA estimates approximately 772 forms will be completely annually. It is estimated that it will take approximately 15 minutes to fill out each form and send it to FRA.
<p><i>Note: Although there is a requirement included in the FRA Guide that a narrative on suicide data must be included on Form FRA F 6180.81, FRA data show that an accident/incident involving rail equipment and caused by a rail employee committing suicide or attempting to commit suicide has never happened/would not happen. Consequently, FRA estimates that zero (0) forms will be completed and that there is no burden pertaining to this requirement.</i></p>							
—(b) Part I Form FRA F 6180.78 (Notices)	765 railroads	800 notices + 800 notice copies + 3,200 copies + 10 copies	10 minutes + 3 minutes	333.83 hours	\$77.47	\$25,861.81	Except as provided in paragraphs (e) and (f) of this section, for each employee whose act, omission, or physical condition was alleged by the railroad as the employee human factor that was the primary cause or a contributing cause of a rail equipment accident/incident and whose

							<p>name was listed in the employee Human Factor Attachment for the accident and for each such railroad employee of whose identity the railroad has actual knowledge, the alleging railroad must: (1) through (2) of this section.</p> <p>FRA estimates that railroads will fill-out approximately 800 Notices (Part I: Form FRA 6180.78) annually. FRA also estimates that railroads will make approximately 800 copies of the required Notices, approximately 3,200 copies of Rail Equipment. Accident/Incident Report and Human Factor Attachment, and approximately 10 copies of the railroad's Highway-Rail Grade Crossing Accident/Incident Report under the above requirement. It is estimated that it will take railroads approximately 10 minutes to complete Part I of each Form FRA F 6180.78 and approximately three (3) minutes to make the required copies of the other forms/reports and hand-deliver/mail them to the affected employees.</p> <p>Calculation: (800 notices x 10 minutes) + (800 copies x 3 minutes) + (3,200 copies x 3 minutes) + (10 copies x 3 minutes).</p>
<p><i>Note: Although there is now a requirement included in the updated FRA Guide that a narrative on suicide data must be included on Form FRA F 6180.78, FRA data show that an accident/incident involving rail equipment and caused by a rail employee committing suicide or attempting to commit suicide has never happened/would not happen. Consequently, FRA estimates that zero (0) forms will be completed and that there is no burden pertaining to this new requirement.</i></p>							
—(c) Joint operations	765 railroads	77 reports	20 minutes	25.67 hours	\$77.47	\$1,988.65	<p>If a reporting railroad makes allegations under paragraph (a) of this section concerning the employee of another railroad, the employing railroad must promptly provide the name, job title, address, and medical status of any employee reasonably identified by the alleging railroad, if requested by the alleging railroad.</p> <p>FRA estimates that this will occur approximately 77 times a year. Further, FRA estimates that it will take approximately 20 minutes for the alleging railroad to make the request and the employing railroad to collect and verify the required data and respond back to the alleging railroad.</p>
—(d) Late identification	765 railroads	20 attachments + 20 notices	10 minutes	6.67 hours	\$77.47	\$516.72	<p>Except as provided in paragraphs (e) and (f) of this section, if a railroad is initially unable to identify a particular railroad employee whose act, omission, or physical</p>

							<p>condition was cited by the railroad as a primary or contributing cause of the accident, but subsequently makes such identification, the railroad must submit a revised Employee Human Factor Attachment (Form FRA F 6180.81) to FRA immediately, and must submit the Notice described in paragraph (b) of this section to that employee within 15 days of when the revised report is to be submitted.</p> <p>FRA estimates that railroads will revise approximately 20 Employee Human Factor Attachment Forms (Form FRA F 6180.81) and will submit approximately 20 Notices to affected employees under the above requirement. It is estimated that it will take approximately 10 minutes to complete each attachment and notice.</p>
—(g) Employee statement supplementing railroad accident report (Part II Form FRA 6180.78)	Railroad employees	60 statements	1.5 hours	90.00 hours	\$59.24	\$5,331.60	<p>Employee Statements Supplementing Railroad Accident Reports are voluntary, not mandatory; non-submission of a Supplement does not imply that the employee admits or endorses the railroad’s conclusions as to cause or any other allegations.</p> <p>Part II of Form FRA F 6180.78 is completed at the option of the employee, and is used by the employee in describing his/her view as to what he/she believes caused the accident. FRA estimates that approximately 60 of the employees who receive a Notice (FRA F 6180.78) will exercise their rights and file a supplementary statement, or a letter containing confidential information with FRA. It is estimated that it will take the employee approximately 1.5 hours to prepare each statement/letter; make all necessary copies of supporting data; and forward copies of the form/letter and supporting data to FRA and the railroad making the allegation.</p>
—(g)(3) Employee confidential letter	Railroad employees	5 letters	2 hours	10.00 hours	\$59.24	\$592.40	<p>Information that the employee wishes to withhold from the railroad must not be included in this (above-mentioned) Supplement. If an employee wishes to provide confidential information to FRA, the employee should not use the Supplement form (Part II of Form FRA F 6180.78, “Notice to Railroad Employee Involved in Rail Equipment Accident/Incident Attributed to Employee Human Factor; Employee Statement Supplementing Railroad Accident Report”), but rather provide such confidential information</p>

							<p>by other means, such as a letter to the employee's collective bargaining representative, or to the U.S. Department of Transportation, Federal Railroad Administration, Office of Safety. The letter should include the name of the railroad making the allegations, the date and place of the accident, and the rail equipment accident/incident number.</p> <p>FRA estimates that employees will compose approximately 5 letters annually under the above requirement. It is estimated that it will take each employee approximately 2 hours to prepare his/her letter and forward it to FRA.</p>
--(h) Willful false statements	<i>FRA estimates that it will receive zero (0) willfully false statements under the above requirement from railroad employees since they know that they would be subject to financial and criminal penalties. Consequently, there is no burden associated with this requirement.</i>						
225.13(A) —Late reports—RR discovery of improperly omitted report of accident/incident	765 railroads	25 late reports	2 hours	50.00 hours	\$77.47	\$3,873.50	<p>Whenever a railroad discovers that a report of an accident/incident, through mistake or otherwise, has been improperly omitted from or improperly reported on its regular monthly accident/incident report, a report covering this accident/incident together with a letter of explanation must be submitted immediately.</p> <p>FRA estimates that approximately 25 late/amended reports will be completed under the above requirement. It is estimated that it will take approximately two hours to complete each late report and send it to FRA.</p>
—(B) RR late/amended report of accident/incident based on employee statement supplementing RR accident report	765 railroads	20 amended reports + 30 copies	1 hour + 3 minutes	21.50 hours	\$77.47	\$1,665.61	<p>Whenever a railroad receives a partially or fully completed Employee Statement Supplementing Railroad Accident Report (Part II of Form FRA F 6180.78), in response to a Notice to Railroad Employee (Part I of Form FRA F 6180.78) issued by the railroad carrier and mailed or hand-delivered to the employee, the railroad must: promptly review that Supplement; based on that review, reassess the accuracy and validity of the railroad's Rail Equipment Accident/Incident Report and of any other reports and records required by this part concerning the same accident, including the Employee Human Factor Attachment; make all justified revisions to each of those reports and records; submit any amended reports to FRA; and submit a copy of any amended Rail Equipment Accident/Incident Report, Employee Human Factor Attachment, and Highway-Rail</p>



							<p>Grade Crossing Accident/Incident Report on the accident to the employee.</p> <p>FRA estimates that railroads will amend approximately 20 additional Rail Equipment Accident/Incident Reports and 30 copies under the above-cited circumstances. FRA estimates railroads will submit copies of these amended reports both to FRA and to employees. It is estimated that it will take railroad officials approximately one hour to complete each amended report, and an additional three minutes to make the required copies, and send one to FRA and one to the affected railroad employee.</p>
225.15(c)(3) – Accident/incidents not to be reported	<i>The burden for this requirement is included under that for Form FRA F 6180.98 below. Consequently, there is no additional or other burden associated with this requirement.</i>						
(c)(5) – Personal or self-inflicted injury/illness	<i>The burden for this requirement is included under that of § 225.41 below. Consequently, there is no additional or other burden associated with this requirement.</i>						
(c)(7)—Mental illness	<i>The burden for this requirement is included under that for Form FRA F 6180.98 below. Consequently, there is no additional or other burden associated with this requirement.</i>						
225.17(a)—Accident/incident with no witness/evidence	<i>Since railroads are currently required to submit accident/incident reports to FRA on a monthly basis for all reportable accidents/incidents, FRA believes that it will receive zero additional reports concerning doubtful cases under the above scenario. Consequently, there is no burden associated with this requirement.</i>						
225.18(a) —RR narrative report of possible alcohol/drug involvement in accident/incident	765 railroads	12 reports	15 minutes	3.00 hours	\$77.47	\$232.41	<p>In preparing a Form FRA F 6180.54, “Rail Equipment Accident/Incident Report,” under this Part, the railroad shall make such specific inquiry as may be reasonable under the circumstances into the possible involvement of alcohol or drug use or impairment in such accident or incident. If the railroad comes into possession of any information whatsoever, whether or not confirmed, concerning alleged alcohol or drug use or impairment by an employee who was involved in, or arguably could be said to have been involved in, the accident/incident, the railroad must report such alleged use or impairment as provided in the current FRA Guide. If the railroad is in possession of such information but does not believe that alcohol or drug impairment was the primary or contributing cause of the accident/incident, then the railroad must include in the narrative statement of such report a brief explanation of the basis of such</p>

							<p>determination.</p> <p>FRA's current rule on the control of alcohol and drug use in railroad operations (Part 219) requires railroads to make a specific inquiry into the possible involvement of alcohol or drugs in an accident/incident. Any information developed concerning possible drug or alcohol involvement is required to be reported by the railroads.</p> <p>FRA estimates that approximately 12 narrative reports will be submitted annually. It is estimated that it will take approximately 15 minutes to prepare the report and append it to the accident report (based on AAR data).</p>
—(b) Reports required by section 219.209(b) appended to rail equipment accident/incident report	765 railroads	5 reports	30 minutes	2.50 hours	\$77.47	\$193.68	<p>For any train accident within the requirement for post-accident testing under § 219.201 of this chapter, the railroad must append to the Form FRA F 6180.54, "Rail Equipment Accident/Incident Report," any report required by 49 CFR 219.209(b) (pertaining to failure to obtain samples for post-accident toxicological testing).</p> <p>Employees are required to provide blood and urine samples for testing by FRA after certain accidents. Whenever a railroad is unable, as a result of non-cooperation of an employee or any other reason, to obtain a sample, it must provide FRA with a narrative report giving the reason for such failure and any responsible action to the cause of such failure (if appropriate).</p> <p>FRA estimates that approximately five reports required by §219.209(b) will be appended to the Rail Equipment Accident/Incident Report by railroads under the above situation. It is estimated that it will take approximately 30 minutes to append each such report.</p>
225.19(a) —Rail-highway grade crossing accident/incident report—Form FRA F 6180.57	765 railroads	2,231 forms	2 hours	4,462.00 hours	\$77.47	\$345,671.14	<p>Each railroad subject to this part must submit to FRA a monthly report of all Highway-Rail Grade crossing accidents/incidents described in § 225.19.</p> <p>The report must be made on Form FRA F 6180.57 as prescribed in § 225.21 in hard copy or, alternatively, by means of optical media or electronic transmission via the Internet, as prescribed in § 225.37, and must be submitted</p>

							<p>within 30 days after expiration of the month during which the accident/incident occurred. Reports must be completed as required by the current FRA Guide.</p> <p>Based on historical data, FRA estimates that approximately 2,231 reports will be completed annually. It is estimated that each report will take approximately two hours to complete.</p>
—(d) Death, injury, or occupational illness (Form FRA F 6180.55a)	765 railroads	Death form (8,966) + injury form (1,044) + occupational injury form (291)	1 hour + 2 hours + 2 hours	11,636.00 hours	\$77.47	\$901,440.92	<p>Each death, injury, or occupational illness that is a new case and that meets the general reporting criteria listed in paragraphs (d)(1) through (d)(6) of this section must be reported to FRA on Form FRA F 6180.55a, “Railroad Injury and Illness Summary (Continuation Sheet)” if an event or exposure arising from the operation of a railroad is a discernable cause of the resulting condition or a discernable cause of a significant aggravation to a pre-existing injury or illness. The event or exposure arising from the operation of a railroad need only be one of the discernable causes; it need not be the sole or predominant cause.</p> <p>Based on historical data, FRA estimates approximately 10,301 forms will be completed annually. It is estimated that it will take approximately 1 hour to complete each death form (8,966 forms), and 2 hours to complete each injury form (1,044 forms) or occupational injury form (291 forms).</p>
225.21—Railroad injury and illness summary—Form FRA F 6180.55	765 railroads	9,180 forms	10 minutes	1,530.00 hours	\$77.47	\$118,529.10	<p>Form FRA F 6180.55 must be filed each month, even though no reportable accident/incident occurred during the month covered. Each report must include an oath or verification, made by the proper officer of the reporting railroad, as provided for attestation on the form. If no reportable accident/incident occurred during the month, that fact must be stated on this form. All railroads subject to this part must show on this form the total number of freight train miles, passenger train miles, yard switching train miles, and other miles run during the month.</p> <p>FRA estimates approximately 9,180 forms will be completed annually. It is estimated that each form will take approximately 10 minutes to complete.</p>
225.21—Annual	765	765 forms	15	191.25	\$77.47	\$14,816.14	Form FRA F 6180.56 must be submitted as part of the

railroad report of employee hours and casualties, by state—Form FRA F 6180.56	railroads		minutes	hours			<p>monthly Railroad Injury and Illness Summary (Form FRA F 6180.55) for the month of December of each year. Each railroad then is required to prepare this report annually.</p> <p>FRA estimates that approximately 765 forms will be completed annually. It is estimated that each form will take approximately 15 minutes to complete.</p>
225.21/25—Railroad employee injury and/or illness record—Form FRA F 6180.98	765 railroads	4,000 forms	1 hour	4,000.00 hours	\$77.47	\$309,880.00	<p>Form FRA F 6180.98 or an alternative railroad-designed record must be used by the railroads to record all reportable and accountable injuries and illnesses to railroad employees for each establishment.</p> <p>When an abnormal condition or disorder of a railroad employee manifests <u>within</u> the work environment and causes or requires the railroad employee to be examined or treated by a qualified health professional but does not meet the general reporting criteria listed in § 225.19(d)(1) through (d)(6), such condition or disorder is an accountable injury or illness regardless of whether the condition or disorder is discernibly caused by an event or exposure in the work environment.</p> <p>FRA estimates that approximately 4,000 forms will be completed annually. It is estimated that each form will take approximately one hour to complete.</p>
—Copies of forms to employees	765 railroads	120 form copies	2 minutes	4.00 hours	\$77.47	\$309.88	<p>When requested by the employee, a copy of the Railroad Employee Injury and/or Illness Report (Form FRA F 6180.98) (or the alternative railroad-designed report) must be provided to the employee.</p> <p>FRA estimates that an employee will request this information in approximately three percent (3%) of the 4,000 casualties reported annually, or a total of 120 times annually. It is estimated that it will take approximately two minutes for the employee to verbally request a copy of the report and for the railroad to make the required copy and provide it to the employee.</p>
225.21—Initial rail equipment accident/incident record—Form FRA F 6180.97	765 railroads	10,518 forms	30 minutes	5,259.00 hours	\$77.47	\$407,414.73	<p>Form FRA F 6180.97 or an alternative railroad-designed record must be used by the railroads to record all reportable and accountable rail equipment accidents/incidents for each establishment. This record must be completed and maintained in accordance with the</p>

							requirements set forth in § 225.25 and §225.27.  Based on historical data, FRA estimates there will be a total of approximately 10,518 reportable and accountable accidents a year. It is estimated that it will take the average railroad approximately 30 minutes to collect the data and fill-in the report.
—Completion of Form FRA F 6180.97 because of rail equipment involvement	<i>FRA anticipates that this will not occur in the next three years. Thus, this collection is not accounted for.</i>						
—Alternative record for illnesses claimed to be work related— Form FRA F 6180.107	765 railroads	150 forms	75 minutes	187.50 hours	\$77.47	\$14,525.63	Form FRA F 6180.107, Alternative Records for Illnesses Claimed to be Work-Related”, or an alternative railroad-designed record may be used by a railroad in lieu of Form FRA F 6180.98, “Railroad Employee Injury and/or Illness Record”, to record each illness claimed by an employee to be work-related that is reported to the railroad for which there is insufficient information to determine whether the illness is work-related. This record must be completed and maintained in accordance with the requirements set forth in § 225.25 and § 225.27.  FRA estimates that railroads will complete approximately 150 forms under the above requirement. It is estimated that it will take approximately 75 minutes to collect the data and fill-in the form.
—Highway User Statement—RR cover letter and Form FRA F 6180.150 sent out to potentially injured travelers involved in a highway-rail grade crossing accident/incident	765 railroads	836 letters/forms	50 minutes	696.67 hours	\$77.47	\$53,971.02	Form FRA F 6180.150 must be sent to every potentially injured highway user involved in a highway-rail grade crossing accident/incident. The form and cover letter shall be completed in accordance with instructions contained in the current “FRA Guide for Preparing Accident/Incident Reports.”  Based on historical data, FRA estimates approximately 836 forms will be completed annually for this requirement. Each form is expected to take approximately 50 minutes to complete.
—Form FRA F 6180.150 completed by highway user and sent back to railroad	1,035 injured individuals	585 forms	45 minutes	438.75 hours	\$77.47	\$33,989.96	FRA estimates that approximately 70% of the FRA F 6180.150 forms will be completed by highway users and sent back to the railroads. Each form is expected to take approximately 45 minutes to complete.

225.23(b) – Joint operations; reporting all casualties	<i>FRA believes that these reports would have already been filled-out and accounted for earlier under § 225.19C. Consequently, there is no burden associated with this requirement.</i>						
(c)—Accident/incident reporting for joint operations	<i>The burden for this requirement is included under § 225.11. Consequently, there is no additional burden associated with this requirement.</i>						
225.25(a) – Maintaining railroad employee injury and/or illness record or alternative record	<i>The burden for this requirement is already included under the various forms in § 225.21, specifically Form FRA F 6180.98. Consequently, there is no burden associated with this requirement.</i>						
(b)—Alternative railroad-designed record in lieu of Form 6180.98	<i>The burden for this requirement is already included under the various forms in § 225.21 and § 225.19C. Consequently, there is no burden associated with this requirement.</i>						
(c)—Copy of Form 6180.98 or alternative form to employee; upon request	<i>The burden for this requirement is already included under the various forms in § 225.21, § 225.19C, and various other requirements listed above. Consequently, there is no burden associated with this requirement.</i>						
(d)—Maintain Form 6180.97 or alternate form	<i>The burden for this requirement is already included under that of the various forms listed in § 225.21. Consequently, there is no burden associated with this requirement.</i>						
(e)—Alternate form in lieu of Form 6180.97	<i>The burden for this requirement is already included under the various forms listed in § 225.21. Consequently, there is no burden associated with this requirement.</i>						
(f)—Reportable and accountable injury/illness	<i>The burden for this requirement is already included under the various forms listed in § 225.21, specifically Form FRA F 6180.98. Consequently, there is no burden associated with this requirement.</i>						
(g)—Maintaining records	<i>The burden for this requirement is already included under the various forms listed in § 225.21, and other sections, as noted above. Consequently, there is no burden associated with this requirement.</i>						
225.25(h)—Posting of monthly summary	765 railroads	9,180 lists	5 minutes	765.00 hours	\$77.47	\$59,264.55	Except as provided in paragraph (h)(15) of this section, a listing of all injuries and occupational illnesses reported to FRA as having occurred at an establishment must be posted in a conspicuous location at that establishment, within 30 days after the expiration of the month during which the injuries and illnesses occurred, if the establishment has been in continual operation for a minimum of 90 calendar days. This listing must be posted and must remain continuously displayed for the next 12 consecutive months. Incidents reported for employees at

							that establishment must be displayed in date sequence.  Each of the 765 railroads will be required to post this summary monthly, totaling to 9,180 posts annually. Each report is expected to take approximately five minutes to post.
(i)—Claimed occupational illnesses	<i>The burden for this requirement is already included under the various forms listed in § 225.21, specifically under that of Forms FRA 6180.107 and FRA F 6180.98. Consequently, there is no burden associated with this requirement.</i>						
(j)—Alternative record in lieu of Form 6180.107	<i>The burden for this requirement is already included under that of § 225.21 above. Consequently, there is no additional burden associate with this requirement.</i>						
225.27(a)(1)—Retention of records	765 railroads	4,000 records	2 minutes	133.33 hours	\$77.47	\$10,329.08	Each railroad must retain the following forms for at least five years after the end of the calendar year to which they relate: (i) Form FRA F 6180.98, “Railroad Employee Injury and/or Illness Record;” (ii) Form FRA F 6180.107, “Alternative Record for Illnesses Claimed to be Work-Related;” (iii) Monthly List of Injuries and Illnesses required by §225.25; and (iv) Form FRA F 6180.150, “Highway User Injury Inquiry Form.”  FRA estimates that railroads will complete 4,000 forms and will keep them as a record to comply with regulatory requirements. It is estimated that it will take approximately two minutes to retain each record.
—Record of Form FRA F 6180.107s	765 railroads	100 records	2 minutes	3.33 hours	\$77.47	\$257.98	FRA estimates that railroads will complete 100 Form 6180.107s and will keep them as a record to comply with regulatory requirements. It is estimated that it will take approximately two minutes to retain each record.
—Record of Monthly Lists	765 railroads	9,180 records	2 minutes	306.00 hours	\$77.47	\$23,705.82	FRA estimates that railroads will complete 9,180 monthly lists and will keep them as a record to comply with regulatory requirements. It is estimated that it will take approximately two minutes to retain each record.
(a)(2)—Record of Form FRA F 6180.97	765 railroads	10,518 records	2 minutes	350.6 hours	\$77.47	\$27,160.98	FRA estimates that railroads will complete 10,518 Form 6180.97s and will keep them as a record to comply with regulatory requirements. It is estimated that it will take approximately two minutes to retain each record.
—Record of employee human factor attachments	765 railroads	1,632 records	2 minutes	54.40 hours	\$77.47	\$4,214.37	FRA estimates that railroads will complete 1,632 records of employee human factor attachments and will keep them as a record to comply with regulatory requirements. It is estimated that it will take approximately two minutes to

							retain each record.
225.33—Internal Control Plans—Amendments	765 railroads	10 amendments	6 hours	60.00 hours	\$77.47	\$4,648.20	It is estimated that a total of approximately 10 amendments to Internal Control Plans will be made annually by railroads. It is estimated that it will take approximately six hours per amendment to complete each amendment.
225.35—Access to records and reports	765 railroads	200 lists	20 minutes	66.67 hours	\$77.47	\$5,164.92	Each railroad subject to this section must have at least one location, and must identify each location, where any representative of the Federal Railroad Administration or of a State agency participating in investigative and surveillance activities under Part 212 of this chapter or any other authorized representative, has centralized access to a copy of any record and report required under this part, for examination and photocopying in a reasonable manner during normal business hours.  FRA estimates that approximately 200 lists of establishments with the necessary information will be kept by railroads under the above requirement. It is estimated that it will take each railroad approximately 20 minutes to complete the required list.
225.37(a)—Optical media transfer of reports, updates, and amendments	1 railroad	12 transfers	3 minutes	0.60 hours	\$77.47	\$46.48	A railroad has the option of submitting the following reports, updates, and amendments by way of optical media (CD-ROM), or by means of electronic submission via the Internet: (1) The Rail Equipment Accident/Incident Form (Form FRA F 6180.54); (2) The Rail Injury and Illness Summary (Form FRA F 6180.55); (3) The Rail Injury and Illness Summary (Continuation Sheet) (Form FRA F 6180.55a); (4) The Highway-Rail Grade Crossing Accident/Incident Report (Form FRA F 6180.57); and (5) The Employee Human Factor Attachment (Form FRA F 6180.81) (the Employee Human Factor Attachment must be in .pdf or .jpg format only).  FRA estimates that approximately one railroad will opt to use optical media in submitting these monthly reports to FRA. FRA estimates a total of 12 transfers annually will be submitted. It is estimated that it will take the railroad approximately three minutes to complete each optical media transfer.
(c)(2)—Electronic submission of	765 railroads	4,590 submissions	3 minutes	229.50 hours	\$77.47	\$17,779.37	FRA estimates that the agency will receive approximately 4,590 electronic submissions annually under the



reports, updates, and amendments							requirements of this information collection. It is estimated that it will take three minutes to complete each submission.
(d)—Electronic reporting	<i>The burden for this requirement is already included in that of § 225.37(a)(b), and (c) above. Consequently, there is no additional burden associated with this requirement.</i>						
(e)—Formatting electronic submissions	<i>The burden for this requirement is already included in that of § 225.37(a)(b), and (c) above. Consequently, there is no additional burden associated with this requirement.</i>						
225.41—Suicide Data	<p><i>The burden for suicide data is included under that of Forms FRA F 6180.55a, FRA F 6180.78, FRA F6180.81, FRA F6180.97, and FRA F 6180.98. Consequently, there is no additional or other burden associated with this requirement.</i></p> <p><i>Also, please note, under the revised requirements stipulated in Chapter 6 of the updated FRA Guide, railroads are required to make an effort to obtain confirmation of a suicide/attempted suicide from a coroner, public police officer, or other public authority. When receiving verbal confirmation of a suicide or attempted suicide, a railroad must create an audit trail of that confirmation so that FRA can independently verify and confirm the determination. Thus, railroads must document the date and time of the confirmation as well as the name, title, address, and phone number of the person who determined the cause of the injury or death. This burden is also included under the burden for suicide data associated with Forms FRA F 6180.55a, FRA F 6180.78, FRA F6180.81, FRA F6180.97, and FRA F 6180.98. Consequently, there is no additional or other burden associated with this confirmation requirement.</i></p>						
Totals	765 railroads	89,057 responses	N/A	35,846 hours		\$2,775,067	

**13. Estimate of total annual costs to respondents.**

There are no additional costs to respondents for this information collection request.

**14. Estimate of Cost to Federal Government.**

FRA provides free software called the AIRG to railroads to allow them to do their Federally required accident/incident reporting on a personal computer. This software allows railroads to send a CD-ROM or to transmit the information via the Internet.

FRA is now performing a one-time update to the AIRG software to address cybersecurity issues going forward. The cost of this software update is \$57,000.

Additionally, FRA utilized two employees, a GS-14 employee and a GS-13 employee, to test the software before implementation. Each employee spent approximately 24 hours to test the software and provide feedback prior to implementation.

FRA uses a wage rate of \$55.75 for the GS-13 employee and a wage rate of \$65.88 for the GS-14 employee.<sup>14</sup> FRA estimates a cost of approximately \$2,919 for their employees to test the AIRG software update.

Total Cost = \$59,919 (for three years)

Annual Cost = \$19,973

**15. Explanation of program changes and adjustments.**

This is an extension without change (with changes in estimates) to a current collection of information.

The current OMB inventory for this information collection shows a total burden of 46,577 hours and 109,440 responses, while the requesting inventory estimates a total burden of 35,846 hours and 89,057 responses. Overall, the burden for this submission has decreased by 10,731 hours and decreased by 20,383 responses. There is no change in the method of the collection. The decrease in burden is solely the result of adjustments.

FRA determined some of the estimates were being accounted for in multiple areas of the information collection request. For instance, burden hours associated with passenger injuries under § 225.21/25 (Form 6180.98) were removed because they are already included under § 225.21 (Form 6180.55). The table below provides specific information on any burden estimates that have changed from the previous submission.

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<sup>14</sup> FRA uses a GS-13, step 5 hourly rate for the GS-13 employee and a GS-14, step 5 hourly rate for the GS-14 employee. The hourly wage rate can be found here: [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/20Tables/html/DCB\\_h.aspx](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/20Tables/html/DCB_h.aspx).

CFR Section	Total Annual Responses			Total Annual Burden Hours			PRA Estimates and Analyses
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	
225.6(a)—Consolidated reporting—Request to FRA by parent corporation to treat its commonly controlled carriers as a single railroad carrier for purposes of this part	1 request (40 hours)	0.33 requests (40 hours)	-0.67 requests	40 hours	13.20 hours	-26.80 hours	The reduction is due to an adjustment in the annual responses. FRA anticipates that one response will be received from railroads during the three-year period of this information collection request.
—(b) Written agreement by parent corporation with FRA on specific subsidiaries included in its railroad system	1 written agreement (2 hours)	0	-1 written agreement	2 hours	0	-2 hours	The burden for this requirement is included in § 225.6(a).
—(c) Notification by parent corporation regarding any change in the subsidiaries making up its railroad system and amended written agreement with FRA	1 notification + 1 amended written agreement notifications & written agreements (1 hour)	0	-1 notifications & written agreements	2 hours	0	-2 hours	The burden for this requirement is include in § 225.6(a).
225.9— Telephonic reports of certain accidents/incidents and other events	2,400 phone reports (15 minutes)	3,123 phone reports (15 minutes)	723 phone reports	600 hours	781 hours	181 hours	This adjustment is due to an anticipated increase in annual responses based on FRA data.
225.11—Reporting of accidents/incidents— Form FRA F 6180.54	2,540 forms (2 hours)	1,970 forms (2 hours)	-570 forms	4,612 hours	3,940 hours	-672 hours	This adjustment is due to an anticipated decrease in annual responses based on FRA data.
225.12(a)—Rail equipment accident/incident reports alleging human factor as cause—Form FRA F 6180.81	952 reports/forms (15 minutes)	772 forms (15 minutes)	-180 forms	238 hours	193 hours	-45 hours	This adjustment is due to an anticipated decrease in annual responses based on FRA data.
—(c) Joint operations	100 requests (20 minutes)	77 reports (20 minutes)	-23 reports	33 hours	26 hours	-7 hours	This adjustment is due to a decrease in annual responses based on FRA data.

—(d) Late identification	20 attachments + 20 notices (15 minutes)	20 attachments + 20 notices (10 minutes)	0	10 hours	7 hours	-3 hours	This adjustment is due to a decrease in the annual response time based on FRA data.
—(g)(3) Employee confidential letter	10 letters (2 hours)	5 letters (2 hours)	-5 letters	20 hours	10 hours	-10 hours	This adjustment is due to a decrease in annual responses based on FRA data.
225.13(A) —Late reports—RR discovery of improperly omitted report of accident/incident	25 late reports (1 hour)	25 late reports (2 hours)	0	25 hours	50 hours	25 hours	This adjustment is due to an increase in the annual burden based on FRA data.  FRA has looked closer at this reporting requirement and believes an increased time would more accurately reflect the burden for this requirement.
—(B) RR late/amended report of accident/incident based on employee statement supplementing RR accident report	25 amended reports + 40 copies (1 hour + 3 minutes)	20 amended reports + 30 copies (1 hour + 3 minutes)	-5 amended reports & -10 copies	27 hours	22 hours	-6 hours	This adjustment is due to a decrease in annual responses based on FRA data.
225.18(a) —RR narrative report of possible alcohol/drug involvement in accident/incident	12 reports (30 minutes)	12 reports (15 minutes)	0	6 hours	3 hours	-3 hours	This adjustment is due to a decrease in the annual reporting burden based on FRA data. This new burden estimate is more accurate in terms of the time necessary to comply with the reporting element of this requirement.
225.19(a) —Rail-highway grade crossing accident/incident report —Form FRA F 6180.57	2,160 forms (2 + 1 hours)	2,231 forms (2 hours)	71 forms	4,060 hours	4,462 hours	402 hours	This adjustment is due to an increase in annual responses and an increase in the annual burden based on FRA data.
—(d) Death, injury, or occupational illness (Form FRA F 6180.55a)	10,377 forms (60 minutes + 60 minutes + 195 minutes)	10,301 forms (1 hour + 2 hours + 2 hours)	-76 forms	11,153 hours	11,636 hours	483 hours	This adjustment is a combination of both a decrease in annual responses and an increase in the annual burden to respond. FRA adjusted the number of responses and annual response time based on internal data. This updated estimate is more accurate.
225.21—Railroad injury and illness summary—Form FRA F 6180.55	8,928 forms (10 minutes)	9,180 forms (10 minutes)	252 forms	1,488 hours	1,530 hours	42 hours	This adjustment is due to an increase in annual responses based on FRA data.
225.21—Annual railroad report of employee hours and casualties, by state —Form FRA F 6180.56	744 forms (15 minutes)	765 forms (15 minutes)	21 forms	186 hours	191 hours	5 hours	This adjustment is due to an increase in annual responses based on FRA data.

225.21/25—Railroad employee injury and/or illness record—Form FRA F 6180.98	13,700 forms (1 hour)	4,000 forms (1 hour)	-9,700 forms	13,700 hours	4,000 hours	-9,700 hours	<p>This adjustment is due to a decrease in annual responses based on FRA data.</p> <p>FRA had previously overestimated the annual responses because injuries of passengers were previously included in this figure.</p> <p>However, this form is specific to employee injuries. Passenger injuries would be included in the Form 6180.55 reporting requirement. FRA has now corrected this double-counting error.</p> <p>(Note: The burden associated with completing Form 6180.55 is only 10 minutes, compared to the one-hour burden associated with Form 61810.98.)</p>
—Copies of forms to employees	411 form copies (2 minutes)	120 form copies (2 minutes)	-291 form copies	14 hours	4 hours	-10 hours	This adjustment is due to a decrease in annual responses based on FRA data.
225.21—Initial rail equipment accident/incident record—Form FRA F 6180.97	11,870 forms (30 minutes)	10,518 forms (30 minutes)	-1,352 forms	5,935 hours	5,259 hours	-676 hours	<p>This adjustment is due to a decrease in annual responses based on FRA data.</p> <p>FRA has analyzed data from the previous three years. In doing so, FRA has determined an average of 4,207 reportable annual accidents. Approximately 2.5 times this figure would be deemed “non-reportable”.</p>
—Completion of Form FRA F 6180.97 because of rail equipment involvement	1 form (60 minutes)	0	-1 form	1 hours	0	-1 hour	FRA anticipates that this will not occur in the next three years. Thus, this collection is not accounted for.
—Alternative record for illnesses claimed to be work related—Form FRA F 6180.107	300 forms (75 minutes)	150 forms (75 minutes)	-150 forms	375 hours	188 hours	-188 hours	This adjustment is due to a decrease in annual responses based on FRA data.
—Highway User Statement—RR cover letter and Form FRA F 6180.150 sent out to	1,035 letters/forms (50 minutes)	836 letters/forms (50 minutes)	-199 letters/forms	863 hours	697 hours	-166 hours	This adjustment is due to a decrease in annual responses based on FRA data.

potentially injured travelers involved in a highway-rail grade crossing accident/incident							
—Form FRA F 6180.150 completed by highway user and sent back to railroad	725 forms (45 minutes)	585 forms (45 minutes)	-140 forms	544 hours	439 hours	-105 hours	This adjustment is due to a decrease in annual responses based on FRA data.
225.25(h)—Posting of monthly summary	8,928 lists (5 minutes)	9,180 lists (5 minutes)	252 lists	744 hours	765 hours	21 hours	This adjustment is due to an increase in annual responses based on FRA data.
225.27(a)(1)—Retention of records	13,700 records (2 minutes)	4,000 records (2 minutes)	-9,700 records	457 hours	133 hours	-324 hours	This adjustment is due to a decrease in annual responses based on FRA data.  FRA had previously overestimated the burden because injuries of passengers were previously included in this figure. However, this form is specific to employee injuries. Passenger injuries would be included in the Form 6180.55 reporting requirement. FRA has now corrected this double-counting error.
—Record of Form FRA F 6180.107s	300 records (2 minutes)	100 records (2 minutes)	-200 records	10 hours	3 hours	-7 hours	This adjustment is due to a decrease in annual responses based on FRA data.  FRA has analyzed data over the previous three years and a slight over-estimated was provided. FRA has now adjusted this figure to a more accurate estimation.
—Record of Monthly Lists	8,928 records (2 minutes)	9,180 records (2 minutes)	252 records	298 hours	306 hours	8 hours	This adjustment is due to an increase in annual responses based on FRA data.
(a)(2)—Record of Form FRA F 6180.97	11,760 records (2 minutes)	10,518 records (2 minutes)	-1,242 records	392 hours	351 hours	-41 hours	This adjustment is due to a decrease in annual responses based on FRA data.
—Record of employee human factor attachments	1,740 records (2 minutes)	1,632 records (2 minutes)	-108 records	58 hours	54 hours	-4 hours	This adjustment is due to a decrease in annual responses based on FRA data.
225.37(a)—Optical media transfer of reports, updates, and amendments	200 transfers (3 minutes)	12 transfers (3 minutes)	-188 transfers	10 hours	1 hours	-9 hours	This adjustment is due to a decrease in annual responses based on FRA data.
(c)(2)—Electronic submission of reports,	2,400 submissions	4,590 submissions (3	2,190 submissions	120 hours	230 hours	110 hours	FRA anticipates more electronic submissions as technological advances

updates, and amendments	(3 minutes)	minutes)					have been made.
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**16. Publication of results of data collection.**

FRA publishes an annual summarized publication of this information entitled *Railroad Safety Statistics* per the requirements of 49 CFR 225.<sup>15</sup> This publication is a calendar year summation of all reported accidents and incidents. The publication is available in both print and electronic forms.

**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.

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<sup>15</sup> The electronic report and dashboard can be found at <https://railroads.dot.gov/accident-and-incident-reporting/overview-reports/overview-reports>.