

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

The Surface Transportation Board (STB or Board) requests approval for the information collections of the **Directed Service Regulations**.

A. Justification:

1. Need for Information in Collection. In its notice of proposed rule-making, Revisions to Regulations for Expedited Relief for Service Emergencies, EP 762 (served on Apr. 22, 2022) (NPRM), the Board proposed an accelerated process that will improve and streamline the petition process to address the most critical service emergencies and strikes an appropriate balance between the need to act quickly in such situations and maintaining adequate due process for the involved carriers. The Board also proposes these collections to afford carriers the opportunity to provide information on the effects on their networks while maintaining the accelerated nature of the process. To be effective, the proposed service rules are intended to provide shippers and railroads new options for dealing with emergency service disruptions.

2. Use of Data Collected. Under the proposed 49 C.F.R. part 1146, the Board will use the data collected to better and more timely resolve critical service emergencies. This is particularly important during supply chain disruptions that are hampering the U.S. economy and driving up costs. The proposed collections expand potential relief, making it easier and faster for petitioners to seek relief and the Board to more quickly resolve these issues. The new and amended rules encompass the options for respondents by using the proposed collections, including (a) a petition for relief (b) a petition to terminate relief, (c) a petition for accelerated relief, (d) an appeal to entire board, and (e) a stay of relief. These are the steps that provide for the collection of information under the PRA.

3. Reduction through Improved Technology. The Board expects all respondents to file any of the proposed petitions, appeals, and stays electronically.

4. Identification of Duplication. No other federal agency collects the information in these collections, and the information in these collections is not available from any other source.

5. Minimizing Burden for Small Business. None of these collections will have a significant economic impact on a substantial number of small entities. The collections allow parties to resolve disruptions to service on an emergency basis, allowing them to resolve these issues more quickly and efficiently.

6. Consequences if Collection not Conducted or Conducted Less Frequently. Without these collections, the Board could not handle service disruptions as well, and shippers and some railroads may not have relief from them in emergency situations.

7. Special Circumstances. No special circumstances apply to this collection.

8. Compliance with 5 C.F.R. § 1320.8. The Board published its proposed rule in the NPRM (87 Fed. Reg. 25609 (May 2, 2022)), which provided for a 31-day comment period (and an additional two-week period for reply comments) regarding this collection, with specific reference to concerns detailed in the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3521 and Office of Management and Budget (OMB) regulations at 5 C.F.R. § 1320.8(d)(3).

9. Payments or Gifts. The Board does not provide any payment or gifts for this collection.

10. Assurance of Confidentiality. The information in this collection is generally available to the public as filings on the Board’s website, located at www.stb.gov. However, some of the information collected may be protected and treated as confidential. At times, persons filing a complaint before the Board, or responding to a complaint, may wish to file commercially sensitive information. To protect such information, parties may mark documents or portions of documents as “confidential” or “highly confidential” and simultaneously file a motion for a protective order. 49 C.F.R. § 1104.14. Generally, the Board will issue a protective order (sometimes with modifications), limiting access to confidential pleadings to parties who demonstrate a need for the information, and adequately ensuring that the documents will be kept confidential. In such circumstances, a redacted public version of the document will be posted on the Board’s website in lieu of the document containing confidential information.

11. Sensitive Information. No sensitive information of a personal nature is requested.

12. Estimated Burden Hours. 2,710 hours, as provided in *Table – Total Estimated Annual Burden Hours* below (using sum of estimated hours per response x number of annual responses for each type of filing).

Table – Total Estimated Annual Burden Hours

Type of filing	Hours per response	Annual number of filings	Total annual burden hours
Petition for Relief	140	10	1,400
Petition to Terminate Relief	50	2	100
Petition (accelerated relief)	70	12	840
Appeal to Entire Board	50	5	250
Stay of Relief	40	3	120
Total Annual Burden Hours			2,710

13. Estimated Total Annual Cost to Respondents. There are no non-hourly burden costs for this collection. The itemized collections may be filed electronically.

14. Annualized Cost to the Federal Government. As provided in *Table – Total Government Hours/Costs* below, we estimate that the maximum cost to the Board of receiving and reviewing the filings listed would total no more than 95 staff hours (based on 2022 hourly rates, approximately \$6,878.47).

Table – Total Government Hours/Costs

Type of filing	Employee GS- or ES-level	Estimated # of hours per filing	Estimated # of submissions	Total Govt hours/Costs
Petition for Relief	GS-14/15	3.5	10	35
Petition to Terminate Relief	GS-14/15	3	2	6
Petition (accelerated relief)	GS-14/15	2.5	12	30
Appeal to Entire Board	GS-14/15	3	5	15
Stay of Relief	GS-14/15	3	3	9
Total Govt Cost of Collection				95 hours

15. Explanation of Program Changes or Adjustments. This ICR is due to the Board creating and modifying service rules to provide shippers and railroads new options for dealing with emergency service disruptions that did not exist.

16. Plans for tabulation and publication. The information in this collection that is not confidential will be posted on the Board’s website, located at www.stb.gov.

17. Display of expiration date for OMB approval. The new expiration date for this collection will be published in the Federal Register when the collection is approved by OMB.

18. Exceptions to Certification Statement. Not applicable.

B. Collections of Information Employing Statistical Methods.

Not applicable.