

**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 a three-year extension of approval of the regulations governing the filing by regulated rail carriers of system diagram maps.

A. Justification:

1. Why the collection is necessary. Under 49 U.S.C. § 10903(c)(2), rail carriers are required to maintain a complete diagram of the transportation system operated, directly or indirectly, by the carrier (commonly referred to as a system diagram map (SDM)), and to submit to the Board and to publish amendments to their SDMs that are necessary to maintain their accuracy. Section 10903(c)(2) further provides that the carrier's SDM include a detailed description of each of its railroad lines potentially subject to abandonment and identify each railroad line for which the carrier plans to file an application for abandonment or discontinuance. In addition, the "feeder line" provisions of 49 U.S.C. § 10907(b)(1)(ii) provide procedures that can be used to purchase a railroad line that has been identified (for at least 60 days) on an SDM as a likely candidate for abandonment.

The Board's regulations at 49 C.F.R. § 1152.10 require each regulated railroad to keep on file with the Board a current SDM, which identifies all lines by the following categories: (1) all lines or portions of lines that the carrier anticipates will be the subject of abandonment or discontinuance within a three-year period; (2) all lines or portions of lines that are potentially subject to abandonment; (3) all lines or portions of lines for which abandonment or discontinuance is pending before the Board; (4) all lines or portions of lines that are being operated under the rail service continuation provisions of 49 U.S.C. § 10904; and (5) all other lines or portions of lines that the carrier owns and operates, directly or indirectly. 49 C.F.R. § 1152.10(b)(1)-(5). An exception is provided for Class III (small) railroads to file, in lieu of the SDM, narrative descriptions of their lines that provide all required information. 49 C.F.R. § 1152.10(a). Carriers have a continuing obligation to keep the SDM or narrative information accurate. 49 C.F.R. § 1152.13. Carriers are also required to notify the states in which they operate, and to publish a notice in a newspaper of general circulation in each county, identifying lines in categories 1 through 3 lines whose status is being revised. 49 C.F.R. § 1152.12. The SDM or alternative narrative is available to the public from the carrier by request. 49 C.F.R. § 1152.12(c)(3).

2. How the collection will be used. The information sought in this collection constitutes advance notice to the Board and the public about likely decreases in the availability of rail service and provides a valuable planning tool for the Board and the shipping public. It facilitates

informed decision-making by the Board; it also permits shippers to participate in Board proceedings that may affect them, to submit timely proposals for continuing rail service under the feeder-line acquisition program (49 U.S.C. § 10907(b)(i)), and/or to plan for alternative means of transportation. The maps are maintained permanently by the Board and are posted on the Board's website.

3. Extent of automated information collection. Electronic filing of this information is permitted and encouraged.

4. Identification of duplication. The Board has a statutory duty to collect this information. The information requested does not duplicate any other information available to the Board or the public.

5. Impact on small businesses. The Board's regulations minimize the burden on carriers in several material respects. First, Class III carriers have the option to file a narrative description of their lines, in lieu of a map. Second, carriers are required to file the map only once (within 60 days for new carriers), after which a carrier is required to file only amendments, as necessary to update the SDM or description as line designations change.

6. Consequence if collection not conducted or conducted less frequent. The Board is required by statute to collect this information.

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

8. Outside consultations. The Board published a 60-day notice requesting comments on this collection at 88 Fed. Reg. 16514 (Mar. 17, 2023). No comments were received. The Board has also published a 30-day notice providing for comments about this collection to be sent to OMB. See 88 Fed. Reg. 33957 (May 25, 2023).

9. Payment or gift to respondents. No payments or gifts to respondents are made.

10. Confidentiality. One of the purposes of this collection is to provide notice to the public of anticipated changes in the availability of freight rail service. Thus, all information collected through the filing of SDMs is available to the public, the SDMs are posted on the Board's website, and no assurances of confidentiality are made in connection with this report.

11. Sensitive information. All information collected through this report is available to the public.

12. Estimated Burden Hours. A new rail carrier is required to file with the Board an accurate SDM or narrative, and line descriptions as appropriate, within 60 days after it becomes a carrier. Thereafter, carriers are only required to update their SDMs or narratives and descriptions as line designations change.

In recent years, the Board has received approximately one system-diagram map per year.

Our experience has shown that railroads tend to group changes to their SDM into single filings. In addition, affiliated carriers tend to file a consolidated SDM or amendments. The average hourly burden associated with this collection is estimated to be 5 hours.

13. Other costs to respondents. The cost to railroads to prepare an SDM or amendment varies greatly for several reasons, including, among other things, the size and class of the carrier, the extent of the carrier's operations geographically, and the number and size of affiliates (if any). Based on an informal survey of railroads (less than 10), we estimate the costs as ranging from \$75 for smaller railroads filing simple maps or descriptions to \$2,750 for large carriers filing maps depicting large rail systems. With only seven Class I rail carriers and eight Class II (medium-sized) carriers, the burden for most carriers skews toward that of the smaller carriers. On the other hand, larger carriers are more likely to change their system in a manner that requires the filing of an SDM. Therefore, we estimate the annual cost to respondents at \$1,412.50, which is the average between the cost to the largest and smallest carriers.

14. Annualized cost to federal government. We estimate that it will take one hour (GS-14) to review an SDM filing and one hour (GS-12) to post the submissions on the website, annually.

15. Explanation of Program Changes or Adjustments. After review, Staff has made no program changes or adjustments.

16. Plans for tabulation and publication. This collection is posted on the Board's website.

17. Display of expiration date for OMB approval. No form is used for this collection. The instructions for this collection are found at 49 C.F.R. § 1152.10. Once the collection is approved, the Board will display the control number and expiration date of the collection by publishing a special notice in the Federal Register stating the control number and expiration date of the collection as provided in 5 C.F.R. § 1320.3(f)(3).

18. Exceptions to Certification Statement. No exceptions are sought.

B. Collection of Information for Employing Statistical Methods:

Not applicable.