

1FEDERAL RAILROAD ADMINISTRATION
System Safety Program Plan
(Title 49 Code of Federal Regulations Part 270)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0599

Summary of Submission

- This submission is a revision of the last three-year approval granted by the Office of Management and Budget (OMB) on November 7, 2023, with an expiration date on November 30, 2026.
- The Federal Railroad Administration (FRA) published a required 60-day Notice in the *Federal Register* on August 14, 2026. See 91 FR 52776. FRA received two comments in response to this Notice. See question 8 for response to the comments.
- Overall, the adjustments decreased the burden by 110 hours and decreased responses by 534.

1. Circumstances that make collection of the information necessary.

On August 12, 2016, FRA published a final rule requiring each commuter and intercity passenger railroad¹ to develop and implement a System Safety Program (SSP) to improve the safety of its operations. See 81 FR 53850 (Aug. 12, 2016). This final rule was required by section 103 of the Rail Safety Improvement Act of 2008 (RSIA) (Pub. L. 110-432, Div. A, 122 Stat. 4883 (Oct. 16, 2008), codified at 49 U.S.C. 20156). The Secretary of Transportation delegated the authority to conduct this rulemaking and implement the rule to the Administrator of FRA. See 49 CFR 1.89(b).

In 2020, FRA amended the SSP rule to clarify that it applied to passenger rail operations and to adjust certain compliance dates.² FRA amended the rule again in 2022 to require each SSP to include a Fatigue Risk Management Program (FRMP) component.³ The purpose of an FRMP is to improve railroad safety through structured, systematic, and proactive processes and procedures that a railroad develops and implements to identify and mitigate the effects of fatigue on its employees.⁴

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

¹ Throughout this document, FRA uses the term “railroad,” as it is defined in 49 CFR § 270.5.

² 85 FR 12843 (Mar. 4, 2020).

³ 87 FR 35660 (June 13, 2022).

⁴ 49 CFR § 270.403(a).

FRA uses the information collected under 49 CFR Part 270 to help ensure that commuter and intercity passenger rail operations establish and implement SSPs to improve the safety of their operations and to confirm compliance. Each passenger rail operation must use its SSP to identify hazards proactively and mitigate or eliminate the resulting risk on its system to reduce the number of railroad accidents, incidents, and associated injuries, fatalities, and property damage.

A passenger rail operation has the flexibility to tailor an SSP to its specific operations. An SSP must be implemented within 36 months from the date of FRA's approval of a passenger rail operation submitted SSP plan. Under the SSP regulation, FRA will audit a passenger rail operation's compliance with its SSP plan and will use the information collected to ensure compliance with this regulation.

A passenger rail operation must consult with its directly affected employees, in good faith and use best efforts, in an attempt to reach agreement on the contents of its SSP plan. When submitting its SSP plan to FRA for approval, a passenger rail operation must also submit a consultation statement describing the consultation process and addressing known areas of disagreement. If agreement cannot be reached, employees may also submit their perspectives to the FRA for consideration while reviewing the plan. If FRA does not approve an SSP plan, it will notify the passenger rail operation of the identified deficiencies, and the passenger rail operation must resubmit a revised plan that corrects the deficiencies.

Additionally, passenger rail operations must follow formal procedures for amending their SSP plans, including providing a cover letter identifying changes. FRA reviews these amendments within 45 days, and if deficiencies are identified, railroads are granted 60 days to either correct or retract the submission. FRA also maintains the authority to reopen consideration of any SSP plan as necessary.

The details of each paperwork requirement are covered under question 12 of this document.

3. Extent of automated information collection.

FRA strongly supports and encourages the use of advanced automated technology, particularly electronic recordkeeping, to reduce the burden on railroads and other entities that submit or retain information.

Accordingly, Appendix C to Part 270 authorizes all documents required to be submitted (as well as voluntary statements from directly affected employees) under Part 270 to be submitted electronically (via email). Thus, 100 percent of responses can be submitted electronically if passenger rail operations directly affected employees so choose.

4. Efforts to identify duplication.

The information collection requirements are not duplicated anywhere. Similar data is not available from any other source.

5. Efforts to minimize the burden on small businesses.

Commuter and intercity passenger rail operations must comply with all provisions of Part 270; however, the amount of effort to comply with the rule is commensurate with the size of the entity.

The U.S. Small Business Administration (SBA) stipulates “size standards” for small entities. It provides that the largest a for-profit railroad business firm may be (and remain classified as a “small entity”) is 1,500 employees for “Line-Haul Railroads” and 500 employees for “Short Line Railroads.”⁵

Pursuant to the authority provided to it by SBA, FRA published a final policy, which formally establishes small entities as railroads that meet the line haulage revenue requirements of a Class III railroad.⁶ FRA used this definition for the SSP rulemaking along with the stipulation on government entities or agencies that serve small communities.

There are two intercity passenger railroads, the National Railroad Passenger Corporation (Amtrak) and Alaska Railroad, of which neither can be considered a small entity. Amtrak is a Class I railroad, and Alaska Railroad is a Class II railroad. Alaska Railroad is owned by the State of Alaska, which has a population well above 50,000.

There are 32 commuter or other short-haul passenger railroad operations in the United States. Most of these commuter railroads are part of larger transit organizations that receive Federal funds and serve major metropolitan areas with populations greater than 50,000. All other passenger railroad operations in the United States are part of larger governmental entities, whose service jurisdictions exceed 50,000 in population. Based on the definition, they are not considered to be small entities.

6. Impact of less frequent collection of information.

If this collection of information was not conducted, or if it were conducted less frequently, rail safety might be diminished. Specifically, without this collection of information, FRA could not be assured that commuter and intercity passenger rail operations have established and implemented an SSP to improve the safety of their operations. Without SSPs, there would not be concerted efforts by passenger rail

⁵ See Small Business Size Standards by NAICS Industry, 13 CFR §121.201.

⁶ See 68 FR 24891 (May 9, 2003).

operations to proactively identify and mitigate or eliminate hazards throughout their systems. Hazards would remain unnoticed and unaddressed, and the risk that they present to both rail employees, and the general public would likely increase. Greater numbers of rail accidents and incidents and corresponding increases in injuries, fatalities, and property damage would likely result without the railroad safety risk reduction efforts associated with SSPs and SSP plans.

Without the required consultation statement, FRA would have no way to determine if passenger rail operations used good faith and made best efforts to reach an agreement with their directly affected employees on the contents of their SSP plans. Employee input to the content of the SSP plan is essential to have the best, most comprehensive SSP plan. Without the required consultation statement, FRA would not know how many meetings the passenger rail operation held with its directly affected employees, what materials it provided to its directly affected employees regarding the draft SSP plan, or how input from directly affected employees was received and handled during the consultation process. Without the passenger rail operation consultation statements and corresponding employee statements, FRA would be working with incomplete and inadequate information regarding its approval decision of an SSP plan.

Without the required description of processes for the risk-based hazard management program and risk-based hazard analysis in an SSP plan, FRA would not be able to determine whether passenger rail operations have a structured program and set methodology to address the various hazards they discover after carefully examining their entire systems for potential dangers. These components of the SSP plan provide important information that FRA will use in determining whether each passenger rail operation's articulated safety goals are realistic and achievable. Effective SSP plans will meet all of the rules' requirements and promote a culture of safety to reduce the number of rail accidents/incidents that take place each year.

Without the required SSP internal annual assessments, using the process described in their approved SSP plans, passenger rail operations would not have an accurate and informed view of the progress they are making in implementing their SSPs. This annual assessment will provide a yardstick at any given point in time for the passenger rail operations to see in which areas they are fully implementing their SSPs and in compliance with the various elements of their SSP plans, as well as in achieving their stated system safety goals. Without this internal SSP assessment, safety gains might be temporary and incomplete. Without extensive systematic and long-lasting safety gains through the complete implementation of each passenger rail operation's SSP plan, increased numbers of accidents and incidents and corresponding injuries, fatalities, and property damage are bound to occur. Finally, without the external audits conducted by agency staff of each passenger rail operation's SSP, FRA would be unable to determine the extent of each passenger rail operation's compliance with the rule. FRA would also be unable to convey to a passenger

rail operation any areas in which it is not complying with its SSP plan, areas that need to be addressed by the SSP but are not, or other areas in which FRA believes the operation and its SSP are not in compliance with Part 270. Without these audits, rail safety would suffer from potential unidentified and unaddressed risks, and more rail accidents/incidents would likely ensue.

In summary, this collection aids FRA and passenger rail operations in promoting and maintaining a safe rail environment. As such, it furthers FRA's main railroad safety mission.

7. Special circumstances.

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR § 1320.5(d)(2).

8. Compliance with 5 CFR § 1320.8.

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR § 1320, FRA published a notice in the *Federal Register* on August 14, 2026,⁷ soliciting comment from the public, the railroad industry, and other interested parties.

FRA received two anonymous comments to the 60-day notice. One of these comments appears to have been submitted inadvertently because it relates to a separate 60-day notice for FRA's risk reduction program (RRP) regulation that was published on the same day. FRA is addressing this comment's RRP concerns within the appropriate RRP 30-day notice that will be posted in docket FRA-2026-1585.

The second comment submitted to the SSP 60-day notice asked about: (1) operational assumptions FRA used to estimate that a passenger rail operation can complete an SSP internal assessment in 2 hours; (2) how FRA will ensure that absorbing Fatigue Risk Management Program (FRMP) reporting into this ICR does not obscure specific, tracked compliance hours and resource allocations dedicated to fatigue mitigation; (3) how FRA reconciles the reduced number of estimated new start passenger rail operations with recent funding grants expanding intercity and passenger rail corridors; and (4) whether wage rates utilized in table footnote 5 accurately capture full labor costs of specialized systems safety engineers, fatigue experts, and legal compliance personnel required to execute risk-based hazard analyses?

While responding to each of these questions in more detail below, FRA notes that PRA estimates only encompass specific paperwork burdens, and are not estimates of the complete compliance costs associated with the SSP regulation, which were quantified in a separate rulemaking impact analysis. Further, PRA burden estimates are not meant to be interpreted as a tracked requirement for how much time a railroad must spend on a

⁷ 91 FR 52776.

specific task – rather, they are merely estimates meant, in part, to assist FRA in minimizing paperwork burdens and costs resulting from the collection of information. See *e.g.*, 44 U.S.C. 3501.

Internal Assessment Time

The 2-hour estimated PRA burden for the internal assessment requirement only encompasses the associated paperwork burdens, and not the complete costs of compliance with the internal assessment requirement. For example, the estimate reflects the administrative burden of documenting and reporting the internal assessment, not necessarily the entirety of all associated activities (e.g., tasks related to assessing whether the SSP is fully implemented and goals are being met). The 2-hour estimate for paperwork burdens associated with the annual SSP internal assessments is paired with an additional 2-hour estimate for the chief safety official's certification of those results.

Consolidation of FRMP Requirements

FRA is integrating the FRMP burden hours previously reported under OMB Control Number 2130-0633 into the primary SSP information collection (OMB Control No. 2130-0599) to manage its ICRs more effectively. Consolidating these collections does not obscure FRMP compliance hours, and the consolidated table explicitly accounts for all recurring FRMP administrative workflows, allocating specific, compensated burden hours for the development of new FRMP plans, analysis of fatigue risk, mitigation strategies, implementation evaluation, consultation with affected employees, initial review meetings with FRA, and subsequent plan amendments.

Passenger Rail Operation Growth Estimates

FRA revised its estimate of new passenger rail operations from one annually to one over the upcoming three-year ICR period. While federal funding continues to support intercity and passenger rail expansion, this adjusted estimate reflects the current baseline decrease in total passenger rail operations from 33 to 32, and the extended timelines typically required for new operations to commence service. FRA will reevaluate its estimated number of new passenger rail operations during the next ICR renewal cycle to determine whether it should be increased.

Wage Rate Methodology for Hazard Analyses

The wage rates utilized in the burden table are derived directly from the 2024 Surface Transportation Board Full Year Wage A&B data series. FRA utilized the hourly wage rate of \$51.54 for employee group 200 (Professional & Administrative), heavily weighted with a 75 percent overhead burden to total \$90.19 per hour. For executive oversight, FRA utilized the hourly wage rate of \$69.27 for employee group 100 (Executives, Officials, & Staff Assistants), also burdened with a 75 percent overhead to total \$121.22 per hour. These standardized classifications are approved methodologies for federal ICR burden estimates and are appropriate for the specialized personnel who will be performing SSP-related activities.

Consultations with representatives of the affected population:

As a part of FRA's oversight and enforcement, individuals from the railroad industry are generally in direct contact with FRA's inspectors at the time of site inspections and can provide any comments or concerns to them.

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.

Section 109 of the RSIA specifies that certain risk reduction records obtained by the Secretary are exempt from the public disclosure requirements of the Freedom of Information Act (FOIA). This exemption is subject to two exceptions for disclosure (1) necessary to enforce or carry out any Federal law and (2) when a record is comprised of facts otherwise available to the public and FRA determines disclosure would be consistent with the confidentiality needed for RRP. See 49 U.S.C. 20118. Unless an RSIA exception applies, FRA would not disclose such records in response to a FOIA request. See 5 U.S.C. 552(b)(3) and 49 CFR § 7.23(c)(3). Therefore, FRA concludes SSP records in FRA's possession would be exempted from mandatory disclosure under FOIA unless one of the two exceptions applies.

The SSP rule protects certain information compiled or collected after August 14, 2017, solely for SSP purposes from discovery, admission into evidence, or use for any other purpose in a Federal or State court proceeding for damages involving personal injury, wrongful death, or property damage. See 49 CFR § 270.105(a), *Protected information*. The rule also specifies certain categories of information that are not protected, including information compiled or collected on or before August 14, 2017, and that continues to be compiled and collected, even if used to plan, implement, or evaluate an SSP. See 49 CFR § 270.105(b), *Non-protected information*.⁸

⁸ See 77 FR 55373, 55378-79, 55390-92, and 55406 (Sept. 7, 2012); 81 FR 53851, 53855-56, 53858-60, 53878-82, and 53900 (Aug. 12, 2016).

11. Justification for any questions of a sensitive nature.

There are no questions, information, or data of a sensitive nature contained in this information collection.

12. Estimate of burden hours for information collected.

Based on the latest FRA data, the respondent universe is estimated to be 32 passenger rail operations and 1 new passenger rail operation. 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 Program Management.

CFR Section	Respondent Universe	Total Annual Responses (A)	Average Time per Response (B)	Total Annual Burden Hours (C = A * B)	Wage Rates ⁹	Total Cost Equivalent U.S.D. (D = C * wage rates)	Analysis and Estimates
270.103 System safety program plan							
—(a) through (p) Comprehensive written SSP plan that meets this section's requirements and in part 270, subpart E.	1 new passenger rail operation	0.33 plan	40 hours	13.20 hours	\$121.22	\$1,600.10	Each passenger rail operation subject to part 270 shall adopt and fully implement an SSP through a written SSP plan that, at a minimum, contains the elements in this section and in subpart E of part 270. This SSP plan shall be approved by FRA under the process specified in § 270.201. Note: The 40 hours reported burden includes the time to make the copies and designation notifications to employees not represented by non-profit employee labor organizations.

⁹ The dollar equivalent cost is derived from the 2024 Surface Transportation Board Full Year Wage A&B data series using employee group 200 (Professional & Administrative) hourly wage rate of \$51.54 and employee group 100 (Executives, Officials, & Staff Assistants) hourly wage rate of \$69.27. The total burden wage rate (straight time plus 75%) used in the table is \$90.19 ($\$51.54 \times 1.75 = \90.19) and \$121.22 ($\$69.27 \times 1.75 = \121.22).

—(q) Risk-based hazard analysis							
(1) analysis to identify and analyze hazards on the rail system and to determine the resulting risks	32 passenger rail operations + 1 new passenger rail operation	32.33 analyses results	20 hours	646.60 hours	\$90.19	\$58,316.85	Once FRA approves a passenger rail operation's SSP plan pursuant to § 270.201(b), the risk-based hazard analysis methodology identified in paragraphs (p)(1)(i) through (iii) of this section shall be applied to identify and analyze hazards on the rail system and to determine the resulting risks.
(2) Identification of specific actions that will be implemented to mitigate or eliminate the hazards and resulting risks identified by paragraph (q)(1)	32 passenger rail operations + 1 new passenger rail operation	32.33 identifications of mitigation actions	10 hours	323.30 hours	\$90.19	\$29,158.43	A risk-based hazard analysis shall identify specific actions that shall be implemented using the methods described in § 270.103(p)(1)(iv) that will mitigate or eliminate the hazards and resulting risks identified by § 270.103(q)(1).
(3) Risk-based hazard analysis when there are significant operational changes or modifications that have a direct impact on railroad safety	32 passenger rail operations	3 analyses	10 hours	30 hours	\$90.19	\$2,705.70	A passenger rail operation shall also conduct a risk-based hazard analysis pursuant to § 270.103(q)(1) and (2) when there are significant operational changes, system extensions, system modifications, or other circumstances that have a direct impact on railroad safety.
—(r) Technology analysis and implementation plan							
—Development and periodic update as necessary, of a technology analysis and implementation plan to be included in the SSP	32 passenger rail operations + 1 new passenger rail operation	32.33 technology analyses	10 hours	323.30 hours	\$90.19	\$29,158.43	A passenger rail operation shall develop, and periodically update as necessary, a technology analysis and implementation plan as described by § 270.103(r). The passenger rail operation shall include this technology analysis and implementation plan in its SSP plan.
270.107 Consultation requirements							
—(a) Consultation with directly affected employees on	32 passenger rail	5.33 consults	1 hour	5.33 hours	\$90.19	\$480.71	Each passenger rail operation required to establish an SSP under

new or amended SSP plan (This section includes the burden for consulting on an FRMP plan, which must be included in an SSP plan)	operations + 1 new passenger rail operation						this part shall in good faith consult with, and use its best efforts to reach agreement with, all of its directly affected employees, including any non-profit labor organization representing a class or craft of directly affected employees, on the contents of the SSP plan.
—(a)(3)(ii) Notification to directly affected employees of preliminary meeting at least 60 days before being held	32 passenger rail operations + 1 new passenger rail operation	5.33 notices	30 minutes	2.67 hours	\$90.19	\$240.36	A passenger rail operation must notify the directly affected employees of the preliminary meeting no less than 60 days before it is held.
—(b)(1) through (b)(3) Consultation statements submitted with new or amended SSP plans, and statement copies to service list individuals	32 passenger rail operations + 1 new passenger rail operation	5.33 statements	1 hour	5.33 hours	\$90.19	\$480.71	A passenger rail operation required to submit an SSP plan under § 270.201 must also submit, together with the plan, a consultation statement that includes the information listed in § 270.107(b)(1) through (b)(3).
—(c) Statements from directly affected employees	FRA anticipates zero railroad submissions during this 3-year ICR period.						
—(d) Consultation requirements for SSP plan amendments to be included in written SSP plan	The estimated paperwork burden for this regulatory requirement is covered under § 270.103.						
270.201 Filing and approval							
—(a) and (b) Initial SSP plan submission	1 new passenger rail operation	0.33 plans	30 hours	9.90 hours	\$90.19	\$892.88	Within 90 days of receipt of an SSP plan, FRA will review the SSP plan to determine if the elements prescribed Part 270 are sufficiently addressed. This review will also consider any statement submitted by directly affected employees pursuant to § 270.107(c).
—(c) Submission of amended SSP plan previously approved	32 passenger rail	5 amended	20 hours	100 hours	\$90.19	\$9,019.00	A passenger rail operation shall submit any amendment(s) to the

	operations	plans					SSP plan to the FRA Associate Administrator for Railroad Safety and Chief Safety officer at FRA-SSP@dot.gov not less than 60 days before the proposed effective date of the amendment(s). The passenger rail operation shall file the amended SSP plan with a cover letter outlining the changes made to the original approved SSP plan by the proposed amendment(s).
270.203 Retention of system safety program plan							
—Retained copies of SSP plans	32 passenger rail operations + 1 new passenger rail operation	32.33 copies	10 minutes	5.39 hours	\$90.19	\$486.12	Each passenger rail operation to which Part 270 applies shall retain at its system headquarters, and at any division headquarters, one copy of the SSP plan required by Part 270 and one copy of each subsequent amendment to that plan. These records shall be made available to representatives of FRA and States participating under 49 CFR Part 212 for inspection and copying during normal business hours.
270.303 Internal system safety program assessment							
—Annual internal SSP assessments	32 passenger rail operations	32 evaluations / reports	2 hours	64 hours	\$90.19	\$5,772.16	Following FRA's initial approval of the passenger rail operation's SSP plan pursuant to § 270.201, the passenger rail operation shall annually conduct an assessment of the extent to which: (1) The SSP is fully implemented; (2) The passenger rail operation is in compliance with the implemented elements of the approved SSP plan; and (3) The passenger rail operation has achieved the goals set forth in § 270.103(c).
—(c) Certification of results	32	32	2	64	\$121.22	\$7,758.08	Within 60 days of completing its

of internal assessment by chief safety official	passenger rail operations	certification statements	hours	hours			internal SSP plan assessment pursuant to paragraph (a) of this section, the passenger rail operation shall submit to FRA a copy of the passenger rail operation's internal assessment report that includes a system safety program assessment, and the status of internal assessment findings and improvement plans to the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-SSP@dot.gov . The passenger rail operation's chief official responsible for safety shall certify the results of the internal SSP plan assessment.
270.305 External safety audit							
—(b)(1) Submission of improvement plans in response to results of FRA audit	32 passenger rail operations	4 plans	12 hours	48 hours	\$121.22	\$5,818.56	Within 60 days of FRA's written notification of the results of the audit, the passenger rail operation shall submit to FRA for approval an improvement plan to address the audit findings that require corrective action. At a minimum, the improvement plan shall identify who is responsible for carrying out the necessary tasks to address audit findings and specify target dates and milestones to implement the improvements that address the audit findings.
—(b)(2) Improvement plans found deficient by FRA and requiring revision/correction	32 passenger rail operations	2 revised/corrected plans	10 hours	20 hours	\$90.19	\$1,803.80	If FRA does not approve the passenger rail operation's improvement plan, FRA will notify the passenger rail operation of the specific deficiencies in the improvement plan. The affected passenger rail operation shall amend the proposed plan to correct

							the deficiencies identified by FRA and provide FRA with a corrected copy of the improvement plan no later than 30 days following its receipt of FRA's written notice that the proposed plan was not approved.
—(b)(3) Status report to FRA of implementation of improvements in the improvement plan	32 passenger rail operations	2 reports	4 hours	8 hours	\$90.19	\$721.52	Upon request, the passenger rail operation shall provide to FRA and States participating under Part 212 for review a report upon request regarding the status of the implementation of the improvements set forth in the improvement plan established pursuant to § 270.305(b)(1).
270.409 Requirements for an FRMP plan (Previously reported under 2130-0633)							
—(a) through (d)— New FRMP plan as part of an SSP containing the following elements: • Analysis of fatigue risk • Mitigation strategies • Evaluation – processes to monitor the overall effectiveness of the FRMP • FRMP implementation plan	1 new passenger rail operation	0.33 plans	78 hours	25.74 hours	\$90.19	\$2,321.49	Each railroad subject to Part 270 shall establish and implement an FRMP through an FRA-approved FRMP plan, developed in consultation with directly affected employees as described under § 270.107. As detailed in §270.409(a)-(d) the FRMP plan must contain the following elements: <ul style="list-style-type: none"> • Analysis of fatigue risk. • Mitigation strategies. • Evaluation – processes to monitor the overall effectiveness of the FRMP. • FRMP implementation plan, this includes the requirement for railroads to consult with affected employees The development, submission, and implementation of an FRMP is

							time intensive due to the hours required to complete each element of the plan. The burden hours for each of these elements is reflected under § 270.409.
—Initial meeting with FRA to review FRMP plan	1 new passenger rail operation	0.33 meetings	16 hours	5.28 hours	\$90.19	\$476.20	Railroads meet with FRA to review the initial FRMP plan. Railroads will make edits based on feedback received and submit final copy for approval. A railroad must submit the plan to FRA for approval under the criteria of subpart C.
—Amendments to FRMP plans already approved (§ 270.405(c)(2))	32 passenger rail operations	2 amended plans	40 hours	80 hours	\$90.19	\$7,215.20	FRA shall review and approve or disapprove a railroad's FRMP plan and amendments to that plan under the process for reviewing SSP plans and amendments in § 270.201(b) and (c), respectively. FRA approval of a railroad's FRMP plan amends a railroad's SSP plan to include the FRMP plan as a component.
Appendix B to 270							
—Additional documents provided to FRA upon request	32 passenger rail operations + 1 new passenger rail operation	4 documents	15 minutes	1 hour	\$90.19	\$90.19	FRA will determine on a case-by-case basis whether a passenger rail operation has met its § 270.107 good faith and best-efforts obligations. This determination will be based upon the consultation statement submitted by the passenger rail operation pursuant to § 270.107(b) and any statements submitted by directly affected employees pursuant to § 270.107(c). If FRA finds that these statements do not provide sufficient information to determine whether a passenger rail operation

							used good faith and best efforts to reach agreement, FRA may investigate further and contact the passenger rail operation or its employees to request additional information.
Totals ¹⁰	33 Passenger rail operations	233 responses		1,781 hours		\$164,516.50	

¹⁰ Totals may not add up due to rounding.

13. Estimate of total annual costs to respondents.

There are no other costs to respondents other than the ones reflected in the response to question 12 above.

14. Estimate of cost to Federal Government.

The following table shows the estimated average annual cost to the Federal government to review all the required documents and conduct the external audits of the SSP.

Pay Grade	Annual Wage ¹¹	Burdened Wage (Wages * 1.75 overhead costs)	No. of Employees	Percent Share of Time Use	Total Cost
GS-14	\$163,104	\$285,432	4	75%	\$856,296
GS-15	\$191,850	\$335,737.50	1	10 %	\$33,573.75
Total Annual Government Cost					\$889,869.75

15. Explanation of program changes and adjustments.

This is a revision to a current information collection request (ICR). Currently, the OMB inventory for this collection of information shows a total burden of 1,891 hours and 767 responses, while the requesting inventory reflects an estimate of a total burden of 1,781 hours and 233 responses. Overall, the adjustments for this submission have decreased the burden by 110 hours and by 534 responses.

FRA made multiple adjustments to the previously approved burden hours. While some reported burden hours have increased, the overall burden hours have decreased from the previously approved 1,891 hours to 1,781 hours. In general, the revised estimates reflect that the number of total passenger rail operations decreased from 33 to 32 and that FRA lowered its estimate of new passenger rail operations from 1 annually to 1 over the next 3-year period of this information collection.

To more effectively manage its ICRs, FRA is also incorporating into this ICR the burden hours under 49 CFR § 270.409, *Requirements for an FRMP Plan*, currently reported under Control No. 2130-0633, Fatigue Risk Management Program.

The table below provides specific information on the review of any of the estimates that have changed, including the specific paperwork requirements and associated burden hours added for § 270.409.

¹¹ To calculate the government administrative cost, the 2026 Office of Personnel Management wage rates were used for Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality. The average wage (of step 5) was used as a midpoint.

49 CFR Part 270	Total Annual Responses			Total Annual Burden Hours		
	Current	Requesting	Difference	Current	Requesting	Difference
270.103 System safety program plan.						
—(a) through (p) Comprehensive written SSP plan that meets all of this section’s requirements and in subpart E.	1	0.33	-0.67	40	13.20	-26.80
—(e)(6)(iii) Copies of railroad (RR) designations to non-profit employee labor organizations	1	0	-1	0.03	0.00	-0.03
—(e)(6) Designation notifications to employees not represented by non-profit employee labor organizations	1	0	-1	0.08	0.00	-0.08
—(i)(6) Records of system safety training for employees/contractors/others	510	0	-510	2.13	0.00	-2.13
—(q) Risk-based hazard analysis.						
(1) analysis to identify and analyze hazards on the rail system and to determine the resulting risks	34	32.33	-1.67	680	646.60	-33.40
(2) Identification of specific actions that will be implemented to mitigate or eliminate the hazards and resulting risks identified by paragraph (q)(1)	34	32.33	-1.67	340	323.30	-16.70
—(r) Technology analysis and implementation plan.						
— Development and periodic update as necessary, of a technology analysis and implementation plan to be included in the SSP	34	32.33	-1.67	340	323.30	-16.70
270.107 Consultation requirements.						
—(a) Consultation with directly affected employees on SSP plan	6	5.33	-0.67	6	5.33	-0.67
— (a)(3)(ii) Notification to directly affected employees of preliminary meeting at least 60 days before being held	6	5.33	-0.67	3	2.67	-0.34
— (b)(1) through (b)(3) Consultation statements	6	5.33	-0.67	6	5.33	-0.67

submitted with SSP plan and statement copies to service list individuals						
— (b)(3) Copies of consultations statements to service list individuals	6	0	-6	0.1	0.00	-0.10
270.201 Filing and approval.						
— (a)and(b) Initial SSP plan revised submission	5	0.33	-4.67	150	9.90	-140.10
— (c) Submission of amended SSP plan previously approved	1	5	4	20	100.00	80.00
— (d) Reopened review of initial SSP plan approval for cause stated	1	0	-1	30	0.00	-30.00
270.203 Retention of system safety program plan.						
— Retained copies of SSP plans	34	32.33	-1.67	5.67	5.39	-0.28
270.303 Internal system safety program assessment.						
— Annual internal SSP assessments	34	32	-2	68	64.00	-4.00
—(c) Certification of results of internal assessment by chief safety official	34	32	-2	68	64.00	-4.00
270.305 External Safety Audit.						
— (b)(1) Submission of improvement plans in response to results of FRA audit	6	4	-2	72	48.00	-24.00
270.409 Requirements for an FRMP Plan.						
— (a) through (d)— New FRMP plan as part of its SSP containing the following elements: • Analysis of fatigue risk. • Mitigation strategies. • Evaluation – processes to monitor the overall effectiveness of the FRMP. • FRMP implementation plan. • Consultation with directly affected employees on FRMP plan contents.	0	0.33	0	0	25.74	25.74
— Initial meeting with FRA to review FRMP plan.	0	0.33	0	0	5.28	5.28
— Amendments to FRMP plans already approved (§270.405(c) (2)).	0	2	0	0	80.00	80.00

Appendix C to Part 270.						
— Written requests to file required submissions electronically	2	0	-2	0.5	0.00	-0.50
Totals	767	233	-534	1,891	1,781	-110

16. Publication of results of data collection.

FRA does not plan to tabulate or publish the responses.

17. If you are seeking approval not to display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

FRA will be displaying the expiration date as required on any documents that are used by the public to collect information.

18. Exception to certification statement.

No exceptions are taken at this time.