subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1189.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1189.

OMB Approval Date: June 17, 2015.

OMB Expiration Date: June 30, 2018.

Title: Signal Boosters, sections 1.1307(b)(1), 20.3, 20.21(a)(2), 20.21(a)(5), 20.21(e)(2), 20.21(e)(8)(i)(G), 20.21(e)(9)(i)(H), 20.21(f), 20.21(h), 22.9, 24.9, 27.9. 90.203, 90.219(b)(l)(i), 90.219(d)(5), and 90.219(e)(5).

Form Number: N/A.

Respondents: Business or other for-profit entities, Not for profit institutions and Individuals or household.

Number of Respondents and Responses: 632,595 respondents and 635,215 responses.

Estimated Time per Response: .5 hours–40 hours.

Frequency of Response: Recordkeeping requirement, On occasion reporting requirement and Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in 47 U.S.C. 154(I), 303(g), 303(r) and 332.

Total Annual Burden: 324,470 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: This information collection affects individuals or households; thus, there are impacts under the Privacy Act. However, the government is not directly collecting this information and the R&O directs carriers to protect the information to the extent it is considered Customer Proprietary Network Information (CPNI).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: On September 19, 2014, the Federal Communications Commission (Commission or FCC) adopted an *Order on Reconsideration* in WT Docket No. 10–4, FCC No. 14–138, in which it took the following action, among others: Required that Consumer Signal Boosters certified for fixed operation only be labeled to notify consumers that such devices may only be used in fixed, in-building locations. Therefore, the new labeling requirement which requires OMB review and approval is as follows:

The labeling requirement is covered under 47 CFR 20.21(f)(1)(iv)(A)(*2*). The new requirement is needed in order to ensure that consumers are properly informed about which devices are suitable for their use and how to comply with our rules, the Commission required that all Consumer Signal Boosters certified for fixed, in-building operation include a label directing consumers that the device may only be operated in a fixed, in-building location. The Verizon Petitioners state that this additional labeling requirement is necessary to inform purchasers of fixed Consumer Signal Boosters that they may not lawfully be installed and operated in a moving vehicle or outdoor location. We recognize that our labeling requirement imposes additional costs on entities that manufacture Consumer Signal Boosters; however, on balance, we find that such costs are outweighed by the benefits of ensuring that consumers purchase appropriate devices. Accordingly, all fixed Consumer Signal Boosters, both Provider-Specific and Wideband, manufactured or imported on or after one year from the effective date of the rule change must include the following advisory (1) in on-line point-of-sale marketing materials, (2) in any print or on-line owner's manual and installation instructions, (3) on the outside packaging of the device, and (4) on a label affixed to the device: ''This device may be operated ONLY in a fixed location for in-building use.''

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison Officer.

[FR Doc. 2015–16536 Filed 7–6–15; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 219

[Docket No. FRA–2001–11213, Notice No. 19]

Alcohol and Drug Testing: Reporting Positive Results for Tramadol as a Controlled Substance

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Final rule.

SUMMARY: This document announces that FRA will begin reporting post-accident toxicological test results for tramadol to the employee and the railroad Medical Review Officers. FRA will also begin including post-accident toxicological test results for tramadol in its post-accident toxicology reports. Because tramadol was not a controlled substance when FRA began testing for it, FRA has kept post-accident toxicological test results for tramadol confidential.

DATES: This document is effective July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Jerry Powers, FRA Drug and Alcohol Program Manager, W33–310, Federal Railroad Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone 202–493–6313 or *gerald.powers@dot.gov;* or Sam Noe, FRA Drug and Alcohol Program Specialist, telephone 615–719–2951, or *sam.noe@dot.gov.*

SUPPLEMENTARY INFORMATION:

FRA's Post-Accident Toxicological Testing Program

Since 1985, as part of its accident investigation program, FRA has routinely conducted alcohol and drug tests on railroad employees involved in serious train accidents that meet certain criteria specified in FRA's regulations. *See* 49 CFR 219.201.[1] This post-accident testing is used to determine if alcohol misuse or drug abuse played a role in the occurrence or severity of an accident. Since the program's inception, FRA has routinely conducted post-accident tests for alcohol and certain drugs the United States Drug Enforcement Administration (DEA) classifies as controlled substances.

Controlled substances are drugs or chemicals that are prohibited or strictly regulated because of their potential for abuse or addiction. *See* 77 FR 29307, 29307, May 17, 2002. The DEA oversees the classification of controlled substances into five schedules. Section I contains illicit drugs such as marijuana and heroin, which have no legitimate medical use under Federal law. Schedules II–V contain legal drugs that are available only by prescription. *See generally* The Controlled Substances Act (CSA), Title II of the Comprehensive Drug Abuse Prevention Substances Act of 1970 (21 U.S.C. 801 *et seq.*).

FRA has historically conducted post-accident tests for the following controlled substances: Marijuana, cocaine, phencyclidine (PCP), and selected opioids, amphetamines, barbiturates, and benzodiazepines. Under 49 CFR 219.211(b), FRA reports post-accident test results for these substances to the employee tested and the employing railroad's Medical Review Officer (MRO). *See* 49 CFR 219.211(b).

[1] All references to sections of the Code of Federal Regulations (CFR) in this document refer to sections within title 49 of the CFR.

In 2013, FRA amended its alcohol and drug testing regulations to establish post-accident testing for non-controlled substances.[2] *See* 78 FR 14217, Mar. 5, 2013. In the final rule adopting this revision, FRA provided notice of the addition of two non-controlled substances to its standard post-accident testing panel: Tramadol and sedating antihistamines. FRA also made clear that the agency did not intend to report the results of post-accident tests for these non-controlled substances to the employee involved or relevant MRO and instead intended to use the results for research and data purposes only. *See id.* at 14217 and 14219.

DEA's Determination To Schedule Tramadol as a Controlled Substance

In 2014, after FRA issued its final rule establishing post-accident testing for non-controlled substances, the DEA placed tramadol [3] on the CSA's Schedule IV. *See* 79 FR 37623–37630, Jul. 2, 2014. The DEA's determination stated that it took into account a scientific and medical evaluation the Department of Health and Human Services (HHS) prepared which recommended including tramadol in Schedule IV of the CSA. *See id.* at 37623. The HHS evaluation analyzed tramadol taking into consideration eight factors listed in 21 U.S.C. 811(c), as well as tramadol's abuse potential, legitimate medical use, and dependence liability. *See id.* at 37623–37624. In response to public comment, DEA explained that tramadol is considered an opioid because it produces pharmacological effects similar to those produced by other opioids. *Id.* at 37626. The DEA also noted ''tramadol is a widely prescribed drug, with nearly 40 million prescriptions written in 2012.'' *Id.* at 37627 (citations omitted).

Reporting of Tramadol Positives

Because the DEA now designates tramadol a controlled substance, FRA's alcohol and drug regulations apply to tramadol use and possession the same as they apply to use and possession of any other controlled substance, such as synthetic opioids and valium. For example, FRA's regulations place certain limitations on a railroad employee's use and possession of controlled substances—those limitations now apply to the use and possession of tramadol by railroad employees. The regulations prohibit a railroad employee from using or possessing a controlled substance while assigned by a railroad to perform covered service,[4] except as provided by § 219.103. *See* 49 CFR 219.101(a)(1). (Section 219.103 provides that subject to certain conditions and limitations, a covered employee may use and possess Schedule II through IV controlled substances if a medical practitioner prescribes or authorizes the use.) The regulations also prohibit a railroad employee who performs covered service from using a controlled substance at any time, whether on or off duty, except as § 219.103 permits. *See* 49 CFR 219.102. A railroad employee who uses or possesses a controlled substance, including tramadol, in violation of one of these prohibitions is subject to the removal, return-to-service, and follow-up testing requirements of § 219.104.

FRA is issuing this document to (1) make railroads and railroad employees aware of the DEA's classification of tramadol as a controlled substance and (2) remind railroads and individuals subject to FRA's regulations of the effect of the DEA's designation of tramadol as a controlled substance on FRA's post-accident testing program. Issuance of this document does not provide precedent that FRA will notify the industry whenever DEA designates additional drugs as controlled substances or whenever FRA decides to conduct post-accident testing for additional controlled substances. This document is also not an exhaustive discussion of all FRA requirements governing controlled substances.

Because DEA has designated tramadol as a Schedule IV controlled substance, on July 7, 2015 FRA will begin reporting post-accident test results for tramadol pursuant to § 219.211(b), which provides that post-accident test results for controlled substances will be reported to a railroad's MRO and the employee. FRA also intends to include post-accident test results for tramadol in toxicology reports as § 219.211(f)(2) requires.

Railroads and MROs must also treat post-accident test results for tramadol consistent with all applicable FRA requirements for controlled substances. For example, like post-accident test results for any controlled substance, an MRO must review tramadol results with respect to any claim of use or administration of tramadol consistent with § 219.103 that could account for the laboratory findings, and must report the results of this review to the employing railroad and FRA. *See* § 219.211(c). Railroads and MROs must also treat post-accident test results for tramadol as confidential under § 219.211(b). FRA encourages any railroad, railroad employee, or MRO that has questions about post-accident test results for tramadol to contact FRA's Drug and Alcohol Program Manager for guidance.

Finally, the requirements of §§ 219.101, 219.102, 219.103, and 219.104 now apply to covered employees' use and possession of tramadol.

Robert C. Lauby,

Associate Administrator for Railroad Safety Chief Safety Officer.

[FR Doc. 2015–16531 Filed 7–6–15; 8:45 am]

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[2] A non-controlled substance is any substance that is not currently regulated under 21 U.S.C. 801–971 or 21 CFR part 1308. *See* § 219.5. Non-controlled substances can include prescription medications, over-the-counter products, dietary supplements, and herbal preparations. *See id.*

[3] The DEA's decision to designate tramadol as a Schedule IV controlled substance applied to the substance 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (tramadol), including its salts, isomers, and salts of isomers. *See id.* at 37623.

[4] Covered service is service in the United States that is subject to the hours of service laws at 49 U.S.C. 21103, 21104, or 21105. *See* 49 CFR 219.5. Covered service does not include any period the employee is relieved of all responsibilities and is free to come and go. *See id.*