PART 1245—CLASSIFICATION OF RAILROAD EMPLOYEES; REPORTS OF SERVICE AND COMPENSATION

§ 1245.2 Complaint procedures. (1) Complaints for alleged breaches of confidentiality or misuse of confidential waybill data must include the following:
   (i) Identification of all known parties involved in the alleged violation.
   (ii) The approximate date(s) of the alleged violations.
   (iii) A full and detailed description of the alleged violation.
   (iv) A description of any resulting harm to the complainant.

(2) Prior to filing a complaint, a complainant, upon written request, may obtain a copy of the incoming waybill request and the applicable confidentiality agreement. This request must identify the party involved, give the approximate date the data was released, briefly describe the alleged violation, and substantiate the need for this information for purposes of filing a complaint.

(3) An original and three (3) copies of the complaint shall be filed with the Director, Office of Economics, Environmental Analysis, and Administration, Surface Transportation Board, Washington, DC 20423. A copy of the complaint shall also be served on the alleged violator(s).

(4) An answer must be filed within 20 days after service of the complaint.

(5) All parties will be notified in writing of the Director’s decision. If the Director determines that a violation has occurred, the offending parties will be denied access to the waybill sample for a period of time commensurate with the nature of the violation.

(6) Appeals to the Director’s determination shall be filed in accordance with paragraph (d)(4)(iii) of this section.

(h) Munitions shipments. All waybill requests for munition data at the 3-digit Standard Transportation Commodity Code (STCC) level or greater will be forwarded by the STB to the Department of Defense’s Military Traffic Management Command (MTMC). The STB will not release this type of information without MTMC’s consent.