

2120-0001

A. Justification:

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

49 U.S.C. Section 44718 states, “By regulation or by order when necessary, the Secretary of Transportation shall require a person to give adequate public notice, in the form and way the Secretary prescribes, of the construction, alteration, establishment, or expansion, of a structure or sanitary landfill when public notice will promote –

- (1) safety in air commerce; and
- (2) the efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports.”

The Federal Aviation Administration (FAA) implements the requirement for notification by means of part 77 of Title 14 of the Code of Federal Regulations (part 77).

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

FAA Form 7460-1, Notice of Proposed Construction or Alteration

The FAA uses the information collected to determine the effect the proposed construction or alteration would have on air navigation and the National Airspace System (NAS) by analyzing the physical and/or electromagnetic effect that the structure would have on air navigation procedures, air navigation, and/or communications facilities. The following factors are considered:

- o The impact on arrival, departure, and en route procedures for aircraft visual and instrument flight rules.
- o The impact on existing and planned public-use airports and aeronautical facilities.
- o The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures.

Without collection of this information, safety of air navigation and the NAS cannot be ensured.

FAA Form 7460-2, Notice of Actual Construction or Alteration

This form is used to collect information on the progress of actual construction. The submission of this information is required on a case-by-case basis following issuance of a determination of no hazard resulting from an aeronautical study based on information contained on FAA Form 7460-1. The information collected relates to construction start and end dates, final height or abandonment of the proposal.

The information is used to update aeronautical charts, issuance of notice to airmen, and adjust aeronautical procedures.

**3. Describe whether and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of technology.**

In September of 2003, the FAA began testing an electronic filing process of FAA Form 7460-1 on the Internet. The Internet site has seen a dramatic increase of users and requests to file electronically. The FAA had solicited and communicates with over 100 of the largest filers involved in the electronic test phase. In September 2004, the FAA officially opened the site to all filers.

Currently, the FAA receives over 91% of all 7460-1 submissions electronically over the Internet. Internal FAA paperwork processes inherent with the collection of form 7460-1 are being revised and eliminated at considerable savings. The system has over 9,400 registered users filing the FAA 7460-1 Form electronically.

Electronic filing has reduced the time the FAA receives the submission and issues a final determination by over half. Participants in the test phase have drastically altered their internal processes for communicating with the FAA. An electronic filer is provided instant acknowledgement that the FAA has received the submission and is beginning the aeronautical study process. Likewise, electronic filers have a single source where they can track all their FAA submissions. Final determination and general correspondence are also transmitted electronically to e-file users. This process notifies the user immediately after the FAA has reached a determination.

The FAA began testing an electronic form 7460-2 in 2005 and opened the process to all users in 2006. By creating the electronic 7460-2 process has saved the FAA considerable time and costs with processing the 7460-2 Form. Additionally, in 2007, the FAA plans on electronic filing for the NRA process.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in item 2 above.**

FAA is the only Federal agency with this statutory requirement and to our knowledge, there is no known duplicate reporting.

Information contained on FAA form 7460-1 that is also collected by the FCC is now electronically submitted on a daily basis to the FCC.

**5. If the collection of information impacts small business or other small entities, describe the methods used to minimize burden.**

Individuals as well as small businesses and large corporations may file these forms. The information collected has been designed to minimize the burden on all respondents by limiting the amount of information required, the format in which it is submitted (electronic or paper) and by providing clear and concise instructions.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reduce burden.**

Notification is required "on occasion" of the construction events. Thus, the frequency is determined by the filers not by the FAA.

There are no specific technical or legal obstacles to reducing the reporting burden.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5(d) (2).**

The information is collected in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A notice was published in the Federal Register on December 19, 2003 page 70861. No comments were received. A copy of the notice is attached for your convenience. Frequent filers of these forms and the FCC are regularly consulted for comments regarding the modification and electronic filing of FAA Form 7460-1.

**9. Explain any decision to provide any payment or gift to respondents and the basis for the assurance in statute, regulation, or agency policy.**

No payments or gifts will be provided.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

We offer no assurance of confidentiality.

**11. Provide additional justification for any questions of a sensitive nature.**

There are no sensitive questions.

**12. Provide estimates of the hour burden of collection of information. Provide estimates of annualized cost to respondents for the hour burdens for collection of information.**

The number of notices filed annually is approximately:

2004

FAA Form 7460-1: 37,836 (9,280 paper 28,556 e-file)

FAA Form 7460-2: 0

Total: 37,836

**75.5% electronically filed – 7460-1**

2005

FAA Form 7460-1: 39,990 (10,363 paper 29,627 e-file)

FAA Form 7460-2: 1,391

Total: 41,381

**74.1% electronically filed – 7460-1**

2006

FAA Form 7460-1: 48,096 (4,068 paper 44,028 e-file)

FAA Form 7460-2: 5,000

Total: 53,096

**91.5% electronically filed – 7460-1**

2007 (estimated for entire year)

FAA Form 7460-1: 56,000 (2,800 paper 53,200 e-file)

FAA Form 7460-2: 5,600

Total: 61,600

**95.0% electronically filed (estimated) – 7460-1**

2008 (estimated)

FAA Form 7460-1: 64,000 (3,200 paper 60,800 e-file)

FAA Form 7460-2: 6,400

Total: 70,400

**95.0% electronically filed (estimated) – 7460-1**

**The estimated hour burden is (determined through consultation with frequent filers) is:**

2004 FAA Form (paper) 7460-1	.32 hours x 9,280	= 2,970 hr.
2004 FAA Form (e-file) 7460-1	.20 hours x 28,556	= 5,711 hr.
2004 FAA Form 7460-2	.22 hours x 0	= 0 hr.
<b>Total Filings 2004</b>		<b>37,836</b>

2005 FAA Form (paper) 7460-1	.32 hours x 10,363	= 3,316 hr.
2005 FAA Form (e-file) 7460-1	.20 hours x 29,627	= 5,925 hr.
2005 FAA Form 7460-2	.22 hours x 1,391	= 306 hr.
<b>Total Filings 2005</b>		<b>41,381</b>

2006 FAA Form (paper) 7460-1	.32 hours x 4,068	= 1,302 hr.
2006 FAA Form (e-file) 7460-1	.20 hours x 44,028	= 8,806 hr.
2006 FAA Form 7460-2	.22 hours x 5,000	= 1,100 hr.
<b>Total Filings 2006</b>		<b>51,096</b>

2007 FAA Form (paper) 7460-1	.32 hours x 2,800	= 896 hr.
2007 FAA Form (e-file) 7460-1	.20 hours x 53,200	=10,640 hr.
2007 FAA Form 7460-2	.22 hours x 5,600	= 1,232 hr.
<b>Total Filings 2007</b>		<b>61,600 (estimated)</b>

2008 FAA Form (paper) 7460-1	.32 hours x 3,200	= 1,024 hr.
2008 FAA Form (e-file) 7460-1	.20 hours x 60,800	=12,160 hr.
2008 FAA Form 7460-2	.22 hours x 6,400	= 1,408 hr.
<b>Total Filings 2008</b>		<b>70,400 (estimated)</b>

Estimated burden hours saved by E-filing vs. paper filing FAA 7460-1 Form:

- o 3,427 burden hours in 2004.
- o 3,556 burden hours in 2005.
- o 5,283 burden hours in 2006.
- o 6,384 burden hours in 2007.
- o 7,296 burden hours in 2008.

While the FAA still requires that a USGS 7.5 minute Quadrangle map must be included when filing FAA Form 7460-1, (estimated cost of map is \$4.00) maps are abundantly available on the internet at no cost to the user. The FAA has seen the submission of purchased Quadrangle maps drop to a current level of less than 5% of all cases. Therefore, we do not include this cost in our estimates. Also, the FAA provides electronic quadrangle maps free of charge on the e-file site.

The average hourly wage of those filing the forms (estimated through consultation with frequent filers) is \$19.75/hour. Thus, the estimated average annual reporting burden is as follows:

2004 FAA Form (paper) 7460-1	\$19.75 p/hr x .32 x 9,280	=	\$ 58,650
2004 FAA Form (e-file) 7460-1	\$19.75 p/hr x .20 x 28,556	=	\$ 112,796
2004 FAA Form 7460-2	\$19.75 p/hr x .22 x 0	=	\$ 0
<b>Total 2004</b>			<b>\$ 171,446</b>
2005 FAA Form (paper) 7460-1	\$19.75 p/hr x .32 x 10,363	=	\$ 65,494
2005 FAA Form (e-file) 7460-1	\$19.75 p/hr x .20 x 29,627	=	\$ 117,027
2005 FAA Form 7460-2	\$19.75 p/hr x .22 x 1,391	=	\$ 6,044
<b>Total 2005</b>			<b>\$ 188,565</b>
2006 FAA Form (paper) 7460-1	\$19.75 p/hr x .32 x 4,068	=	\$ 25,710
2006 FAA Form (e-file) 7460-1	\$19.75 p/hr x .20 x 44,028	=	\$ 173,911
2006 FAA Form 7460-2	\$19.75 p/hr x .22 x 5,000	=	\$ 21,725
<b>Total 2006</b>			<b>\$ 221,345</b>
2007 FAA Form (paper) 7460-1	\$19.75 p/hr x .32 x 2,800	=	\$ 17,696
2007 FAA Form (e-file) 7460-1	\$19.75 p/hr x .20 x 53,200	=	\$ 210,140
2007 FAA Form 7460-2	\$19.75 p/hr x .22 x 5,600	=	\$ 24,332
<b>Total 2007 (estimated)</b>			<b>\$ 252,168</b>
2008 FAA Form (paper) 7460-1	\$19.75 p/hr x .32 x 3,200	=	\$ 20,224
2008 FAA Form (e-file) 7460-1	\$19.75 p/hr x .20 x 60,800	=	\$ 240,160
2008 FAA Form 7460-2	\$19.75 p/hr x .22 x 6,400	=	\$ 27,808
<b>Total 2008 (estimated)</b>			<b>\$ 288,192</b>

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.**

No capitol or maintenance costs are required to report this information.

**14. Provide estimates of annualized cost to the Federal Government.**

The annual cost to the Federal Government for these 2 forms is combined because work on a single case may involve both forms. A “Process and Cost Analyses” study estimated it cost the FAA an average of \$443.00 to process a single case. However, with automation enhancements and a reduction in personnel, this cost estimate could be lower.

FAA processing time (40,000 cases x \$443.00) = \$17.7 M

**15. Explain reasons for any program changes or adjustments.**

As indicated in the response to question 12, there has been a steady annual increase in public response since the beginning of this collection. Simultaneously, the use of electronic submissions has been reducing the annual time burden on the public. This has resulted in a net reduction in the overall annual time burden.

**16. For collections of information whose results will be published outline plans for tabulation, and publication.**

The FAA publishes information regarding aeronautical studies on the web site [www.oiaa.faa.gov](http://www.oiaa.faa.gov).

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

We are seeking approval to not display the expiration date for OMB approval because these forms are stocked and reprinted automatically for continued use. It is not cost beneficial to discard unused dated stock. Even with compliance with the Government Paperwork Elimination Act allowing for respondents to submit information electronically, we are still dependent on paper stock in order to accommodate those respondents who are unable or choose not to do so. Printing the expiration date on the paper forms will result in an undue cost burden and waste.

**18. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-I.**

There are no exceptions.

Attachments:

1. Supporting Statement
2. 30 Day Notice
3. 60 Day Notice
4. Form 7460-1
5. Form 7460-2
6. 49 USC 44718