

OMB No. 2120-0056
REPORT OF INSPECTION REQUIRED BY
AIRWORTHINESS DIRECTIVES
Title 14, CFR part 39

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Title 49 United States Code, Subtitle VII - Aviation Programs encourages the development of civil aeronautics, and promotes safety in air commerce.

Sections 44701 and 40113(a) of the Code empower the Secretary of Transportation, or the Administrator of the Federal Aviation Administration (FAA) to issue the rules and regulations they think necessary to carry out this Act. The Secretary or Administrator issue regulations and minimum standards governing the:

- (a) Inspection, servicing, and overhaul of aircraft, aircraft engines, propellers and appliances;
- (b) Equipment and facilities for such inspection, servicing and overhaul. This includes examinations and reports by qualified private persons. The Secretary of Transportation may accept their examinations and reports instead of those made by Department of Transportation (DOT) or FAA officers and employees.

Section 44702 of the Code empowers the Secretary of Transportation or FAA Administrator to issue an airworthiness certificate when the FAA finds that an aircraft conforms to the type certificate and is in condition for safe operation. An airworthiness directive (AD) amends an airworthiness certificate.

Title 14 CFR part 39, Airworthiness Directives (AD), authorized by §§ 40113(a), 44701, and 44702 of the Code, prescribes how we issue ADs. One of the FAA's primary functions is to require the correction of an unsafe condition discovered in aircraft or aircraft parts bearing an airworthiness certificate issued by us. Each aircraft coming off the assembly line must receive an airworthiness certificate indicating that it is safe for civil use.

The FAA issues ADs when an unsafe condition is discovered on a specific aircraft type. If the condition is serious enough and we need more information to develop corrective action, we may require specific information from aircraft owners/operators. If it is necessary for the aircraft manufacturer or airworthiness authority to evaluate the information, we will instruct owners/operators to send the information to them.

We may also require reports if the unsafe condition results from manufacturing quality control problems. We need these reports to determine the scope of the problem and how adequate the manufacturer's corrective actions are. Each reporting situation is unique.

This information supports the Department of Transportation's strategic goal---to promote the public health and safety by working toward eliminating transportation-related deaths and injuries.

2. Indicate how, by whom, and for what purpose the information is to be used and consequence(s) to Federal program or policy activities if the collection of information is not conducted.

The Administrator uses ADs to notify aircraft owners and operators that an unsafe condition exists. ADs prescribe the conditions, limitations, or both, under which the product may continue to be operated.

The Aircraft Certification Office (ACO) in the FAA directorate initiating the AD analyzes the reports and determines if the AD's corrective action will eliminate the unsafe condition. If not, the ACO issues a new AD to correct the unsafe condition.

To date, we have no other method for collecting this information. If we do not collect it by issuing an AD, we must conduct a directed safety investigation. This is a burden on both the FAA and the owner/operator.

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 information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce the burden.

Following the Government Paperwork Elimination Act (GPEA), we use e-mail and the Internet for corresponding with industry, accepting their 100% electronic submission of information. How to send the information to us, however, is up to owners and operators. We cannot mandate electronic submission of reports, because some of the affected parties are small businesses and/or individuals lacking electronic/Internet communication.

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

Only the FAA issues ADs. Each AD is unique and concerns a specific condition. We have no other way to require reports of information. The information we collect is only available from the owner/operator whose aircraft or aircraft product is inspected, modified, or repaired under an AD that applies to it.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1, describe any methods used to minimize burden.

While we cannot predict exactly who will be affected by an AD, only a few ADs include a reporting requirement, and that happens only when we need more information to determine if the corrective action is adequate. We make every effort to minimize the burden on small businesses or other small entities, including our preparation of a Regulatory Flexibility Act analysis for non-emergency ADs.

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 reducing the burden.

We keep the information collection requirement to a minimum because we search our own databases and work with the manufacturer first before issuing an AD. We ask for reports only when we need more information. The technical and legal obstacles to reducing the burden are:

- (1) We will not obtain needed technical data in an emergency when safety is at risk, and
- (2) We cannot carry out our responsibilities under Title 49 §§ 40113(a) and 44701.

As we stated before, the only other way to collect information is through a directed safety investigation, at a substantial cost to us and an increased burden on the owner/operator.

7. Explain any special circumstances that cause an information collection to be conducted in a manner that is inconsistent with 5 CFR 1320.5(d)(2)(i)-(viii):

We collect information following Title 5 CFR §1320.5(d)(2)(i)-(viii) with one exception: the time a record is maintained. In our procedure,

Airworthiness directives are regulations issued under 14 CFR Part 39, and no person may operate a product unless all applicable ADs have been complied with. Compliance with ADs must be recorded in the aircraft maintenance log. The aircraft maintenance log shows proof of compliance with ADs, *and is retained and transferred with the aircraft at the time the aircraft is sold.*

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8, soliciting comments on the information collection prior to submission to OMB.

Describe efforts to consult with persons outside the agency to learn 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.

We request a continuation of OMB approval of the 14 CFR Part 39 information collection burden. Since 14 CFR was adopted, we have received no adverse comments on the burden of information collection. While preparing this request to renew the information collection, a notice was published in the **Federal Register** on March 26, 2007, page 14164 seeking comments on the burden. No comments were received regarding the burden. However, one commenter asked the following:

Regarding Information Collection and Reporting on Airworthiness Directives, does it specifically have to state on the Airworthiness Directive inspection reports are required with OMB Control Number 2120-0056?

The response to this question is yes, per 5 CFR 1320.5(a)(3) and (b)(1) an agency is required to display a current valid OMB control number when requesting collection of information. For ADs, we use the following sentence when requiring reporting of information:

“Under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements contained in this AD and has assigned OMB Control Number 2120-0056.”

Note that a notice of proposed rulemaking published in the **Federal Register** precedes about 65% of the ADs issued. We solicit comments on the rule, including any proposed reporting requirement. However, most of the ADs that require information reports are responses to an emergency, and require correction of an unsafe condition that poses an immediate threat to safety. We usually issue an Emergency AD. Then we follow the emergency AD immediately with a final rule published in the **Federal Register**, requesting comments on the rule.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide any payment or gifts to respondents.

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

We give respondents 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 the collection of information.

We estimate that 30 ADs yearly will require reports of information and findings. The average AD affects about 1,120 owners/operators. Therefore, 30 ADs times 1,120 owners/operators per year equals 33,600 reports. These reports, requiring an average of 5 minutes each to prepare, consume 2,800 reporting hours. The 5-minute preparation time remains the same as in our last submission.

The total annualized cost to respondents is \$224,000. We base this on the 2,800 reporting hours times an estimated hourly rate of \$80/hour per respondent. The average cost to the respondents per AD per year is \$6.67 (\$224,000 divided by 33,600).

The information collection burden is a reporting burden only. AD record keeping is covered as follows: Title 14 §§ 43.9, 43.11, and 91.417 require each registered owner/operator to keep records regarding the work performed on each aircraft. The records must include the current status of applicable ADs including, for each, the method of compliance, AD number, and the revision date. If the AD requires future actions, the owner/operator must record the time and date the next action is required. The record-keeping burden of ADs is covered and approved in reports 2120-0005 (14 CFR part 91), and 2120-0020 (14 CFR part 43).

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

There are no additional costs not already included in Item 12 above.

14. Provide estimates of annualized cost to the Federal government.

The total estimated annual cost to the Federal government is \$512,200. We determined this cost based on time required by FAA certification engineers to review the inspection reports.

The annual estimate of 33,600 reports requires an average of 15 minutes each to review, totaling 8,400 total hours. At \$58/hour (an average engineer's pay) the total annual salary cost to the Federal government is \$487,200. The estimated annual operational and support cost to review the report is \$25,000. Adding this, the total annual cost to the Federal government is \$512,200.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There was a small increase in the costs to the respondents. The reason for the increase is due to an increase in the hourly work rate from \$65/hour to \$80/hour. This is an inflationary increase.

The annualized cost to the Federal Government also increased slightly. The average engineer's salary is now estimated to be \$119,700/year due to cost of living and inflationary increases.

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

We have no plans for statistical use, and/or publication of this information.

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

We do not seek approval to not display the expiration date of the OMB approval.

18. Explain each exception to the certification statement identified in Item 19.

There are no exceptions.