

Performance and Handling Qualities Requirements for Rotorcraft-Final Paperwork Reduction Act

Summary: This proposal would revise the airworthiness standards for normal and transport category rotorcraft performance and handling qualities. These proposals would increase the current minimum safety standards to require compliance with certain current industry practices and FAA policies that result in higher safety standards, and would result in harmonized international standards. Proposed §§ 27.49(a)(3) and 27.143(d) requires all applicants seeking certification for a normal category rotorcraft to determine out-of-ground effect performance data and the proposed § 27.1587 requires that performance data be provided to operators in the Rotorcraft Flight Manual (RFM) that must be furnished with each rotorcraft. For those applicants seeking certification for a transport category rotorcraft, proposed § 29.143(d) requires that they determine additional out-of-ground effect performance data and the proposed § 29.1587 requires that performance data, in addition to current § 29.49 and other data, be provided to operators in the Rotorcraft Flight Manual (RFM).

Use of: The required performance information would be determined during the certification process for various rotorcraft weights, altitudes, and temperatures and would be collected from rotorcraft certification applicants. This performance information would be inserted in the RFM and used by rotorcraft operator to determine whether their rotorcraft was capable of performing certain missions in their operating environment.

Respondents (including number of): The FAA anticipates an average of 4 normal or transport category rotorcraft certification applicants every 10 years would be required to determine this performance information and provide it to operators in each RFM. The FAA anticipates 50 rotorcraft are delivered for each new certification and a RFM must be furnished with each rotorcraft.

Frequency: The frequency of determining the performance data would depend on how often an applicant seeks the certification of a rotorcraft. The FAA anticipates four new rotorcraft certifications each 10 years. This performance data would be provided when the manufacturer delivers each rotorcraft to an operator. Based on industry responses, the FAA anticipates 50 rotorcraft are delivered per certification, resulting in 50 manuals. The FAA also anticipates an additional 100 manuals per certification for use by other interested parties (e.g., national airworthiness authorities).

Annual Burden Estimate: The performance data must be collected during each certification and disclosed in each RFM. Based on industry response, the FAA anticipates it would take 20 hours to collect the performance data for four certifications over a 10 year period for an annual collection burden of \$200.00 ($\$100 * (20/10)$).

The FAA further anticipates 2 additional pages would be required to place the data in the RFM. The FAA estimates an annual paperwork burden of 120 pages with an annual reproduction cost of \$6.00. Therefore, the estimated total annual cost burden of the additional paperwork for this proposed rule would be \$206.00.

Supporting Statement
Performance and Handling Qualities Requirements for Rotorcraft
FAR 27.1581, 27.1587, FAR 29.1581, and FAR 29.1587
OMB

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing collection of information.**

The purpose of Title 49 United States Code, Subtitle VII, Aviation Programs, is to encourage and to promote safety in air commerce.

In order to determine that the rotorcraft is a safe vehicle, an applicant for a type certificate must show compliance to specific minimum requirements. In order to show compliance, an applicant will substantiate the type design through analysis, testing, design limitations, and other acceptable means. This substantiation requires that certain performance information for safe operation of the rotorcraft be presented, in the form of tables, diagrams, or charts, in the flight manual. The flight manual and associated performance data must be furnished with each rotorcraft. The proposed NPRM “Performance and Handling Qualities Requirements for Rotorcraft” requires that certain performance information, that was not required previously, be included in the flight manual.

Section 40113(a) empowers the Secretary of Transportation (or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator) may take action he/she considers necessary to carry out this part, including conducting investigations, prescribing regulations, standards and procedures, and issuing orders.

Section 44701 empowers the Administrator to promote safety by prescribing minimum safety standards and regulations necessary for safety in air commerce. It also empowers the Administrator to grant an exemption from a requirement of a regulation if it is in the public interest.

Section 44704(a) empowers the Administrator to issue type certificates for aircraft, aircraft engines, propellers, and appliances.

Section 44704(b) empowers the Administrator to issue a type certificate designated as a supplemental type certificate for a change to an aircraft, aircraft engine, propeller, or appliance.

- 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 engineers and designated engineers review the required data submittals to determine that the rotorcraft complies with the applicable minimum safety requirements for rotorcraft performance and that the rotorcraft has no unsafe

features. A probable unsafe condition could exist for the owner/operator or public if the performance data or rotorcraft flight manual was in error.

- 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 burden.**

The FAA does not specify the means of submission. Consequently, the applicant can collect the necessary data by any means appropriate for obtaining the necessary data. Additionally, the applicant can submit the appropriate data by any means appropriate so that the FAA can evaluate the data to make a finding of compliance to the minimum certification requirements. Performance data and flight manual information, in general, are presented on paper stock and are compiled in an orderly fashion for ease of use and understanding by flight crews.

- 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.**

No other agency is responsible for collecting information on the certification of aircraft products and parts.

The information is not available elsewhere. Persons requesting certification of rotorcraft must comply with applicable airworthiness standards. The FAA is the only government agency that administers parts 27 and 29 of Title 14 of the Code of Federal Regulations. There is no duplication.

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

This request for information does not have a substantial impact to small businesses or other small entities. The information required is the minimum needed to determine if an unsafe condition exists.

- 6. Describe the consequences 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 burden.**

The frequency of collection of this information is not a set time; it is established as needed by the respondent to meet their certification schedule. The respondent is required to submit the required information prior to type certification.

- 7. Explain any special circumstances that would require the collection to be conducted in a manner inconsistent with the guidelines in Title 5 CFR 1320.5(d)(2)(i)-(viii).**

This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

- 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(d) soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts made to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Under the Federal Advisory Committee Act, the proposed rule is the result of a recommendation by an ARAC Working Group. This group consisted of potential respondents and international aviation authorities. The group proposed these requirements and agreed that this collection was necessary to assure rotorcraft safety.

The NPRM containing this paperwork requirement was published in the Federal Register on July 25, 2006, vol. 71, no. 142, pages 42222-42232, allowing the public to comment. A copy is attached for your convenience.

- 9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.**

No payment or gift is given to any respondents.

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

No assurance of confidentiality is provided or needed. The information collected is routinely provided to third parties.

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no sensitive questions in this collection of information.

- 12. Provide estimates of the hour burden of the collection of information.**

The FAA estimates that the total annualized hour burden base on an estimated 4 new certifications over a 10 year period would be 2 hours per year.

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

The performance data must be collected during each certification and disclosed in each RFM. Based on industry response, the FAA anticipates it would take 20 hours to collect the performance data for four certifications over a 10 year period for an annual collection burden of \$200.00 ($\$100 * (20/10)$).

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14. Provide estimates of annualized cost to the Federal Government and to the respondents.

It is current practice for rotorcraft companies to submit performance and handling data to the FAA. Hence, there is no additional hour burden in requiring the collection of this information.

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

This is a new collection, therefore it is a program change.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information completion of report, publication dates, and other dates.

There are no plans for statistical publications.

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.

The FAA is seeking approval to not display the expiration date. An expiration date on rotorcraft performance data or in the flight manual is inappropriate. A flight manual and flight manual performance data that is compliant with the regulations and approved by the FAA has no expiration and can only be changed, removed, or amended by approval of the FAA. Additionally, it would not be cost effective to the applicant to destroy unused, dated stock and a burden on third parties to remove and replace dated material that would essentially be unchanged. FAA therefore, requests an exemption from placing the expiration date on the forms.

18. Explain each exception to the certification statement identified in Item 19, "Certification of Paperwork Reduction Act Submissions," of OMB Form 83-1.

There are no exceptions.