

Supporting Statement
Agricultural Aircraft Operations
OMB 2120-0049

A. 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 each statute and regulation mandating or authorizing the collection of information.

The reporting and recordkeeping requirements of Federal Aviation regulations (FAR) Part 137, Agricultural Aircraft Operations, is authorized by part A of Subtitle VII of the Revised Title 49 United States Code. FAR Part 137 prescribes requirements for issuing agricultural aircraft operator certificates and for appropriate operating rules.

This collection of information supports the Department of Transportation's strategic goal on safety.

In addition to the statutory basis, the collection of this information is necessary to:

- Issue, reissue, or amend applicant's agricultural aircraft operator certificates.
- Approve operator's plan of operation over congested areas.
- Conduct knowledge and skill test and issue letters of competency.

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.

The information on FAA Form 8710-3, Agricultural Aircraft Operator Certificate Application, is required from applicants who wish to be issued a commercial or private agricultural aircraft operator certificate. Inspectors in FAA Flight Standards District Offices (FSDO) review the submitted information to determine certificate eligibility. If the information was not collected, the FAA could not discharge its responsibilities

directed to the safety of agricultural aircraft operations and the dispensing of materials during such operations.

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.

Currently, the submissions are 0% electronic. Applicants may electronically request applications to conduct operations or an activity. The form may be completed on the website and submitted to the FAA Flight Standards District Office. The form is used to authorize individuals or groups to conduct spray operations if the Administrator finds that the operations can be safely conducted in accordance with certification requirements of section 137.19. The United States cannot risk having unknown people conducting airborne spray operations within its critical infrastructure.

4. Describe efforts to identify duplication. Show specifically why any similar information already available can be used for the purpose described in Item 2 above.

The information collection involves unique requests and duplication is unlikely. In addition, we have reviewed our other public reports to insure that no duplication exists. To our knowledge, no other agency is responsible for collecting information on agricultural aircraft operators.

We have checked other FAA public reports and to our knowledge, no similar information is available. The reporting information required by the FAA can only be supplied by those agricultural aircraft operators requesting certification. Individuals or small entities may receive, upon request, specific assistance from FAA Aviation Safety Inspectors located in district offices around the country.

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

Required information is collected using FAA Form 8710-3, which was designed to be short and easy to complete by those not familiar with it. The operators are only asked pertinent safety

information necessary to make a factual determination that the proposed aviation activity would not be detrimental to public safety. The burdens are minimized because only those who wish to pursue aviation agricultural operations are required to submit the minimum information to determine a safety equivalency. All records and information is gathered for the accomplishment of a specific regulatory requirement necessary to maintain a high degree of safety in aviation. These requirements were carefully thought out prior to implementation and to delay the collection and documentation of this information might well create possible hazards in the airspace system.

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 burden.

All records and information, whether gathered on a scheduled basis, on demand, or as required by regulation, is done so for the accomplishment of a specific regulatory requirement necessary to maintain a high degree of safety in aviation. These requirements were carefully thought out prior to implementation and to delay the collection and documentation of this information might well create possible hazards in the airspace system.

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

The guidelines specified in CFR 1320.5(d)(2)(i)-(viii) are being complied with in the collection of information required by this FAR Part.

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

A notice for public comments was published in the Federal Register on December 3, 2008, vol. 73 no. 233, pages 73687-73688. No comments were received.

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

No payments or gifts are made to respondents.

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

The information collected on FAA Form 8710-3 will become part of the DOT/FAA Privacy Act Systems of Records DOT/FAA 847, General Air Transportation Records on Individuals. The information will be handled under the provisions of the Privacy Act.

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

There are no sensitive questions in this collection of information.

12. Provide estimates of the hour burden of the collection of information. This statement should: Provide number of respondents, frequency of response, annual burden, and an explanation of how the burden was estimated.

A section by section breakdown of the applicable sections of FAR 137 is listed below, showing frequency of response, number of respondents, annual burden, and how the burden has been estimated.

Section 137.1 - Applicability - Prescribes procedures for requesting deviation from the operating rules of this part.

Estimated number of annual letters of deviation	250
Estimated average hours per submission	.5
Estimated annual reporting burden	125 hours

Section 137.15, Application for Certificate - Applicants for an Agricultural Aircraft Operator Certificate are required to submit an application to the FAA FSDO having jurisdiction over the applicant's home base of operations. FAA Form 8710-3, Agricultural Aircraft Operator Certificate Application, is used for that purpose. The front side of the form is used by the applicant to provide information required by the FAR for issuance and amendment of operating certificates. The reverse side is used by FAA to record inspection of the applicant for certification. Operating certificates are effective until surrendered, suspended, or revoked.

Estimated annual applications	300
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<u>Estimated average hours per request</u>	<u>.5</u>
Estimated annual reporting burden	150 hours

Section 137.17, Amendment of Certificate - Operators may amend their certificate by submitting FAA Form 8710-3 to their nearest FSDO.

Estimated annual applications for amendment	175
<u>Estimated average hours per request</u>	<u>.5</u>
Estimated annual reporting burden	87.5 hours

Section 137.51, Operation over Congested Areas - Paragraph (a) (3) requires a plan for operation over congested areas must be submitted to the FAA for approval.

Estimated annual congested area plans	350
<u>Estimated average hours per request</u>	<u>.5</u>
Estimated annual reporting burden	175 hours

Section 137.71, Records: Commercial Agricultural Aircraft Operator - Requires each operator to maintain specific records for a minimum of 12 months. We estimate there is an annual average of 3,000 certificated operators. (Approximately 300 operators are certificated annually, and approximately 300 certificates are surrendered, suspended, or revoked.)

Estimated certificate holders maintaining annual records	3,000
<u>Estimated average hours per certificate holder</u>	<u>4.5</u>
Estimated annual recordkeeping burden	13,500 hours

We estimate that FAR Part 137 will require a total annual reporting and recordkeeping burden of 14,037.5 hours, of which 537.5 hours constitute public reporting and 13,500 hours constitute public recordkeeping. A summary of the burden is below:

Reporting Burden

Section 137.1	125	hours
Section 137.15	150	hours
Section 137.17	87.5	hours

Section 137.51	<u>175</u> hours
Total reporting burden	537.5 hours

Recordkeeping Burden

Section 137.71	<u>13,500</u> hours
Total Recording and Recordkeeping Burden	14,037.5 hours

The annualized cost to the public is estimated to be \$130,320.

This cost is determined by estimating the applicants' time required to complete and submit new applications, amendments, deviations, etc.

We estimate that 980 forms and letters submitted for approval, at an average preparation time of .5 hours each at \$18 per hour per applicant would cost the applicants \$8,820 a year. We also estimate the total recordkeeping requirement would be 13,500 hours at \$9 per hour, at a cost to the applicant of \$121,500.

980 forms x .5 forms/hr x \$18./hr =	\$8,820
13,500 forms x 1. form/hr x \$9./hr =	\$121,500
Total	<u>\$130,320</u>

13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no additional costs not already included in question twelve.

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

The annualized cost to the Federal Government is estimated to be \$275,213. That figure was determined by the following method:

<u>Hours by Regulation</u>			<u>Hours</u>
137.1	155 letters	@ 3 hours	465
137.15	300 applications	@ 10 hours	3,000

137.17	175 amendments	@ 3 hours	525
137.51	350 letters	@ 4 hours	<u>1,400</u>
			5,390

Approximately 80 percent of the total cost is government labor done by technical specialists at \$48 per hour, and 20 percent is by clerical labor at \$40 per hour. Other expenses such as general and administrative costs, overhead costs, and other indirect costs are estimated to amount to approximately 15 percent of the direct labor cost. Based on the above, the annualized cost to the Federal Government is as follows:

Estimated total annual labor burden	5,390 hours
Technical Labor (5390 x .8 x 48/hr)	\$206,967
Clerical Labor (5390 x .2 x 40/hr)	<u>43,120</u>
	\$250,087
Other Expenses (\$250,087 x .15)	<u>37,513</u>
TOTAL	\$287,600

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

There has been no 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.

There is no requirement for any of the information collected pursuant to 14 CFR Part 137 to be published for statistical use.

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 shall not seek approval to not display the expiration date.

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

There appears to be no exceptions.

Attachment List:

- 1. Supporting Statement**
- 2. 60 Day Notice**
- 3. 30 Day Notice**
- 4. 49 USC Subpart A**
- 5. FAR Part 137**
- 6. FAA Form 8710-3**