

SUPPORTING STATEMENT

A. Justification:

1. The requirements contained in Section 80.59 are necessary to implement the provisions of Section 362(b) of the Communications Act of 1934, as amended. Section 80.59(d) states that the Commission may, upon a finding that the public interest would be served, grant a waiver of the annual inspection required by Section 362(b) of the Communications Act, for a period of not more than 90 days for the sole purpose of enabling a United States vessel to complete its voyage and proceed to a port in the United States when an inspection can be held. An information application must be submitted by a ship's owner, operator or authorized agent. The application must be submitted to the Commission's District Director or Resident Agent in charge of the FCC office nearest the port of arrival at least three days before the ship's arrival. The application must provide specific information that is contained in rule section 80.59.

Although this rule section also requires notation in the ship's station log that certifies that the ship has/hasn't passed inspection, this requirement has been accounted for under IC 3060-0835.

With this submission, the Commission is requesting an extension in order to obtain the full three year clearance from OMB.

Statutory authority for this collection of information in Sections 4, 303, 307(e) 309, and 332 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, unless otherwise noted.

As noted on the Form OMB 83-I, this collection of information does not affect individuals or households; thus, there are not impacts under the Privacy Act.

2. The information is used by FCC personnel to determine the eligibility of a vessel for a waiver of the required annual radio station inspection, pursuant to Section 362(b) of the Communications Act. If the collection were not conducted, the Commission would be unable to grant eligible vessels waivers and such ships would be unable to sail until an inspection was performed. This, in turn, would require an increased expenditure for agency travel funds and/or additional personnel, as well as additional operating costs for vessels required to remain in port until an inspection can be completed.
3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of

obtaining and/or computer-generating the required data from existing data bases in the Commission or other Federal agencies.

4. This agency does not impose a similar information collection on the respondents. There is no similar data available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to those absolutely necessary.
6. The information is collected only when a licensee requests a waiver to operate beyond the expiration of a radio safety certificate. Therefore, a less frequent collection equates to no collection of such information and the concomitant inability to issue such waivers with the affects indicated in paragraph 2 above.
7. There are no special circumstances which would require collections to be conducted in a manner consistent with the guidelines in 5 CFR 1320.6.
8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on April 14, 2010 (75 FR 19400). No comments were received as a result of the Notice.
9. Respondents will not receive any payments.
10. There is no need for confidentiality.
11. This does not address any private matters of a sensitive nature.
12. Approximately 100 requests for a waiver of the required annual inspection are received each year from the licensees of large oceangoing vessels returning from a foreign port. The decrease in the number of requests for waiver is a direct result of the American Bureau of Shipping hiring more inspectors at foreign ports all over the world, thereby decreasing the number of vessels by 130. From a review of past submissions, it is estimated than an engineer or communications specialists would spend two hours preparing such a waiver request. The burden is de minimized compared to the cost of holding a large oceangoing vessel in port even on extra day while awaiting an annual radio station inspection.

100 respondents x 2 hours = 200 hours

The Total Annual Hour Burden is: 200 hours.

13. Estimate of cost to respondents: We assume that the respondent would use internal personnel (engineer) at the GS-11/5 level to prepare the information.

$$200 \text{ (hours)} \times \$39.00/\text{hr. (engineer)} = \$7,800.00 + \$78.00 \text{ (+10\% overhead)} = \$ 7,878.00.$$

The Total Annual Cost Burden is: \$7,878.00

14. Estimated annual cost to the Federal Government: We assume that a GS 12/5 engineer would spend 2 hours to review the waiver request.

$$200 \text{ hours} \times \$36.26/\text{hr. (engineer)} = \$7,252.00$$

15. There is an adjustment of 260 hours in the total annual burden in this information collection due to a decrease in the number vessels requesting waivers.
16. The data will not be published for statistical use.
17. No expiration date will be displayed.
18. There are no exceptions to Item 19.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.