

## Supporting Statement

Maintenance, Preventive Maintenance, Rebuilding,  
and Alterations—FAR 43

OMB 2120-0020

### **Justification:**

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

Title 49, United States Code, Section 44702/44703, specifically empowers the Secretary of Transportation to prescribe reasonable rules and regulations and minimum standards governing, in the interest of safety, the inspection, servicing, and overhaul of aircraft, aircraft engines, propellers, and appliances, including provision of examinations and reports the Secretary may accept in lieu of those made by its officers and employees.

The information collection associated with FAR 43 is necessary to ensure that maintenance, rebuilding, or alteration of aircraft, aircraft components, etc., is performed by qualified individuals and at proper intervals. Further, proper maintenance records are essential to ensure that an aircraft is properly maintained and is mechanically safe for flight. Clearly, aircraft airworthiness, through proper maintenance, is a major component of aviation safety. This provides a record of all major modifications, repairs, and alterations performed on U.S. civil registered aircraft.

**2. *Indicate how, by whom, how frequently, and for what purpose the information is to be used.***

The reporting and maintenance recording required by FAR 43 may only be done by certified mechanics, repair stations, and air carriers authorized to perform maintenance. Pilots are also authorized to perform and record preventive maintenance, however, the authorization applies only to those pilots who own or lease their aircraft for private operation, and are not responsible for the completion of the Form 337. Also, the reporting and maintenance recordkeeping requirements of FAR 43 is a ongoing process and initiated during the time of maintenance, preventive maintenance, rebuilding and alteration of an aircraft airframe, aircraft engine, propeller, or appliance.

**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.**

With the advent of several new computer software packages on CD ROM, applications such as ADVANTEX (Note: Summit exists on New FAA Program called "OASIS"), the FAA Form 337 is found on the FAA website located off of the FAA Homepage. The form is currently in a pdf fillable format for ease of completion. This also provides a backup copy for the facility or mechanic to retain for his/her records. Also, similar or identical type installations in different U.S. registered aircraft can be quickly reproduced on the computer by merely changing the registration number block.

A new system termed **iform service** has been developed with interactive automation capability and reporting functionality. This system is concurrent with the anticipated improvements mentioned in this paragraph of the report. Additionally, for clarification based on current figures, obtained from AFS-750, for FY 04 to FY 07 indicate an average form submission of approximately 60,000 per year. However, for storage and processing purposes, considering front page, back page, and all attachments an average of 300,000 images are processed by the Registry. This would align with the approximations provided for FY 01 to FY 03 and the subsequent figures for FY 07 to FY 09 showing a slightly higher usage.

**4. Describe efforts to identify duplication.**

Efforts are continually made to reduce both duplication and information collection burden through regulatory review of FAR 43. We have reviewed other FAA public-use reports and find no duplication. FAR 121 air carriers have been allowed by regulation to incorporate a form and manner acceptable to the Administrator to record all major repairs, alterations and modifications in lieu of the FAA Form 337. This can be an engineering order or format of their own design, and approved by the FAA in the company manual. This reduces the reporting and recording requirement thus reducing the burden of the air carrier operator. These records are maintained by the certificate holder and are transferred to the new owner/operator upon sale of the aircraft and are not submitted to the FAA Registry for retention but have to be reviewed by the local FAA office. This affects a total fleet of 5,406 air carrier aircraft that do not require the use of the FAA Form 337. We estimate approximately 20 percent of the carriers opt to use the FAA Form 337 in lieu of creating their own format which equates to 1,081 air carrier aircraft still using the form. The reporting

and recordkeeping information required by FAR 43 can only be supplied by airmen or maintenance facilities providing the information. The information is not available from any other source.

**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.***

Our information collection requirements are kept to the minimum necessary to ensure compliance with FAR 43. FAA's airworthiness inspectors in the field provide special assistance, as needed, to individual mechanics and small repair stations that may require more support.

**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.***

FAA would be unable to determine if aircraft, airframe, aircraft engine, propeller, appliance, or component part overhauls were accomplished in accordance with the regulations. The collection of this information does not occur at a preset time dictated by our regulations. Response is determined by the need to accomplish maintenance.

**7. *Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with guidelines.***

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2)(i)-(viii).

There is one exception to 5 CFR 1320.5 (paragraph iv) concerning limitation of record retention to three years. FAR 43 is concerned with maintenance. A portion of FAR 43 is concerned with maintenance record entries (Sections 43.9(a), 43.9(b), and 43.11(a), as well as, the retention period for maintenance for the life of the aircraft as specified in FAR 91.417(b)(2). Maintenance records must be retained for the life of an aircraft and transferred to the new owner during the sale of the aircraft.

**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 the data elements to be recorded, disclosed, or reported.***

A notice was published in the *Federal Register* on August 27, 2010, vo. 75, no. 166, page 52803. Several comments were received from members of the Aircraft Electronics Association (AEA) as a result of that request for comments. One “master” comment addressing the issues raised by AEA members was received from the AEA’s Mr. Ric Peri, which we will specifically address here.

Mr. Peri’s comments appear to be a misinterpretation and/or misunderstanding of the published guidance for completion of the form. The FAA Form 337 as stated in CFR 43 Appendix B, is the official FAA form for “Recording of Major Repairs and Major Alterations”. Any use of the form other than recording of major repairs and major alterations is not sanctioned by the FAA and should not be performed. The only exception is the Alaska policy for certification for Fixed Wing External Load which is only used in Alaska and not national policy. The comments in the third paragraph concerning “unauthorized” uses and inappropriate local mandates are a separate matter from the published instructions for the use of Form 337, and should be dealt with accordingly as they are presented. Additionally, following published guidance for the use and completion of the form (AC 43.9-1 and Order 8900.1) the FAA sees no conflicting guidance although specifics of the stated complaint were not provided.

**FAA question (b) The accuracy of the estimated burden.**

The AEA comments refer to additional burden for unauthorized use as a method for FAA acceptance of Instructions for Continued Airworthiness (ICA) and as a cover sheet for Flight Manual Supplement (AFM) approval. Both examples are not sanctioned or endorsed by the FAA as a stand alone function of the 337. However in cases where a 337 records the performance of a major repair or major alteration with a requirement for development of ICA’s or an approval of an AFM, attachment to the Form 337 may be appropriate for future retrieval from the permanent aircraft records at the registry.

In summary, unauthorized use or local mandates not in accordance with published guidance should be brought to the attention of the appropriate FAA policy division for resolution. Any task/burden required for obtaining substantiating data in support of proper execution of the Form 337 is outside the OMB requirements in the revalidation questionnaire and should not be considered for this purpose.

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

No payments or gifts are provided in connection with the information collection burden.

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

Respondents are given no assurance of confidentiality. Records are available through the Freedom of Information Act. The FAA privacy officer and the Maintenance, Preventive Maintenance, Rebuilding, and Alterations subject matter expert completed an initial privacy identification, assessing whether Maintenance, Preventive Maintenance, Rebuilding, and Alterations requires a PIA. As an existing system with no changes that affect privacy, Maintenance, Preventive Maintenance, Rebuilding, and Alterations does not require a PIA.

**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 questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statements should: Indicate the number of respondents, frequency of response, annual hour burden and an explanation of how the burden was estimated. If this request is for approval covers more than one form, provide separate hour burden estimates for each form. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

YEARLY: Man Hours 34125hrs Manpower Cost @ \$65/hr = \$2,218,125

This data is based on one typical FSDO Office (within the agency of 96 FSDO and 5 IFO offices for total of 101 offices ) containing a spectrum of maintenance entities listed as follows:

558	Mechanics
195	IA's mechanic holding Inspectors Authority
50	FAR145 Repair Stations
<u>66</u>	Operators under FAR121, FAR135, and FAR125
869	Maintenance Entities creating FAA Form 337

The following numbers reflect the submission of FAA Form 337 from the above sample office group:

3 year average FAA Forms	TOTAL
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FY'07		78,500
FY'08		68,250
FY'09		<u>58,000</u>
3 years	TOTALS	204,750

Average yearly total = 68,250 Form 337 s

The computation for arriving at an estimated yearly number of FAA Form 337s utilized in the industry is as follows:

101 FSDO s multiplied by 869 = 87769 total potential entities Maintenance & IFO's authorized to use Form 337s

68,250 forms divided by 2 = 34,125 hrs expended (Completion of 337 =:30 per form) to complete form 337s (Yearly man hours to complete FAA Form 337s)

34,125 multiplied by \$65.00 = \$2,218,125 (Yearly manpower cost to complete FAA Form 337s)

Figure used in this report were tabulated by RFS AFS-350, 10/28/2010.

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

There are no additional startup costs associated with this collection not already included in item number 12.

**14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses and any other expense that would not have been incurred without this collection of information.**

The estimated annual cost to the Federal government is \$682,500 based on the processing of 68,250 FAA Form 337's.

Number of FAA Form 337's processed:	68,250
Estimated hours per form	.50 (30 minutes)

Estimated cost per report on Form 337        \$20.00

68,250 forms x .50hrs = 34,125 hrs x \$20.00 = \$682,500

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

A re-evaluation based on the number of 337 forms processed in FY '07 through FY '09 has resulted in a decrease in the total burden reported for this submission.

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

There are no plans to publish this information for statistical or other purposes.

**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 are not seeking this approval.

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

This report was calculated with figures collected for FY 07, 08, and 09. Since that time there have been significant rule changes and technological improvements which alter the calculations provided in the report.. Revisions are explained by item number for the period of FY 07 to FY 09 based on information from the Aircraft Registry (AFS-750).