

SUPPORTING STATEMENT

OMB No. 2120-0003

Malfunction or Defect Report (Other than Scheduled Air Carriers)

Federal Aviation Regulations 135 and 145

Justification:

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

The information collections required by FAR 135 and 145 are authorized by U.S. Code, Title 49, Chapter 447, Subsection 44702, as amended, which empowers the Secretary of Transportation to issue certificates for air taxi operators and repair stations, respectively, and to prescribe such terms, conditions, and limitations on those certificates as necessary to ensure safety in air transportation. Submission of Malfunction or Defect Reports is necessary to ensure safety.

This paperwork burden directly supports the Department of Transportation Strategic Goal on Safety. Specifically, the goal is to promote the public health and safety by working toward the elimination of transportation related deaths, injuries, and property damage.

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

Repair stations certificated under Part 145 mandatory submit malfunction or Defect Reports on Federal Aviation Administration (FAA) Form 8010-4. Air taxi operators certificated under Part 135 are also required to submit Malfunction or Defect Reports on the same form. However, the same information may be submitted in a different format. Report information is collected, collated by the FAA, and used to determine in service performance of aeronautical products. When defects are reported which are likely to exist on other products of the same or similar design, the FAA may disseminate safety information to a particular section of the aviation community. The FAA also may adopt new regulations or issue Airworthiness Directives (AD's) to address a specific problem. AD's are mandatory repair or modifications essential for the prevention of accidents.

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.

The acceptance of reports in formats other than FAA Form 8010-4 and the use of automated data processing and storage is encouraged. AFS-620 has

developed a web based data entry system for Air Operators and Repair Stations. They are also receiving files of records through a utility upload program.

4. Describe efforts to identify duplication.

The new software has incorporated in it a system to identify duplicates. The web based program will not allow records with the same control number OT be submitted. Data collected in the past is continuously modified since the rate of failure (failures per 1,000 hours of operation) is a vital factor in determining the need for ADs or other corrective actions.

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

Malfunction or Defect reporting is required of all Part 135 and 145 certificate holders, irrespective of their size. Requesting only necessary information and accepting incomplete data on the forms, when it is impractical for the reporting person to provide all the data requested minimizes burden. Records may be submitted on-line to eliminate paperwork. The records are available to the submitter to add supplemental data for a period of 90 days from original entry.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Reports are only required when a malfunction or defect occurs. Therefore, report frequency is not controllable.

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

Collection is consistent with CFR 1320.5(d)(2)(i)-(viii).

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 recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A notice for comment was published in the *Federal Register* on June 21, 2011, page 36170. No comments were received.

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

There are no provisions to provide payment to the malfunction or defect respondents.

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

If the Submitter includes identification, there is provision for the identification portion of FAA Form 8010-4 to be removed and forms are accepted without names or signatures. When electronic entry is used, no identification information is saved in the record. No assurance of anonymity of confidentiality is given to respondents.

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 on the form.

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

The following data were extrapolated from the Aviation Data Systems Branch, AFS-620, in Oklahoma City, Oklahoma, using Service Difficulty Reports (SDR's) as key words. The computer does not recognize malfunction or defect reports. Operator category, i.e., Part 135, Part 145, other (121/125, etc.) then grouped the data.

To the extent possible, we attempted to identify those reports submitted electronically versus manually since these would affect the way in which the hours were computed. This would also affect the overall cost to FAA (substantially reducing paper costs) since electronic submission significantly reduces the government costs of printing, collection, and distribution. The costs associated with data analysis remained consistent. Average hours/report was averaged using time used for electronic submission and time required to submit manually over report category totals.

The total cost burden is **\$259,830.01** and hour burden is 7839. Total number of reports submitted annually (2010) was 60,000. The average labor rate is \$28.87 per hour and the average time to complete the form is .15 hours (9 minutes).

Totals:	<u>FAR Part</u>	<u>No of Reports</u>	<u># Hrs</u>	<u>Total Hours</u>	<u>Hourly Rate</u>	<u>Cost</u>
	135	3,870	.15	580.5		\$28.87
	\$ 16,759.04					
	145	6,334	.15	950.1		\$28.87
	\$ 27,429.39					
	Other	49,796	.15	7,469.4	\$28.87	
	<u>\$215,641.58</u>					

60,000

9,000
\$259,830.01

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

There are no additional cost included in question 12.

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

The annualized cost to the Federal Government given the electronic and manual submission capabilities is around \$100,000 per year.

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

There has been an increase in the number of reports submitted which has resulted in an increase in the burden hours.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

The information collected is not routinely published for operators of possible problems. Summary reports and ADP printouts are provided on request.

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.

FAA Form 8010-4 is a recurring, non-changing form that is printed and stocked for continuous use. When the supply gets low, the forms are automatically reprinted and stocked so there will be no interruption in services. It would not be cost effective to destroy unused, dated stock.

18. Explain each exception to the certification statement identified in Item 19, of OMB Form 83-I.

There are no exceptions.

FAA Form 8010-4, Malfunction or Defect Report

The information collected is used to evaluate certification standards, maintenance programs, and regulatory requirements. The information is required to ensure safety in air transportation. We estimate that it will take .15 hours to complete. Use of this form is mandatory. Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number associated with this collection is 2120-0003.