

**Notice of Proposed Construction or Alteration, Notice of Actual Construction or
Alteration, Project Status Report
2120-0001**

A. Justification:

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

49 U.S.C. Section 44718 states, “By regulation or by order when necessary, the Secretary of Transportation shall require a person to give adequate public notice, in the form and way the Secretary prescribes, of the construction, alteration, establishment, or expansion, of a structure or sanitary landfill when public notice will promote –

- (1) Safety in air commerce; and
- (2) The efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports.”

To comply with Federal Aviation Administration (FAA) regulations to provide reliable online radio frequency information coordination, requests, and processing in support of the National Airspace System (NAS), the Web based Frequency Coordination Request (FCR) application was developed. Components will not use this application to report radio frequency information instead of reporting it on FAA Form 6410-1. FAA Order 6050.32.B, Chapter 3, Sections 303 and 304 and Chapter 4, outline how the FAA will use the data for spectrum engineering evaluations, analysis, and assignment and processing.

- 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 Form 7460-1, Notice of Proposed Construction or Alteration

The FAA uses the information collected to determine the effect the proposed construction or alteration would have on air navigation and the NAS by analyzing the physical and/or electromagnetic effect that the structure would have on air navigation procedures, air navigation, and/or communications facilities. The following factors are considered:

- o The impact on arrival, departure, and en route procedures for aircraft visual and instrument flight rules.
- o The impact on existing and planned public-use airports and aeronautical facilities.
- o The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures.

FAA Form 7460-2, Notice of Actual Construction or Alteration

This form is used to collect information on the progress of actual construction. The submission of this information is required on a case-by-case basis following issuance of a determination of no hazard resulting from an aeronautical study based on information contained on FAA Form 7460-1. The information collected relates to construction start and end dates, final height or abandonment of the proposal.

FAA Web based Frequency Coordination Request (WebFCR) Application

This web application is used to collect frequency information for spectrum engineering evaluations, analysis, and assignment and processing. These actions are required to address the proponent and FAA objectives of providing reliable communications, navigation, and surveillance in support of the NAS. The information collected is needed to perform the evaluations required and to meet the specified requirements for the radio frequency engineering pursuant to the aforementioned FAA Order. The radio frequency requests were previously made using FAA Form 6410-1.

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 technology.

The FAA receives over 90% of all 7460-1, 7460-2, and 7560-1 electronically.

The FAA will receive 100% of WebFCR submissions electronically. The proponent is allowed to enter or upload directly the frequency coordination request information and submit the data for evaluation. The WebFCR application directly transfers the data to the Automated Frequency Manager (AFM) System and alerts the responsible spectrum engineer. The data entered into WebFCR supports the engineering, modeling and workflow management of the request through to completion. Automated communications to the defined stakeholders is manifest in AFM via email and real-time dashboards to display the progress and status of a given request. These automated tools significantly reduce the burden and the time required to complete a request.

The requirements for filing with the FAA for proposed construction or alteration vary based on a number of factors including height, proximity to an airport, location, frequencies emitted from the structure, etc. The requirements are described in 14 CFR Part 77. The Notice Criteria Tool is used to make a determination on filing requirements prior to submitting notice to the FAA.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in item 2 above.

FAA is the only Federal agency with this statutory requirement and to our knowledge, there is no known duplicate reporting.

Information contained on FAA form 7460-1 that is also collected by the FCC is electronically submitted on a daily basis to the FCC.

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

Individuals as well as small businesses and large corporations may file these forms or make submissions to the WebFCR. The information collected has been designed to minimize the burden on all respondents by limiting the amount of information required, the format in which it is submitted (electronic or paper) and by providing clear and concise instructions.

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 reduce burden.

Notification is required “on occasion” of the construction events. Thus, the frequency is determined by the filers not by the FAA.

There are no specific technical or legal obstacles to reducing the reporting burden.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5(d)(2).

The information is collected in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

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

A notice was published in the Federal Register on January 4, 2016, (81FR139). No comments were received.

9. Explain any decision to provide any payment or gift to respondents and the basis for the assurance in statute, regulation, or agency policy.

No payments or gifts will be provided.

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

We offer no assurance of confidentiality.

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

There are no sensitive questions.

12. Provide estimates of the hour burden of collection of information. Provide estimates of annualized cost to respondents for the hour burdens for collection of information.

The number of notices filed annually is approximately:

FAA Form 7460-1: 108,202 (3294 paper 104,908 e-file)

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|------------------|---------------------------------|
| FAA Form 7460-2: | 33,460 (48 paper 33,412 e-file) |
| WebFCR | 2,400 |
| Total: | 144,062 |

The estimated hour burden is (determined through consultation with frequent filers) is:

| | | |
|--------------------------|---------------------|-----------------------|
| FAA Form (paper) 7460-1 | .27 hr. x 3,294 = | 889.38 hrs. |
| FAA Form (e-file) 7460-1 | .15 hr. x 104,908 = | 15,736.2 hrs. |
| FAA Form (paper) 7460-2 | .22 hr. x 48 = | 11 hrs. |
| FAA Form (e-file) 7460.2 | .10 hr. x 33,412 = | 3,341 hrs. |
| WebFCR | 20 hr. x 2400 = | 480 hrs. |
| Total | | 20,457.58 hrs. |

While the FAA still requires that a USGS 7.5 minute Quadrangle map must be included when filing FAA Form 7460-1, (estimated cost of map is \$8-15) maps are abundantly available on the internet at no cost to the user. The FAA has seen the submission of purchased Quadrangle maps drop to a current level of less than 5% of all cases. This would be \$82,200 (109,602 x .05 x \$15). Also, the FAA provides electronic quadrangle maps free of charge on the e-file site.

The average hourly wage of those filing the forms (estimated through market research) is \$25/hour. Thus, the estimated average annual reporting burden is as follows:

| | | |
|--------------------------|--|---------------------|
| FAA Form (paper) 7460-1 | (\$25 /hr. x .27) = \$6.75 x 889.38 = | \$6003.32 |
| FAA Form (e-file) 7460-1 | (\$25 /h.r x .15) = \$3.75 x 15736.2 = | \$59010.75 |
| FAA Form (paper) 7460-2 | (\$25 /hr. x .22)=\$ 5.5 x 11 = | \$60.5 |
| FAA Form (e-file) 7460-2 | (\$25 /hr. x .10)= \$ 2.5 x 3341 = | \$8,352.5 |
| WEBFRC | (\$25 /hr. x .20)= \$ 5 x 480 = | \$2,400. |
| Total | | \$ 75,827.07 |

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

No capitol or maintenance costs are required to report this information.

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

Total cost to the Federal Government is \$62,968,906.

The annual cost for forms 7460-1 and 7460-2 is combined because work on a single case may involve both forms. A “Process and Cost Analysis” study estimated it cost the FAA an average of \$443.00 to process a single case.

141,662 cases x \$443.00 = \$62,756,266

The radio frequency work is approx. 20% of each case (20% of \$443. = \$88.60) 2,400 cases x \$88.60 = \$212,640.00

15. Explain reasons for any program changes or adjustments.

The WebFCR application was developed to comply with new FAA regulations for online radio frequency information coordination, requests, and processing. Although Annual Reporting Time Burden has decreased, the cost to the Federal Government has increased due to annual salary increases, a steady increase in submissions, as well as the inclusion of the cost of purchasing a Quadrangle map.

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

The FAA publishes information regarding aeronautical studies on the web site <https://oeaaa.faa.gov>.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reason that display would be inappropriate.

We are not seeking approval to not display the expiration date.

18. Explain each exception to the certification statement identified in item “Certification for Paperwork Reduction Act Submissions” of OMB Form 83-I.

There are no exceptions.