

**Department of Transportation
Federal Aviation Administration**

**SUPPORTING STATEMENT
ATC Authorization in Controlled Airspace under Part 107
2120-XXXX**

INTRODUCTION

This information collection is submitted to the Office of Management and Budget (OMB) to request an emergency approval for the information collection entitled “ATC Authorization in Controlled Airspace under Part 107”.

Part A. Justification

1. Circumstances that make collection of information necessary.

In 2012, Congress passed the FAA Modernization and Reform Act of 2012 (Public Law 112-95). Section 333 of Public Law 112-95 directed the Secretary to determine whether unmanned aircraft systems (UAS) operations posing the least amount of public risk and no threat to national security could safely be operated in the national airspace system (NAS) and, if so, to establish requirements for the safe operation of these systems in the NAS, prior to completion of the UAS comprehensive plan and rulemakings required by section 332 of Public Law 112-95.

Based on its consideration of the comments submitted in response to the notice of proposed rulemaking entitled Operation and Certification of Small Unmanned Aircraft Systems (80 FR 9543, February 23, 2015), and its experience with the certification, exemption, and Certificate of Waiver or Authorization process, the FAA has issued the Operation and Certification of Small Unmanned Aircraft Systems final rule to enable certain small UAS operations to commence upon adoption of this rule and accommodate technologies as they evolve and mature (81 FR 42063, June 28, 2016).

The final rule contains section 107.41, which states that:

§ 107.41 Operation in certain airspace.

No person may operate a small unmanned aircraft in Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport unless that person has prior authorization from Air Traffic Control (ATC).

The FAA is establishing the ATC Authorization in Controlled Airspace under Part 107 portal to allow a remote pilot in command to request FAA authorization for a small unmanned aircraft to operate in Class B, C, D, and the lateral boundaries of the surface area of Class E airspace designated for an airport. The remote pilot in command will be required to submit information electronically to the FAA regarding the operation to be conducted. Information will include contact information for the remote pilot in command, the date and time of the operation, as well as its anticipated duration, and the airspace for which the request is submitted. If the remote pilot

in command wishes to conduct the same operation on a number of dates/times, the request will permit multiple dates/times to be listed to reduce the number of submissions required.

As the final rule noted, the appropriate ATC facility has the best understanding of local airspace, its usage, and traffic patterns and is in the best position to ascertain whether the proposed small UAS operation would pose a hazard to other users or the efficiency of the airspace, and procedures to implement to mitigate such hazards. The ATC facility has the authority to approve or deny aircraft operations based on traffic density, controller workload, communications issues, or any other type of operational issues that could potentially impact the safe and efficient flow of air traffic in that airspace.

However, to ensure timely responses and consistency in response, and to allow for overall coordination within the ATC system, the submitted information will be transmitted to FAA in a centralized manner. This will help to ensure coordination across facilities, and will enhance overall FAA awareness of small UAS operations in other than Class G airspace.

The operator will be notified of approval or denial via email.

Provision of an electronic response will facilitate more timely responses and will also be less time-consuming for FAA personnel than handling telephone or in-person requests.

2. How, by whom, and for what purpose is the information used.

The FAA uses the information provided in the ATC Authorization in Controlled Airspace under Part 107 portal to determine whether a proposed small UAS operation can safely be conducted in controlled airspace (Class B, C, D, and Class E surface areas). The FAA uses this information to make approval or denial decisions about UAS operations in controlled airspace.

3. Extent of automated information collection.

The FAA is establishing the ATC Authorization in Controlled Airspace under Part 107 portal as part of its ATC Authorization Portal. All information will be collected electronically.

This information collection will involve automated, electronic collection techniques. These techniques were adopted for multiple reasons. First, an electronic process is critical to timely FAA headquarters processing and response to authorization requests because operators requesting ATC Authorization will be located across the United States. Second, an electronic process will introduce standard inputs following a known process. Operators currently use a specific automation interface to apply for certificates of authorization or waiver (COAs). This collection leverages that same platform interface and will not include any new data types other than the new final rule requirement to hold a remote pilot certificate. That certificate number will be the only new element of the information collection. Lastly, manual processing of ATC Authorizations is unsustainable for large numbers of requests. Automation reduces workload on processors and remote pilots in command and is a requirement for FAA efficiency when granting ATC Authorizations.

4. Efforts to identify duplication.

The information collection specific to ATC Authorizations under the final small UAS rule will be unique to each remote pilot in command and not applicable to the remote pilot in command community at large at this time. Each request is reviewed based on its individual operating needs and capabilities, which could be in various combinations of each, thus creating a unique information profile for every remote pilot in command requesting access to controlled airspace.

5. Efforts to minimize the burden on small businesses.

An automated approach to information collection is deliberate and driven by the highly dynamic and short term nature of operations conducted by this community of remote pilots in command. The information collection is automated to ensure the collection process as efficient and least burdensome as possible for remote pilots in command who conduct short duration, uncomplicated flights.

The information set is:

- (1) Remote pilot Certificate name and number, Applicant name (if different than the remote pilot) and, for an applicant other than an individual, the name of the authorized representative requesting to use the listed airspace.
- (2) Applicant's physical address and, for an applicant other than an individual, the physical address for the authorized representative. If the applicant or authorized representative does not receive mail at their physical address, a mailing address must also be provided.
- (3) Applicant's e-mail address or, for applicants other than individuals, the e-mail address of the authorized representative.
- (4) Applicant's phone number
- (5) Unmanned aircraft platform and installed system component types (i.e., type radio or transponder, if installed).
- (6) Operational information (airport; location, including latitude/longitude, radius, altitude, etc.)
- (7) Description of operation
- (8) Date, time, and duration of operation
- (9) Class of airspace (B, C, D, E surface area)

This is the minimal information required to make a determination to approve/deny the operation. If the operator does not provide sufficient information to make a determination on the request, the FAA will contact the operator and request additional information to make a decision.

6. Impact of less frequent collection of information.

An applicant is required to request authorization prior to operating in controlled airspace. If the frequency of information collection is reduced so that an applicant does not submit the request for authorization prior to operating, that person will have no means by which to obtain authorization to operate in controlled airspace.

7. Special circumstances.

There are no special circumstances for this information collection.

8. Compliance with 5 CFR 1320.8.

This collection of information is subject to the emergency processing procedures specified in 5 CFR 1320.13.

9. Payments or gifts to respondents.

No gifts or payments are provided for the ATC Authorization/Permission in Controlled airspace.

10. Assurance of confidentiality.

There is no confidentiality requested or provided.

11. Justification for collection of sensitive information.

This information collection does not collect information of a sensitive nature. Only basic identifying information such as, name, physical and mailing address (if different than physical address), and email address are collected.

12. Estimate of burden hours for information requested.

There is one page of paperwork associated with ATC authorization/permission, and the FAA estimates it will take a remote pilot 0.5 hours to complete. The FAA does not have the data needed to quantify the paperwork burden imposed by this requirement. However, the FAA anticipates that a person will not seek ATC authorization to operate in controlled airspace unless the benefits of doing so outweigh the costs. The FAA does not have enough data to reasonably estimate the number of individuals that may request authorizations, but can assume that at least one individual will request an authorization to operate a small UAS in controlled airspace.

$$1 \times .5 \text{ hours} = .5 \text{ hours}$$

13. Estimate of total annual costs to respondents.

We estimate that there will be no additional start-up costs for this collection. No special equipment is required for persons to submit ATC authorization requests under 14 CFR part 107.

14. Estimate of cost to the Federal government.

The Air Traffic Organization (ATO) will also add FTE employees. ATO anticipates that an initial learning curve for remote pilots may drive calls to air traffic facilities even when no authorization is required. As time passes, it is expected that there will be a reduction in the calls not requiring authorization as well as a reduction in actual call time.

**Table 1
Additional ATO FTE Employees Required to Support Part 107 Final Rule**

	2016	2017	2018
Number of New Hire Support Specialists	23	18	5
Cumulative	23	41	46

To provide a conservative cost estimate for the FAA to hire additional ATO FTEs to support the part 107 rulemaking, the FAA uses wages that are at the top of the pay for the applicable job series. Since FTEs are determined to be new employees hired by the FAA, a fringe benefit cost factor is applied to calculate a fully-burdened wage rate.

Table 2
Fully-Burdened Wage for ATO FTEs by Job Series

	Wages	Fringe Factor	Fringe Benefits	Total Compensation
ATO Facilities Support Specialists	\$165,048	1.3625	\$59,830	\$224,878

Presented in Table 3 below are the FAA’s costs to hire FTEs employees in support of the part 107 final rule over the 3-year analysis period. The costs are calculated by multiplying the number of FTEs by job series shown in Table 1 by the column labeled “Total Compensation” in Table 2.

Table 3
Total FAA Costs to Hire Full-Time Equivalent Employees

	2016	2017	2018	Total
ATO facilities Support Specialists	\$5,172,194	\$4,047,804	\$1,124,390	\$10,344,388
Cumulative	\$5,172,194	\$9,219,998	\$10,344,388	\$24,736,580

15. Explanation of program changes or adjustments.

New collection in accordance with the Operation and Certification of Small Unmanned Aircraft Systems Final Rule, 81FR42062, 6-28-16, requiring individuals wishing to conduct small unmanned aircraft operations in Class B, C, D, and the lateral surfaces of Class E airspace to receive approval from FAA air traffic control facilities via the FAA Headquarters website.

16. Publication of results of data collection.

There is no requirement for any of the information collected to be published for statistical use.

17. Approval for not displaying the expiration date of OMB approval.

The FAA is not seeking approval not to display the date of expiration of this information collection.

18. Exceptions to certification statement.

There are no exceptions to the certification statement for this information collection.