

Department of Transportation
Federal Aviation Administration

SUPPORTING STATEMENT

**Mitsubishi MU-2B Series Airplane Training Requirements; Update, subpart N of part 91
2120-0725**

Introduction

This revision of information collection request is for Mitsubishi MU-2B Series Airplane Training Requirements; Update, subpart N of part 91.

Part A. Justification

1. Circumstances that make collection of information necessary.

In response to the increasing number of accidents and incidents involving the Mitsubishi MU-2B series airplane, the Federal Aviation Administration (FAA) began a safety evaluation of the MU-2B in July of 2005. As a result of this safety evaluation, the FAA issued Special Federal Aviation Regulation No. 108—Mitsubishi MU-2B Series Special Training, Experience, and Operating Requirements on February 6, 2008. This Special Federal Aviation Regulation (SFAR) established a standardized pilot training program. The collection of information is necessary to document participation, completion, and compliance with the pilot training program for the MU-2B under the newly published subpart N of part 91 which will replace SFAR No. 108.

The FAA published subpart N of part 91 as a Final rule; request for comment, on September 7, 2016, in order to address the inaccuracies of SFAR No. 108. SFAR No. 108 contains inaccurate training profiles which are misaligned with current FAA flight training policy. The FAA is removing the SFAR and its more prescriptive requirements and replacing them with a performance-based standard in subpart N of part 91. The detailed ground and flight training requirements in SFAR No. 108 have been updated and moved to guidance material and SFAR No. 108 will be removed from the Code of Federal Regulations (CFR) on November 7, 2017. A benefit of the rulemaking is that it allows the FAA to promptly update non-substantive procedures while ensuring substantive changes go through notice-and-comment rulemaking. To ensure safety is maintained in the interest of moving the more prescriptive training requirements from regulatory text to advisory material, this rule requires all MU-2B training programs be approved by the FAA in accordance with subpart N of part 91. As a result of this rulemaking action, operators, training providers, and safety officials will have timely access to accurate training material.

The FAA's authority to issue rules on aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator to issue, rescind, and revise the rules. This rulemaking was promulgated under the authority described in Subtitle VII, Aviation Programs, Part A, Air Commerce and Safety, Subpart III, Safety, Section 44701, General Requirements. Under that section, the FAA is charged with prescribing regulations setting the minimum standards for practices, methods, and procedures necessary for safety in air commerce. Procedures routinely used by the FAA are the recording of training received, requiring a logbook endorsement from a training provider, or requiring operators to submit a training program to the FAA for approval.

This collection of information supports the Department of Transportation's strategic goal of enhancing public health and safety by working toward the elimination of transportation-related deaths and injuries.

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

The collection of information is used to ensure compliance with subpart N of part 91. The information will also create written documentation establishing a base month for an annual training requirement. In addition, a recommended MU-2B training program has been published by the FAA as Appendix A to Advisory Circular 91-89. The recommended training program is an acceptable means of compliance with subpart N of part 91. Part 91 training providers are required to submit a proposed MU-2B training program to their local jurisdictional Flight Standards District Office (FSDO) for approval. The information will be used by the FAA to ensure compliance with subpart N of part 91 and promote safety in air commerce.

3. Extent of automated information collection.

In accordance with the Government Paperwork Elimination Act (GPEA), the FAA encourages the use of automation and electronic media for the gathering, storage, presentation, review, and transmission of all requests, records, reports, tests, or statements required by this final rule with the provision that such automation or electronic media has adequate provision for security (i.e., that such submissions may not be altered after review and acceptance by the FAA) and that the systems or applications are compatible with the systems or applications used by the FAA.

The FAA does not require that a copy of the logbook endorsement or course completion certification be submitted to the FAA. The FAA routinely requires that pilots log or receive endorsements that document the pilot's completion of required training or compliance with applicable rules.

The submission of training manuals to the FSDO office can include different types of media such as electronic or paper format.

4. Efforts to identify duplication.

There is no duplicate requirement that would provide the FAA this information. This requirement for collection of information is a new requirement that pilots receive aircraft specific training, receive a logbook endorsement, and document completion of the training. Additionally, information sought is particular to the training program approval for the MU-2B series airplane for part 91 training providers. The information necessary is available from the particular operator only, and is not available from any other source.

5. Efforts to minimize the burden on small businesses.

The FAA believes that the collection of information associated with this rule will not impact a substantial number of small businesses or other small entities; however, the material published in conjunction with this rule is informative and explanatory with regards to the requirements, and an application for approval of an MU-2B training program. A part 91 training provider will be guided through the administrative requirements by the local FAA principal operations inspector assigned to that operator and, if necessary, by representatives of the Washington headquarters staff. Therefore, no additional methods to minimize burden are necessary.

6. Impact of less frequent collection of information.

The FAA sees the collection of this information as a necessary means to verify compliance with subpart N of part 91. If the collection is not conducted, the FAA anticipates that the compliance rate will be lower, accidents and incidents will continue, and the DOT strategic goal of improving transportation safety will be compromised.

7. Special circumstances.

The information collection requirements related to the final rule provisions, are consistent with 5 CFR 1320.5(d)(2)(i)-(viii). The FAA does not foresee any special circumstances will be caused by the data collection.

8. Compliance with 5 CFR 1320.8:

Subpart N of part 91, and its collection of information, was the result of a collective endeavor of all parties that use and/or regulate the safe operation of the MU-2B. The rule, and its collection of information, has broad support of users of the MU-2B aircraft, the manufacturer, commercial operators, special interest groups, and the FAA.

Clear instructions for the collection of information are contained within the rule. Formatting of the collection is explained in detail within the pilot training program, including examples of correctly formatted information.

The public has been afforded the opportunity to comment on the collection of information when it was published in the Federal Register on September 26, 2016 (81FR86768). There were no comments received.

9. Payments or gifts to respondents.

Respondents are provided no payment or gift in connection with the information collection burden.

10. Assurance of confidentiality:

The respondents have been given no assurance of confidentiality.

11. Justification for collection of sensitive information:

This collection of information does not require respondents to answer questions of a sensitive nature, on matters of sexual behavior, religious beliefs, or any other private and sensitive matters.

12. Estimate of burden hours for information requested:

For the final phase check and log book endorsement, the FAA estimates that there are approximately 600 pilots who fly the 311 MU-2B airplanes currently in use in the United States. Each of these 600 pilots is required to obtain completion of the training course final phase check and a logbook endorsement for the required training. The FAA also estimates that each endorsement will take about 5 minutes. We compute the hours as follows:

Logbook endorsements: 5 minutes per pilot per year x 600 pilots = 50 hours per year
Training course final phase check: 5 minutes per pilot per year x 600 pilots = 50 hours per year
Total annual burden: 600 pilots performing 2 tasks of 5-minute each = 100 hours

For the submission of the training programs, the FAA estimates there are approximately 20 part 91 training providers that will train part 91 operators. These instructors will be required to provide information in accordance with the final rule. The respondents to this information requirement are already regulated under part 61. Based on four hours for part 91 training providers to submit their training program, the program will impose 80 hours of reporting burden every two years.

1) 20 training providers × 4 hours = 80 hours per year (required to submit every two years)

80 hours X 5 years = 400 hours in ten years

13. Estimate of total annual costs to respondents.

For the final phase check and the logbook endorsement; a qualified flight instructor who meets the requirements of subpart N of part 91 must complete the training course final phase check at the end of each training course. The FAA estimates that it will take an instructor 5 minutes per pilot to complete this. Since there are about 600 MU-2B pilots, this will take a total of 50 hours per year. At an average MU-2B Instructor hourly rate of \$100 and an average value of time at \$38.21 per hour, the total yearly cost of this requirement is \$6,914 (600 pilots x 5/60 hours x (\$100 per hour + \$38.21 value of time per hour) = \$6,914).

A qualified flight instructor who meets the requirements of subpart N of part 91 must endorse a MU-2B pilot's logbook upon successful completion of training. The FAA estimates that it will take an instructor 5 minutes per pilot to endorse a pilot's logbook. Since there are about 600 MU-2B pilots, this will take a total of 50 hours per year. At an average MU-2B Instructor hourly rate of \$100 and an average value of time at \$38.21 per hour, the total yearly cost of this requirement is \$6,914 (600 pilots x 5/60 hours x (\$100 per hour + \$38.21 value of time per hour) = \$6,914).

Average Total Annual Cost Burden: Approximately \$13,828
Average Total Annual Hour Burden: Approximately 100 hours

For the submission of the training programs;

1). The estimated annual cost to respondents resulting from the collection of information is \$2,960. This cost is determined by estimating the time required for the applicants to complete and submit proposed MU-2 training programs. Equation 2 below provides the basis for the \$2,960 in costs.

2) 20 proposed training programs × 4 hours × \$37 per hour for a part 91 training provider = \$2,960 per year (required to submit every two years) \$2,960 x 5 years= \$14,800 in ten years

14. Estimate of cost to the Federal government.

We estimate that 20 proposed MU-2B training programs will be submitted by part 91 training providers and it will take 4 hours for a FSDO employee to review and accept the application every two years.

3) 20 proposed training programs x 4 hours to review x \$33.17 FSDO hourly wage = \$2,654 per year (required to review every two years)

\$2,654 x 5 years = \$13,270 in ten years

[1] Source: 2014 General Schedule Salary Table as published by the U. S. Office of Personnel Management. The hourly wage for a GS 12 Step 5, which is the mid-range salary for this position.

¹ The FAA contacted two aviation schools that offered MU-2 training and requested wage rate for an MU-2 instructor. This \$37 an hour wage is being used as a proxy for a part 91 instructor. October 2015

Over Ten Years

Total Training Program Submission Costs					
Estimate	Total (millions)	PV at 7% (millions)	Annualized at 7% (millions)	PV at 3% (millions)	Annualized at 3% (millions)
Total	\$0.015	\$0.01	\$0.002	\$0.013	\$0.002

For FSDO proposed training program reviews, the federal government incurs an annualized cost of \$0.001 million at a 7% rate and a \$0.001 annualized cost at a 3% rate.

Over Ten Years

Total FSDO Training Application Review Costs					
Estimate	Total (millions)	PV at 7% (millions)	Annualized at 7% (millions)	PV at 3% (millions)	Annualized at 3% (millions)
Total	\$0.013	\$0.01	\$0.001	\$0.011	\$0.001

15. Explanation of program changes or adjustments.

There are no changes from the last approval.

16. Publication of results of data collection.

There is no plan for tabulation or publication.

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

Approval is not being sought for not displaying the expiration date

18. Exceptions to certification statement.

There are no exceptions. The agency certifies compliance with all provisions of the Paperwork Reduction Act.