

**National Transportation Safety Board
Approval of Web-Based Report Form for Aviation Incidents**

A. JUSTIFICATION

1. Circumstances that make the collection of information necessary.

The National Transportation Safety Board (NTSB) is (1) required to investigate and determine the probable cause of civil aviation accidents and accidents involving public aircraft that are not operated by the Armed Forces or an intelligence agency, 49 U.S.C. §§ 1131(a)(1), 1132; (2) authorized to conduct safety studies to prevent future accidents, id. § 1116(b); and (3) permitted to promulgate requirements for reporting aviation accidents and incidents. Id. §§ 1116(b)(3), 1132(b).

In accordance with this statutory direction, the NTSB has promulgated regulations at 49 C.F.R. § 830.5 requiring aircraft operators to notify the NTSB immediately of certain aviation incidents:

Flight control system malfunction or failure;

The inability of any required flight crewmember to perform normal flight duties as a result of injury or illness;

Failure of any internal turbine engine component that results in the escape of debris other than out the exhaust path;

In-flight fire;

Aircraft collision in flight;

Damage to property, other than the aircraft, estimated to exceed \$25,000;

Certain types of in-flight failure of electrical systems for large multiengine aircraft (more than 12,500 pounds maximum certificated takeoff weight);

Release of all or a portion of a propeller blade from an aircraft, excluding release caused solely by ground contact;

A complete loss of information, excluding flickering, from more than 50 percent of certain aircraft cockpit displays;

Certain types of Airborne Collision and Avoidance System (ACAS) resolution advisories;

Damage to helicopter tail or main rotor blades, including ground damage, that requires major repair or replacement of the blade(s); and

Certain types of runway incursions.

These types of mandatory notifications from operators aids the NTSB in performing its statutory duties under 49 U.S.C. §§ 1116, 1131, and 1132. The NTSB currently receives such notifications via phone calls to the NTSB Response Operations Center, or to regional investigators who are on duty to receive them. However, the NTSB has determined a web-based

reporting form for the above-listed incidents would be a preferable manner in which to receive the notifications

2. How, by whom, how frequently, and for what purpose the information will be used.

From non-government sources, the NTSB currently receives approximately 50 notifications of incidents listed at 49 C.F.R. § 830.5 per year, by way of phone calls. Aircraft operators often transmit the notifications, but in some cases, witnesses or staff at airports may notify the NTSB.

The NTSB uses the information it receives concerning serious incidents to determine whether it should conduct an investigation into the incident, and for data collection purposes. In many cases, the NTSB does not send an investigator to the site of the incident, but may collect information on the incident to determine whether the NTSB could issue safety recommendations or take other action to prevent such an incident in the future. The NTSB also quantifies the information it receives by entering it into a database. If the NTSB notices similarities in the data it collects that indicates a safety concern or a trend in incidents, the data forms a basis for the NTSB's determination to collect more information and consider issuance of safety recommendations.

3. Use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

As described above, the NTSB seeks to obtain information concerning aviation incidents codified at 49 C.F.R. § 830.5(a) via a web-based form, rather than phone calls. An operator will still be permitted to call a duty officer to report an incident; however, the NTSB will prefer receiving the notifications by way of a web-based form available on the NTSB's website. The information collected in the form will be transmitted to the appropriate NTSB staff for review in an electronic format.

4. Duplication.

The NTSB's web-based report form will not be duplicative of any other agency's information collections. The NTSB notes some operators may choose to provide a voluntary report to the National Aeronautics and Space Administration (NASA) in accordance with the Aviation Safety Reporting Program (ASRP). Under the ASRP, the Federal Aviation Administrator may waive the imposition of a sanction, despite the finding of a regulatory violation, as long as certain requirements are satisfied. Aviation Safety Reporting Program, Advisory Circular 00-46E (Dec. 16, 2011). To take advantage of the program, one must voluntarily file a report with NASA. Because the listing of incidents codified at 49 C.F.R. § 830.5(a) generally do not involve operator errors, but instead involve aircraft malfunctions, the NTSB believes operators would not typically choose to file a report with NASA under the ASRP. As a result, the NTSB does not anticipate duplicative reporting will occur. Nevertheless, in an abundance of caution and in the interest of transparency, the NTSB notes the remote potential for duplication.

5. Small businesses or other small entities.

The web-based report form will be available on the NTSB website. The NTSB does not anticipate its solicitation of reports of aviation incidents via the form will create a significant burden for any small business or entity because the form will take approximately 10 minutes to complete, and the NTSB will not require any other recordkeeping or similar activities.

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

The NTSB Office of Aviation Safety seeks to obtain information from aviation operators via the web-based form in order to improve aviation safety, in accordance with the agency's statutory authorization. The information the NTSB will gather via the web-based forms will assist with the NTSB's fulfillment of its statutory authorities codified at 49 U.S.C. §§ 1116(b), 1131(a)(1)(A), 1132, and 1136.

7. Special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

As explained above, the NTSB is requesting approval for a web-based means of collecting reports of certain aviation incidents. No special circumstances exist with regard to this collection. The collection of information will be conducted in a manner consistent with the guidelines in 5 C.F.R. § 1320.5(d)(2).

8. Federal Register publication.

The NTSB published two notices in the *Federal Register* concerning this collection of information. The NTSB did not receive any comments in response to the first 60-day notice, 80 FR 38751 (July 7, 2015). In the second notice, 81 FR 72620 (October 20, 2016), the NTSB instructed interested parties to submit comments about this proposed generic information collection directly to OMB.

9. Gifts or payments to respondents.

The NTSB will not provide any gifts or payments to respondents for reporting incidents via the proposed web-based form.

10. Assurance of confidentiality.

The NTSB will not provide any assurance of confidentiality to respondents concerning the completed questionnaires. The website on which the NTSB will make the form available will include text indicating this lack of assurance of confidentiality.

11. Additional justification for questions of a sensitive nature.

The proposed web-based reporting form for aviation incidents will not solicit any information of a sensitive nature.

12. Estimate in hours of the burden of the collection of information.

- The NTSB may request, at most, responses from approximately 50 individuals per year who are not government employees.
- Completion of the form via the web-based platform is voluntary, because respondents may opt to transmit the information required at 49 C.F.R. § 830.5 via telephone. The NTSB anticipates receiving most reports via the web-based form.
- The NTSB estimates completion of the form will take approximately 10 minutes or less.
- Based on the estimate of approximately 50 respondents per year who may choose to complete the web-based form, the NTSB estimates the sum of annual reporting burden hours to be approximately nine per year.

13. Estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

Completion of the form does not require any record keeping, capital, start-up, or maintenance costs. Instead, completion of the form will require approximately 10 minutes of each respondent’s time, as described above.

14. Estimates of annualized cost to the Federal government.

The NTSB incurs costs in developing the webpage on which to make the form available, as well as costs in handling and reviewing the information after the NTSB receives completed forms. The NTSB estimates the total cost of NTSB employees’ initial intake of the form will be \$1,233.75 per year. This total is based on an average estimate of providing 50 forms per year, with each NTSB employee expending 30 minutes per form at an average hourly rate of \$49.35.¹ In estimating 30 minutes per form, the NTSB has considered employees’ time in all of the following duties: notifying the respondents and explaining the purpose of the form; and receiving the completed form and filing or sharing it with the appropriate NTSB employees and/or supervisors.

Second, following the collection of all completed forms, NTSB staff will spend approximately 30 hours per year, at a salary rate of approximately \$63.58² per hour, evaluating the feedback on the forms and determining and/or recommending the appropriate course of action. Based on the estimate of receipt of 50 forms per year, the cost of NTSB employees’ review of the forms will total approximately \$1,907.48 per year.

In sum, the NTSB’s estimate for the complete annualized cost to the Federal government for this collection of information totals \$2,769.50.

15. Program changes or adjustments.

No changes or adjustments will occur to any programs.

16. Plans for tabulation and publication of responses.

¹ \$49.35 is the average of the 2016 hourly rates of GS 13 step 5 employees in the Chicago, Dallas, Denver, Los Angeles, Seattle, Washington DC, and “all other areas” locality pay areas.

² \$63.58 is the average of the 2016 hourly rates for GS-15 step 10 employees (Regional Directors) and GS-13 step 5 employees (Investigators).

Information the NTSB obtains via the web-based form will help the NTSB fulfill its statutory mandate. The NTSB may include some data from completed forms in its Annual Report to Congress, which is required under 49 U.S.C. § 1117. For example, the NTSB may describe whether it has identified any similarities in aviation incidents, and how the NTSB took action to improve aviation safety based on such feedback.

17. Display of expiration date.

For this collection, on each form, the NTSB will display the expiration date of OMB approval. The NTSB does not request approval to refrain from displaying the expiration date of OMB approval for the questionnaires.

18. Exception to certification statement in Form 83-I.

The NTSB does not request any exception to the certification statement contained in Item 19 of OMB Form 83-I.