

Department of Transportation

Federal Aviation Administration

SUPPORTING STATEMENT

Helicopter Air Ambulance Operator Reports

OMB #2120-0761

Justification

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

The FAA Modernization and Reform Act of 2012 (the Act) mandates that all helicopter air ambulance operators must begin reporting the number of flights and hours flown, along with other specified information, during which helicopters operated by the certificate holder were providing helicopter air ambulance services. See PL 112-95, Sec. 306, 49 USC § 44731. The FAA Administrator had 180 days to develop a methodology to collect and store those data. The Act further mandates that not later than 2 years after the date of enactment, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report containing a summary of the data collected.

- 2. Indicate how, by whom, and for what purpose is the information used.**

The helicopter air ambulance operational data provided to the FAA will be used by the agency as background information useful in the development of risk mitigation strategies to reduce the helicopter air ambulance accident rate, and to meet the mandates set by Congress. All helicopter air ambulance operators must report data to the FAA.

- 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.**

In accordance with the Government Paperwork Elimination Act (GPEA), the FAA allows and accepts electronic submission, and encourages the use of automation and electronic media for the gathering, storage, presentation, review, and transmission of these reports 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.

Helicopter air ambulance operators are able to download a Microsoft Excel spreadsheet reporting template with blank fields in which they can populate their information / data. Upon completing their report, they will be able to submit it via an FAA email mailbox set up for that purpose.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in 2 above.

Of the nine items of data required by the Act, the FAA can access two – the number of helicopters used to provide air ambulance services and the number of helicopter air ambulance accidents. Since these items are more readily available to the operator, we have included them in this information collection.

5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities, describe the methods used to minimize burden.

The information requested is limited to the minimum necessary to fulfill these new reporting requirements mandated by the Act and as developed by FAA. The amount of data required to be submitted is proportional to the size of the operation.

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

FAA initially requested that helicopter air ambulance operators submit reports quarterly. Based on the comments submitted, the FAA revised the reporting requirements to only request annual submissions, which are in accordance with the Congressional language requiring this data to be reported.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d)(2)(i)-(viii).

This collection of information is conducted in a manner consistent with the guidelines in 5 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 record keeping, disclosure, or reporting format (if any) and on the data elements to be recorded, disclosed, or reported.

A request for comments was published in the Federal Register on November 3, 2017 (82 FR 51331) allowing for public comment on this collection. The FAA received a total of 2 responses to the request for public comment. One comment from an individual and one comment from the Air Medical Operators Association (AMOA).

The individual commented that the hourly burden per average response estimate had increased since the last notice was published on July 29, 2014 (79 FR 44083) and asked for the reason for the change in estimated average burden. In response, the FAA clarifies that none of the requirements have changed, but operator data that were used to calculate the burden in the November 3, 2017 Federal Register Notice have changed. As of the 2016 Annual Reports, the number of large operators (to which we attribute a higher hourly burden) has increased and the number of small operators (to which we attributed a lower hourly burden) has decreased, so in the aggregate, the average hourly burden had increased from six (6) hours to eleven (11) hours per operator.

Subsequent data collected in the 2017 Annual Reports (submitted to FAA after the publication of the request for comments was published in the Federal Register on November 3, 2017 (82 FR 51331)), indicated a decrease in the number of both large and small operators. Revised calculation of burden is addressed in No. 12.

The AMOA commented that they strongly supported the intent of the data collection requirement, but also noted that the original collection requirement should have been the subject of notice and comment rulemaking. The FAA notes, as indicated in the August 12, 2013 Request for Comments; Clearance of a New Approval of Information Collection: Helicopter Air Ambulance Operator Reports (78 FR 48925), that prior to issuance of the first information collection notice, representatives from the Flight Standards Service, Office of Accident Investigation and Prevention, and the Office of the Chief Counsel met with representatives from AMOA to discuss the FAA's approach to this data collection. Meetings were held on October 15, 2012 and May 17, 2013. On June 28, 2013 AMOA submitted a response to the FAA discussing its view of the method to collect the data being pursued by the FAA. A copy of that letter was placed in the docket (FAA-2013-0684) and was considered by the agency.

AMOA also commented that the FAA has underestimated the hourly burden for both large and small operators. Although AMOA did not provide any specific data to support its comment, in response the FAA has increased the estimates of hourly burden for both large and small operators.

AMOA also requested information from the FAA's Office of Accident Investigation and Prevention and commented on the FAA's implementation of certain provisions of the FAA Modernization and Reform Act of 2012, which are both beyond the scope of this clearance of a renewed approval of information collection.

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

No payment or gift to respondents will be made.

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

The Act requires the FAA to include a “method to protect the confidentiality of any trade secret or proprietary information” when collecting and storing the data. See 49 U.S.C. § 44731(c).

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

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

Nationwide, there are 66 authorized helicopter air ambulance certificate holders utilizing 1,208 approved air ambulance helicopters. This number fluctuates constantly because of mergers and acquisitions. Certificate holders are required to report their air ambulance-related information on an annual basis. The annual hour burden will vary greatly between the operators based on the number of authorized helicopters operated by each. The actual number of flights each operator conducts per year per authorized helicopter is currently unknown. However, the FAA estimates that an average of 911 flight operations are conducted per helicopter per year. This translates into an aggregate total number of estimated helicopter air ambulance operations of 1,100,488 (1,208 helicopters X 911 operations per helicopter).

- Authorized helicopter air ambulance certificate holders who operate 10 or more air ambulance helicopters would be required by regulation to have Operations Control Centers (OCC). For the purposes of this analysis, operators falling into this category are defined as “large.” Although the number fluctuates, currently thirteen (13) certificate holders fall into this category, and operate 1034 air ambulance helicopters in the aggregate, or 85% of the fleet. The balance of the certificate holders (53) each operate fewer than ten helicopters and are defined here as “small.” Small certificate holders operate 174 helicopters in the aggregate.
- Certificate holders will input their data in a Microsoft Excel spreadsheet template, which requires some general information that the operator must input regarding the company (e.g., name of company, FAA certificate number). The additional information will be limited to that required by the Act.
- Based on comments to the 60 day Notice published in the Federal Register on November 3, 2017 (82 FR 51331), the FAA estimates that it will take each small operator (those operating fewer than 10 helicopters), approximately 9 hours on average to fill out and submit the required annual report. Our burden estimate for

large operators (those operating 10 or more helicopters) did not scale linearly. These large operators would be required under proposed the regulation to have OCCs. Due to the high volume of activity of these large operators, nothing other than electronic means of data recording and dispatching would be practical for compliance with this mandate. We believe that those operators that employ electronic flight dispatch databases should be able to largely automate exporting the required data into an Excel-readable format (i.e., comma or space-delimited text files). Therefore, for each large certificate holder that conducts a large number of operations, we estimate that it will take, on average, approximately 24 hours to fill out and submit each annual report.

- There are 53 “small” operators and 13 “large” operators as defined previously. Thus it will take $53 \times 9 = 477$ hours per year for “small” operator labor burden and $13 \times 24 = 312$ hours per year for “large” operator labor burden. The aggregate hourly burden total would be 789 labor hours per year for all respondents.
- Using the automated “export” and “import” features in Excel is a relatively simple task and can be performed by an administrative clerk/secretary. The assumed hourly labor rate for a clerk/secretary is \$28.29 / hour.¹ Therefore, the average annual burden to an individual small operator (as defined in this context) would be \$255 (9 hours X \$28.29), and for an individual large operator, \$679 (24 hours X \$28.29). The total aggregate annualized burden to all respondents is estimated to be approximately \$22,320 (789 hours X \$28.29).

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

There are no costs associated with this collection that have not already been identified in the responses to item Nos. 12 and 14.

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

Helicopter air ambulance operators will electronically submit this information directly to FAA. Agency costs will include a review of each operator’s annual submittal to ensure every operator has submitted the proper report, and to ensure the data are properly reported. We anticipate that it will take the agency approximately 40 hours each year to review all the reports that are submitted by the helicopter air ambulance operators. The review would likely be conducted by a GS-13 level employee working in the Washington, D.C. area (i.e., a policy analyst or Aviation Safety Inspector). The cost to the federal government for a Washington, D.C. based employee at a grade 13, step 5 level is \$69.77 / hour (\$52.66/hr., which includes a 24.22% locality adjustment,² X 1.325

¹ Source: OPM.gov, Pay & Leave Salary Table 2017

² Source: OPM.gov, Pay & Leave Salary Table 2017.

benefits cost), for a cumulative government cost of \$2,791. It is further estimated that an additional 40 hours for end-of-reporting-year collation and report generation will also be needed. This final report assembly is also likely to be conducted by a GS-13 (step 5) level employee for a cost to the government of \$2,791, bringing the overall estimated aggregate cost to the federal government of \$5,582.

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

Since the last approval of the information collection, operator data have changed. The overall number of operators has decreased. After the submittal of the 2017 Annual Reports in early 2018, the FAA determined that both the number of large operators (to which we attribute a higher hourly burden) has decreased and the number of small operators (to which we attributed a lower hourly burden) has decreased.

Further, in response to comments that the FAA has underestimated the hourly burden for both large and small operators, the FAA has increased the estimates of hourly burden for both large and small operators.

In order to provide a clearer picture of the burden in ROCIS we have broken the large helicopter air ambulance reports and small helicopter air ambulance reports into two separate ICs with this ROCIS submission. The IC for the large helicopter air ambulance reports shows a reduction of 60 responses because in the previous submission, all 73 responses were listed under this IC and now there are 13 responses for large helicopter air ambulance reports. The IC for small helicopter air ambulance reports shows an increase of 53 responses because this IC did not exist in the previous ROCIS submission so all 53 responses are new to the system with this submission.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

No publication of the comprehensive data set is anticipated; it is primarily for internal use and tracking and for reporting to Congress as stipulated in the statute. Some of the operational information collected (such as number of operations, locations, and aircraft makes and models) may be included as generalized background information to document baseline conditions in helicopter air ambulance operations to develop methodologies for mitigating risk in such operations and to meet the congressional mandate.

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.

No such approval is sought.

**18. Explain each exception to the certification statement identified in Item 19.
"Certification for Paperwork Reduction Act Submissions," Of OMB Form 83-I.**

There are no exceptions to the certification statement.