

Supporting Statement A
CHANGES IN PERMISSIBLE STAGE 2 AIRPLANE OPERATIONS
2120-0652

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

This collection is mandatory, as required under the Airport Noise and Capacity Act of 1990 (as amended by Pub. L. 106–113) and the FAA Modernization and Reform Act of 2012. This information is used by the FAA to issue special flight authorizations (SFA) for nonrevenue operations of transports and non-transport jet, Stage 2 airplanes at U.S. airports. The operators of such noisier airplanes that seek specific operations into U.S. airports must fill out an SFA form to request FAA approval. Only minimal amount of data is collected to identify the affected parties and determine whether the purpose for the flight is one of the ones enumerated in the law. SFAs are collected for an operator’s “as needed” situation and the data is not disclosed.

History of mandated legislation:

Previously on November 29, 1990, the President signed legislation (Section 231, PL 106-113) amending the Airport Noise and Capacity Act (ANCA) of 1990. The primary focus of ANCA was the prohibition of Stage 2 airplane flight in the contiguous United States after December 31, 1999.

The changes to ANCA give the FAA new authority to allow certain nonrevenue Stage 2 flights after the statutory compliance date. After 2000, operators are allowed to bring Stage 2 airplanes into the United States in nonrevenue service for only certain purposes. These purposes are enumerated in the statute and were promulgated in 14 CFR Part 91.858.

One of the changes in the statute requires the FAA to establish and publish notice (64 FR 70571, December 17, 1999) of the procedure for allowing these flights. In order to ensure that the Stage 2 flights conducted after 2000 are those allowed by statute, the FAA needs to collect certain basic data in the form of an application for a SFA.

In February 2012, in section 506 of the FAA Modernization and Reform Act of 2012, Congress passed a new law (an extension similar to ANCA) that promulgates the further prohibition on operations of jet aircraft that weigh 75,000 pounds or less, that are not Stage 3 noise compliant after December 31, 2015. This statute outlines the similar requirement for FAA to collect certain basic data in the form of an application for a special flight authorization for certain circumstances (as specified in 14 CFR Part 91.883). This collection was initiated after December 31, 2015.

This collection of information supports the Department of Transportation’s strategic goals for mobility and economic growth and trade.

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.

The information collected is used by the FAA, Noise Division of the Office of Environment and Energy, to issue special flight authorizations for nonrevenue operations of transports and non-transport jet, Stage 2 airplanes at U.S. airports. The operators of such noisier airplanes that seek specific operations into U.S. airports must fill out an SFA form to request FAA approval. The collection of this information is mandatory and must be reported by operators when they need a special flight authorization after 12/31/2015. Minimal data is requested to identify the affected parties and determine whether the purpose for the flight is one of the ones enumerated in the law. The collection of information is on occasion and follows the circumstances enumerated in the law. The submitted data, about requested flight departure and arrival airports that match the purpose of flight, is used to attest to such authorized flight operations in the case of audit by FAA enforcement personnel. The FAA maintains in records the original request information. FAA form 1050-8 exists to minimize operator and FAA workload; intended to get all the information at one time in most cases (avoid repeated contacts to issue one special flight authorization).

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.

To simplify the application process, the FAA has developed a form that lists the information that the applicant must supply. Use of this form is mandatory in order to submit the information and intended to simplify the process. The FAA form 1050-8 can be obtained on the FAA web site:

[<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/1020408>] or by fax or mail by contacting the FAA's Office of Environment and Energy. Once the applicants have completed the form, they can fax, e-mail or send the form by regular mail. In compliance with the Government Paperwork Elimination Act (GPEA), this information is 100% submittable by electronic means.

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

This collection from airplane operators is minimized from duplication because these forms are only processed within one office of the FAA. The Office of Environment and Energy is the only authorized office to approve and issue special flight authorizations, thus avoiding form duplication inside and outside of FAA. Also, there are no known sources of this information that can be considered a duplication.

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

The information required under this mandate is significantly less than that required by 14 CFR Part 11 and minimizes the burden on small entities. A Special Flight Authorization Request (collection) form exists to minimize operator/applicant's burden with the intent to get all the information at one time in most cases and avoid repeated contacts in order to process and issue one FAA approval.

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 reducing burden.

This information is mandatory for airplane operators requesting approval of airplane operational circumstances enumerated in the statute. The frequency is on occasion and is contingent upon the remaining non-compliant Stage 3 airplane fleet that remain operating outside the U.S. and as well the U.S. aviation businesses that still offer services for these legacy airplanes, that seem to be diminishing. Not conducting this special flight authorization (SFA) collection or conducting less frequently would harm the remaining businesses offering related U.S. aviation services for these airplanes and violate the statute.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- *requiring respondents to report information to the agency more often than quarterly;*
- *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- *requiring respondents to submit more than an original and two copies of any document; requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*
- *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
- *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
- *requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has*

instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no special circumstances.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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 recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on March 01, 2019 (84 FR 7161), solicited public comment. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no circumstances that involve payments or gifts to respondents.

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

There is no assurance of confidentiality provided to respondents. Only a minimal amount of data is collected to identify the affected parties and to determine whether the purpose for the flight is one enumerated in the laws.

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.

There are no questions of a sensitive nature.

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

The burden was estimated based on previous special flight authorization data collection from 2016 to 2018, which indicated a reduction in number of respondents from the prior estimate of 50 to 30.

Summary (Annual numbers)	Reporting	Recordkeeping
IC 1		
# of Respondents	30	0
# of Responses per respondent	1	0
Time per Response	15 minutes (0.25 hours)	0
Total # of responses	30	0
Total burden (hours)	7.5	0

Total annualized cost to the respondents for the hour burden is estimated at \$358.95 per year. This is based on 30 requests per year times 15 minutes per request (to file and submit form) at \$ 47.84 per hour. For a private industry worker working full-time in trade, transportation and utilities, the base 2018 wage rate is \$ 23.93* per hour. To estimate total compensation wage rate, the HHS RIA estimation method of accounting for fringe benefits and overhead costs is estimated by doubling the pre-taxed wage (see table) that makes total compensation \$47.84 per hour.

Occupational group /series	2018 wage rates	\$/hour
private industry worker/ Full time in Trade, transportation and utilities	Base	\$ 23.93*
	Overhead & fringe benefits (per HHS RIA Guidance ¹) = 2 X pre-taxed wage	X 2
	Total compensation	\$47.86

* "EMPLOYER COSTS FOR EMPLOYEE COMPENSATION - DECEMBER 2018," Bureau of Labor and Statistics. Table 12. Employee costs for private industry workers in Series: Full time, Trade, transportation and utilities. [<https://www.bls.gov/news.release/pdf/ecec.pdf>]

¹ Source: U.S. Department of Health and Human Services, "Guidelines for Regulatory Impact Analysis" (2016), https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf. "Estimates in the Value of Time," (Page 28, Table 4.2.)

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

There are no material cost burden to respondents.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Government costs are estimated as \$1,506.00 per year. This is based on 30 requests per year and 1 hour per response (to process request and issue SFA) at \$50.20 per hour. The wage rate used is based on a civilian worker in the series of Professional and related occupation that accounts for base salary and fringe benefits (see table following).

Occupational group/series	2018 wage rates	\$/hour
Federal workers/ Airfield Operational Specialist	Base (median)	\$ 25.10**
	Overhead & fringe benefits (per HHS RIA Guidance ¹) = 2 X pre-taxed wage	X 2
	Total compensation	\$50.20

** "Occupational Employment Statistics - MAY 2018," Bureau of Labor and Statistics. Employee costs for Federal workers in Series: Full time, Airfield Operational Specialist.
[<https://www.bls.gov/oes/current/oes532022.htm>.]

¹ Source: U.S. Department of Health and Human Services, "Guidelines for Regulatory Impact Analysis" (2016), https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf. "Estimates in the Value of Time," (Page 28, Table 4.2.)

15. Explain the reasons for any program changes or adjustments.

There are no programmatic changes since the previous submission. However, an adjustment in number of respondents has been made due to updated estimates based on previous special flight authorization data collection from 2016 to 2018, which indicated a reduction in number of respondents from the prior estimate of 50 to 30. As a result the total burden has reduced.

16. For collections of information whose results will 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.

The results will not be published.

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

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

18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions.