

## Supporting Statement

Title 14 CFR Part 21 - Certification Procedures for Products and Articles

OMB 2120-0018

**SUMMARY OF CHANGES:** There have been changes since the last validation of data collection. There have been no changes with regard to type of data we are collecting. The data we are collecting is still valuable and there is still a need to collect this data. The FAA continues to move towards the electronic collection of data for some of its information collection and electronic signatures. Accordingly, the FAA has implemented the use of AWC (electronic) as the primary means to submit an application for and process the majority of airworthiness certificates. This also includes issue of the actual certificate. Some certificate type(s) still require the paper process (primarily exports). Additionally, the paper process is the backup in case of a network failure or prolonged outage.

### Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing collection of information.**

The purpose of Title 49 United States Code (USC), Subtitle VII, Aviation Programs, is to encourage and foster the development of civil aeronautics, and to promote safety in air commerce.

Section 40113(a) empowers the Secretary of Transportation (or the Administrator of the Federal Aviation Administration) with respect to aviation safety duties and powers designated to be carried out by the Administrator, to take action he/she considers necessary to carry out this part, including; conducting investigations, prescribing regulations, standards and procedures, and issuing orders.

Section 44701 empowers the Administrator to promote safety by prescribing minimum safety standards and regulations necessary for safety in air commerce. It also empowers the Administrator to grant an exemption from a requirement of a regulation if it is in the public interest.

Section 44702(a) specifies that applications shall be as the Administrator prescribes as to form, content, retention, and manner served.

Section 44702(d) empowers the Administrator to delegate to a qualified private person, or an employee under the supervision of that person, matters related to examination, testing, and inspection necessary to issue a certificate, and issuing the certificate.

Section 44704(a) empowers the Administrator to issue type certificates for aircraft, aircraft engines, propellers, and appliances.

Section 44704(b) empowers the Administrator to issue a type certificate designated as a supplemental type certificate for a change to an aircraft, aircraft engine, propeller, or appliance.

Section 44704(c) empowers the Administrator to issue a production certificate authorizing the production of conforming duplicates of any aircraft, aircraft engine, propeller, or appliance for which a type certificate has been issued.

Title 14 Code of Federal Regulations (CFR) Part 21 - Certification Procedures for Products and Articles, supports the DOT strategic goal on safety. Therein, Title 14 CFR Part 21, implements the provisions of Title 49 USC Sections 40113, 44701, 44702, and 44704, by prescribing –

- (1) The procedural requirements for issuing and changing; design approvals, production approvals, airworthiness certificates, and airworthiness approvals.
- (2) Rules governing applicants for, and holders of, any approval or certificate specified above.
- (3) Procedural requirements for the approval of articles.

Wherein, Title 14 CFR Part 21 defines –

- (1) *Airworthiness approval* means a document, issued by the FAA for an aircraft, aircraft engine, propeller, or article, which certifies that the aircraft, aircraft engine, propeller, or article conforms to its approved design and is in a condition for safe operation, unless otherwise specified.
- (2) *Article* means a material, part, component, process, or appliance.
- (3) *Design approval* means a type certificate (including amended and supplemental type certificates) or the approved design under a PMA, TSO authorization, letter of TSO design approval, or other approved design.
- (4) *Product* means an aircraft, aircraft engine, or propeller.
- (5) *Production approval* means a document issued by the FAA to a person that allows the production of a product or article in accordance with its approved design and approved quality system, and can take the form of a production certificate, a PMA, or a TSO authorization.

Note: PMA refers to a Parts Manufacturer Approval, and TSO refers to a Technical Standard Order. Further, a TSO issued by the FAA is a minimum performance standard for specified articles used on civil aircraft.

**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.**

Information collected is required as needed, to be used by the Aircraft Certification Office Branch in the geographical area of the applicant in order to initiate the certification project and gather resources to work on the particular certification project. All responses to this collection of information are required to obtain or retain benefits per 14 CFR Part 21. Any identity may initiate a certification.

Purpose: This information is used to (1) collect the name of the party, corporation, or organization to whom the Type Certificate, Amended Type Certificate, Production Certificate, Supplemental Type Certificate, or Amended Supplemental Type Certificate will be issued. This is necessary because the same name will appear on the certificate exactly as it is entered in this form. Also, to obtain the signature of the certifying official which must be the holder or the person duly authorized to sign for the holder, company, or corporation.

FAA Airworthiness safety inspectors, designated inspectors, engineers, and designated engineering representatives review the required data submittals to determine whether the aviation products and /or articles, or their manufacturing facilities, comply with the applicable regulatory requirements, and that the products and articles have no unsafe features. Those products and articles, and their facilities that do comply with the minimum regulatory requirements, are issued an appropriate approval or certificate.

A probable unsafe condition could exist for the owner /operator of the product or article, and /or the public, if the certification procedures for products and articles required by Title 14 CFR Part 21 were not followed.

The collection of the information referenced herein is based on the applicants need, not a set time or frequency.

- 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, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

Government Paperwork Elimination Act efforts are ongoing to improve information technology through internal automation systems, such as the recently fielded ASKME Airworthiness Certification (AWC) Application, designed to collect, organize, store, and transmit diverse information.

Metrics collection reports are posted in the CPN Database and the AVS Dashboard.

- 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.**

We have checked our other public reports and are satisfied that no duplication exists. No other agency is responsible for collecting information on the certification of aircraft products and articles.

The information requested by the FAA establishes a record of essential data concerning the applicant and the product(s) and /or articles involved and is available only from the applicant. The information is not available elsewhere.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The information required is the minimum needed to determine if an unsafe condition exists and issue the proper certificate. Small businesses /entities are not subject to any burden.

6. **Describe the consequences 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.**

The collection of the information referenced herein is based on the applicants need, not a set time or frequency.

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

This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. **If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d) soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

85 FR 37149 on 6/19/2020. One comment received – It was spam concerning the President. Ignored by the agency.

9. **Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.**

No payment or gift is given to any respondents.

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

No assurance of confidentiality is provided or needed.

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 sensitive questions in this collection of information.

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

A section-by-section breakdown of the applicable Title 14 CFR Part 21 regulations below shows the frequency of response and estimated burden for the noted information collected.

Section 21.15 Application for type certificate - Requires an applicant for a type certificate to make an application on a form and in a manner prescribed by the FAA.

The FAA has prescribed FAA Form 8110-12, *Application for Type Certificate, Production Certificate, or Supplemental Type Certificate*, for these applications.

(FY2016-2506, FY2017-2708, FY2018-2601, FY2019-1267 = average 2270)

Estimated annual applications received	2270
Average hours per application	<u>x.8</u>
Total annual burden	<u>1816</u> Hours

Section 21.85 Provisional amendments to type certificates - Requires that an applicant must apply for an amendment to the affected type certificate. The FAA has prescribed FAA Form 8110-12 for these applications. The application includes the applicant's documentation for amending its type certificate. The Estimated Annual Burden for these applications is included under Section 21.15 (above).

Section 21.113 Requirement for supplemental type certificate - Requires a person that alters a product, by introducing a major change in type design [that does not require an application for a new type certificate (TC)], to apply to the FAA for a supplemental type certificate (STC). However, if that person holds the TC for the affected product, that person may choose to apply to the FAA to amend the original TC. The application for an STC (or to amend a TC) must be made in the form and manner prescribed by the FAA [FAA Form 8110-12]. The Estimated Annual Burden for these applications is included under Section 21.15 (above).

Section 21.133 Application - Requires that an applicant apply for a production certificate (PC) in a form and manner prescribed by the FAA [FAA Form 8110-12]. The Estimated Annual Burden for these applications is included under Section 21.15 (above).

Section 21.147 Amendment of production certificates - Requires a PC holder desiring to amend a PC to apply in a form and manner prescribed by the FAA [FAA Form 8110-12]. The Estimated Annual Burden for these applications is included under Section 21.15 (above).

Sections 21.53, 21.130 Statement of Conformity - Applicants for a TC (or STC) must provide, in a form and manner acceptable to the FAA, a statement [FAA Form 8130-9, *Statement of Conformity*] that each aircraft engine or propeller presented for type certification conforms to its type design. Applicants must also submit a statement of conformity to the FAA for each aircraft or part thereof presented to the FAA for tests. Further, that statement of conformity must include a statement that the applicant complied with Section 21.33(a), i.e., made all inspections and tests necessary. In addition, each Holder (or licensee) of a TC who manufactures a product (under the TC) must also provide a statement of conformity [FAA Form 8130-9] that the product for which the TC has been issued, conforms to its TC and is in a condition for safe operation.

Estimated annual submittals	7930
Average hours per form	x .8
Estimated annual burden	6344 Hours

Section 21.193 Experimental certificates: general - An applicant for an experimental certificate must submit information, including a statement, in a form and manner prescribed by the FAA setting forth the purpose for which the aircraft is to be used.

For those applicants seeking (an experimental certificate) to operate an amateur-built aircraft, they must also submit an FAA Form 8130-12, *Eligibility Statement Amateur-Built Aircraft*, to certify that the major portion of the aircraft was fabricated and assembled by a person(s) who undertook the construction project solely for their own education or recreation.

Estimated annual applications	500
Average hours per application	x .25
Total annual burden	125 Hours

Sections 21.173, 21.177, and 21.199 - Require applicants for an airworthiness certificate, to amend or modify an airworthiness certificate, or a special flight permit (respectively) to apply in a form and manner acceptable to the FAA. FAA Form 8130-6, *Application for U.S. Airworthiness Certificate*, is required for these applications. The Estimated Annual Burden for these applications is included under Section 21.215 (below).

Section 21.215 Application - Requires that applications for provisional airworthiness certificates be submitted to the FAA. The application [FAA Form 8130-6] must be accompanied by the pertinent information specified in 14 CFR Part 21, Subpart I – *Provisional Airworthiness Certificates*.

Estimated annual applications for -	
airworthiness certificates (including provisional)	5000
Average hours per notifications	x .7
Estimated annual burden	3500 Hours

Section 21.327 Application - States that any person may apply for an export airworthiness approval. Each applicant must apply in a form and manner prescribed by the FAA. The FAA has prescribed that FAA Form 8130-1, *Application for Export Certificate of Airworthiness*, is required for an export airworthiness approval for aircraft, aircraft engines, propellers, and articles.

Estimated annual applications	35000
Average hours per notifications	x .2
Total annual burden	7000 Hours

**Burden Summary**

Form	Annual Responses	Time per Form	Total Annual Burden
8110-12	2270	.8 Hours	1816 Hours
8130-9	7930	.8 Hours	6344 Hours
8130-12	500	.25 Hours	125 Hours
8130-6	5000	.7 Hours	3500 Hours
8130-1	35000	.2 Hours	7000 Hours
<b>TOTAL</b>	<b>50700</b>		<b>18785 Hours</b>

Total number of annual responses: 50700.

Total Reporting and Record Keeping: 187585 Hours.

Total amount - \$823,571.36 (see below spreadsheet)

Form	Annual Responses	Time per form		Hour Total annual burden	Labor cost per hour	Benefits <sup>1</sup>	Labor cost per hour with benefits	cost per response	Labor cost with benefits	Where labor came from
8110-12	2270	0.8	hour	1816	\$31.57	38.20%	\$ 43.63	34.9037920	\$79,232	See <sup>2</sup> below
8130-9	7930	0.8	hour	6344	\$31.74	38.20%	\$ 43.86	35.0917440	\$278,278	See <sup>3</sup> below
8130-12	500	0.25	hour	125	\$31.74	38.20%	\$ 43.86	10.9661700	\$5,483	See <sup>3</sup> below
8130-6	5000	0.7	hour	3500	\$31.74	38.20%	\$ 43.86	30.7052760	\$153,526	See <sup>3</sup> below
8130-1	35000	0.2	hour	7000	\$31.74	38.20%	\$ 43.86	8.7729360	\$307,053	See <sup>3</sup> below
<b>TOTALS</b>									\$823,571	

1- News Release, USDL-20-1232, Bureau of Labor Statistics, U.S. Department of Labor, June 18, 2020, table 4

2- Because anyone can apply, the labor cost was taken from the mean of Agricultural workers (\$12.42 per hour) to Industrial Production Managers (\$50.71 per hour) (2019 Median Pay per Bureau of Labor Statics)

3- The majority of these forms are filled out by FAA personal or authorized representatives, for individuals of the general public and their pay range is average of \$31.74 (2019 Median Pay for Aerospace Engineering and Operations Technicians pre Bureau of Labor Statistics)

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. – none not already included in number 12**

**14. Provide estimates of annualized cost to the Federal Government and to the respondents.**

The estimated annual cost to the Federal Aviation Administration for this collection of information is \$545,204.03 per year, based on technical and administrative expenses.

8130-1	35000	0.2	hour	7000	\$31.74	\$222,180.00	38.20%	\$307,052.76	See <sup>3</sup> below
TOTALS	50700							\$823,571.36	

1- News Release, USDL-20-1232, Bureau of Labor Statistics, U.S. Department of Labor, June 18, 2020 Table 4

<sup>4</sup> <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf>

**15. Explain reasons for any program changes or adjustments reported in Items 13 or 14 of OMB Form 83-1.**

The collection now uses electronic systems. The system that the applications are in now make it easier to count and estimate.

The amount of Export Certificates has changed based on activity and economy for aircraft, aircraft engines, propellers and articles.

**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 the report, publication dates, and any other pertinent dates.**

There are no plans for statistical publications.

**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.**

The FAA is not seeking approval to “not display” the expiration date.

**18. Explain each exception to the certification statement identified in Item 19, “Certification of Paperwork Reduction Act Submissions,” of OMB Form 83-1.**

There are no exceptions.