

**Supporting Statement
Rotorcraft External-Load Operator
Certificate Application
OMB 2120-0044**

CHANGES IN THIS ICR:

- Question 12 has been updated to reflect the current number of certificated 14 CFR part 133 operations, up from 357 to 358. Questions 12 and 14 have been adjusted to reflect current wage rates.

A. Justification

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

Part A of Subtitle VII of the Revised United States Code authorizes the issuance of regulations governing the use of navigable airspace. 14 CFR Part 133, Rotorcraft External-Load Operations, was adopted to establish certification and operating rules governing nonpassenger-carrying rotorcraft external-load operations conducted for compensation or hire. As such, the Federal Aviation Administration (FAA) requires information reporting by affected Rotorcraft External-Load Operators in order to maintain its regulatory responsibilities. The collection of this information directly supports the Department of Transportation's strategic goal on safety.

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 respondents to this collection are mandated to collect and report information to the FAA. Respondents are organizations wishing to conduct nonpassenger-carrying external-load operations for compensation or hire, which requires the proper certification and or renewal of certification. Common examples of nonpassenger-carrying external-load operations are considered rotorcraft load combinations that include Class A: the carriage of items in an approved cargo rack, bin, or fixture attached to the exterior of the aircraft, Class B: an air conditioner unit being lifted onto the roof of a tall building or Class C: wire stringing, dragging a long pole, and boat towing. The FAA uses this information, required, to process the operating certificate as a record of aircraft authorized for use, and to monitor Rotorcraft External-Load Operations. FAA Form 8710-4, Rotorcraft External-Load Operator Certificate Application, provides a record of surveillance activities when completed by an inspector. If the information was not collected, FAA would not be able to meet its regulatory responsibilities for oversight and surveillance under Part 133.

Section 133.15, Application for Certificate Issuance or Renewal: The application form provides clear guidance on what information is required. It can be signed electronically and submitted to a local Flight Standards District Office (FSDO) by email.

Section 133.21, Personnel: Each part 133 operator is required to designate a chief pilot, and advise the FAA of this person's identity in writing. This can be done by email to a local FSDO. The FAA then administers a knowledge and skill examination of the chief pilot. This process must be complete before issuance of a part 133 certificate.

Section 133.25, Amendment of Certificate: Certificate holder must notify FSDO by email or other means if there is a change to the list of aircraft on their certificate. Operator must retain 133 certificate and list of authorized rotorcraft, and keep these materials available for inspection by FAA. List of aircraft is listed in relevant Letter of Authorization. This enables the FAA to inspect aircraft. Operators must carry copy of certificate aboard aircraft, and must return it to us if revoked.

Section 133.27, Availability, transfer, and surrender of certificate: Operator must retain 133 certificate and list of authorized rotorcraft, and keep these materials available for inspection by FAA. List of aircraft is listed in relevant Letter of Authorization. This enables the FAA to inspect aircraft. Operators must carry copy of certificate aboard aircraft, and must return it to us if revoked.

Section 133.31, Emergency Operations: If an in-flight emergency forces a pilot to deviate from regulations, the operator must notify the local FSDO within 10 days of the incident. Depending on the severity of the derogation and other factors, the FAA may ask the operator to prepare and submit a detailed report (e.g., which regulations were violated and why) of the incident. This report is used by the FAA for surveillance, data evaluation, and in some cases for enforcement. The report can be submitted by email.

Section 133.33, Operating Rules: A plan for operations over congested areas is sent to the local FSDO for approval. It can be sent by email. The plan must include the area in which operation will be conducted, must identify the aircraft and pilot, a map of the area, emergency landing areas, and other information essential to safe operations. Plan must also indicate that there is local law enforcement cooperation. The FAA evaluates plans to determine if operations can be conducted safely, and confirms that local political subdivision is involved. Flight Standards also confirms whether Air Traffic Control has been contacted, depending on airspace.

Section 133.37, Crewmember training, currency, and testing requirements: Operators keep records of qualified personnel; each operator's chief pilot determines skill and knowledge of each pilot and issues letter of competency. Operator must make these available for annual inspection by FAA, along with logbook entries. These recordkeeping requirements enable the FAA to ensure pilots are qualified for the operations they undertake.

Section 133.47, Rotorcraft-Load Combination Flight Manual: Operators are required to submit this to the FAA for evaluation and approval. Operators may send this to their local Flight Standards District Office in PDF format via email. The FAA evaluates the document for the presence of certain criteria (e.g., operating limitations for normal and emergency flight operations, class of load combinations, evidence that operator's aircraft has appropriate

airworthiness, precautionary advice on static electricity and other peculiarities, other info essential to safe operations). FAA guidance provides a sample flight manual (Advisory Circular 133.1).

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.

Applicants can obtain, complete and sign FAA Form 8710-4 electronically (<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186166>), and can submit it to their local Flight Standards District Office by email. Pen and ink signatures are not required for the form, or any other collection in this ICR. Applicants may electronically request applications to conduct operations or an activity, and email is permitted as a means of reporting under each section covered by this ICR. However, much of the activity associated with this information collection must be physically verified (airmen certificates, aircraft inspections, etc.) by aviation safety inspectors prior to its approval. The United States cannot risk having unknown people operating within its critical infrastructure. The information submitted on the form is not made available to the public.

4. Describe efforts to identify duplication. Show specifically why any similar information already available can be used for the purpose described in Item 2 above.

We have reviewed our other public reports to ensure that no duplication exists. To our knowledge, no other agency is responsible for collecting information on Rotorcraft External-Load Operators.

All information gathered is compiled for a specific reason, from a specific source and relates to a unique and specific requirement and situation. This information is collected every 24 months for 133-certificate renewal; however, it is necessary to have the most timely and accurate information.

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

Small businesses or small entities may receive, upon request, specific assistance from FAA Aviation Safety Inspectors located in district offices around the country. This collection of information is reviewed periodically to ensure the requirements involved are kept to the minimum necessary to bring about effective compliance with Part 133. To keep the burden to a minimum on small businesses, the inspectors deal directly with the certificate holders' management personnel.

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.

The Code of Federal Regulations determine frequency of collection for 133 certificate renewals. The respondents cannot legally conduct external-load operations without the proper certification and or renewal.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 1320.5(d)(2)(i)-(viii).

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 June 26, 2024 (89 FR 53475). One comment was received; however, that comment was beyond the scope of this information collection. The FAA did not engage in additional stakeholder outreach.

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

No payments or gifts are made to respondents.

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

No assurances of confidentiality are provided.

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 hour burden of the collection information. This information should provide number of respondents, frequency of response, annual burden, and an explanation of how the burden was estimated.

A section-by-section breakdown of the applicable sections of Part 133 is listed below, showing frequency of response, number of respondents, annual burden, and how the burden has been estimated.

Section 133.15, Application for Certificate Issuance or Renewal. Requires that a would-be operator make application on a **form** and manner prescribed by the Administrator. FAA Form 8710-4, Rotorcraft External- Load Operator Certificate Application is the form prescribed by the Administrator and approved by OMB. It contains only information necessary for a Part 133 Operating Certificate. Recertification is required every 24 months. Based on a population of 358 part 133 certificate-holders, the FAA estimates 179 respondents per year.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	179		
# of Responses per respondent	1		
Time per Response	0.5 hours		
Total # of responses	179		
Total burden (hours)	90		

Section 133.21, Personnel.

Requires applicant to designate one pilot as chief pilot for rotorcraft external-load operators. Paragraph (c) requires certificate holders to report any change in chief pilot designation. This includes initial chief pilot designations, and change in designation.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	80		
# of Responses per respondent	1		
Time per Response	0.3 hours		
Total # of responses	80		
Total burden	24		

(hours)			
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Section 133.25, Amendment of Certificate.

This section indicates a certificate holder may submit a list of new or deleted aircraft to be used.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	90		
# of Responses per respondent	1		
Time per Response	0.5 hours		
Total # of responses	90		
Total burden (hours)	45		

Section 133.27, Availability, transfer, and surrender of certificate.

Requires each certificate holder to keep the certificate and a list of authorized rotorcraft at the home base of operations.

Summary (Annual numbers)	Reporting	Recordkeeping	Disclosure
# of Respondents		358	
# of Responses per respondent		1	
Time per Response		0.5 hours	
Total # of responses		358	
Total burden (hours)		179	

Section 133.31, Emergency Operations.

Operators, upon request, are required to provide a report of a deviation from the rules.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	25		
# of Responses per respondent	1		
Time per Response	2 hours		
Total # of responses	25		
Total burden (hours)	50		

Section 133.33, Operating Rules.

This section requires an operator to develop a plan for congested area operations and obtain approval to implement that plan.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	300		
# of Responses per respondent	3		
Time per Response	2		
Total # of responses	900		
Total burden (hours)	1800		

Section 133.37, Crewmember training, currency, and testing requirements.

Each pilot must demonstrate his skill and knowledge before he can serve. Operators must retain records of skill and knowledge demonstrations.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents		358	

# of Responses per respondent		1	
Time per Response		.3 hours	
Total # of responses		358	
Total burden (hours)		107	

Section 133.47, Rotorcraft-Load Combination Flight Manual. Requires the applicant to prepare a flight manual and submit it for approval by the Administrator. The FAA estimates 25 new applicants per year.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	25		
# of Responses per respondent	1		
Time per Response	40 hours		
Total # of responses	25		
Total burden (hours)	1000		

TOTALS:

Respondents and Hour Burden per Section (Annual)				
	Respondent s	Reporting	Recordkeeping	Disclosure
133.15	179	90		
133.21	80	24		
133.25	90	45		
133.27	358		179	
133.31	25	50		
133.33	900	1800		
133.37	358		107	

133.47	25	1000		
	2015	3009	286	
		TOTAL: 3,295		

The annualized cost to the public to process the information required was determined by the following method:

Approximately 80 percent of the total cost is labor done by technical specialists at \$36.66 per hour,¹ and 20 percent is by clerical labor at \$21.87 per hour². Wage estimates are based on the Bureau of Labor Statistics Occupational Employment and Wages data, May 2023, for Secretaries and Administrative Assistants, and Technical Specialists. The FAA has applied a multiplier of **29.7 percent**³ to account for fringe benefits, plus an estimated **17 percent** for overhead costs such as rent, equipment and utilities.⁴ For **Technical Specialists**, the fully loaded hourly rate is the base rate of \$36.66 multiplied by (29.7+17=46.7). $\$36.66 \times 1.467 = \53.78 . For **Administrative Assistants**, the fully loaded hourly rate is the base rate of \$21.87 multiplied by (29.7+17=46.7) . $\$21.87 \times 1.467 = \32.08 .

Estimated total annual labor burden: 3,295 hours

Technical Labor (3,295 x .8 x \$53.78)	\$ 141,764.08
Clerical Labor (3,295 x .2 x \$32.08)	\$ <u>21,140.72</u>
	\$ 162,904.80

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

There will be no start-up costs for this renewal.

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

The annualized cost to the Federal Government to collect, analyze, and process the information received was determined by the following method:

Hours by Regulation	Hours
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¹ <https://www.bls.gov/oes/current/oes493011.htm>

² <https://www.bls.gov/oes/current/oes436014.htm>

³ <https://www.bls.gov/news.release/ecec.nr0.htm>

⁴ <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005>

133.15	179 applications @ 2 hours	358
133.21	80 designations @ 1 hour	80
133.25	90 amendments @ 1 hour	90
133.27	358 changes @ 1 hour	357
133.31	25 reports @ 4 hours	100
133.33	900 reports @ 2 hours	1800
133.37	358 demonstrations @ 2 hours	716
133.47	25 manual reviews @ 4 hours	<u>100</u>
	TOTAL	3,601

Approximately 80 percent of the total cost is government labor done by Aviation Safety Inspectors (ASIs), midrange GS-13, RUS locality. \$117,198per annum, divided by 2,080 hours, results in a base rate of \$56.35. Approximately 20 percent of the FAA burden is performed by administrative specialists, midrange GS-7, RUS locality. \$55,562per annum, divided by 2,080 hours, results in a base rate of \$26.71. The FAA uses a fringe benefits and overhead cost, for FAA employees, of 100%.⁵ This results in a fully loaded wage rate of \$112.70 per hour for Aviation Safety Inspectors, and \$53.42 for administrative specialists.⁶ Based on the above, the annualized cost to the Federal Government is as follows:

Estimated total annual labor burden	3,601 hours
ASI Labor (3,601 x .8 x \$112.70)	\$324,666.16
Administrative Labor (3,601 x .2 x \$53.42)	<u>\$38,473.08</u>
TOTAL FAA ANNUAL COST:	\$363,139.24

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

Although the total number of affected entities increased by 1, from 357 to 358, this resulted in only fractional increases in hourly burdens. Burden totals remain unchanged. Wage rates and

⁵ 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. On page 30, HHS states, "As an interim default, while HHS conducts more research, analysts should assume overhead costs (including benefits) are equal to 100 percent of pretax wages...."

⁶ <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS.aspx>

load factors have been updated to 2024 values, resulting in higher total monetary costs both for industry and for the FAA.

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.

There is no requirement for any of the information collected pursuant to FAA Form 8710-4 to be published.

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.

We are not seeking approval to exclude the expiration date.

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

There are no exceptions.