

# Supporting Statement

## Commercial Aviation Safety Team Safety Enhancement Questionnaires

2120-XXXX

### A. 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 and authorizing the collection of information.**

The White House Commission on Aviation Safety and Security report, issued in February 1997, challenged the Federal Government and the aviation industry to reduce the aviation accident rate by 80 percent over 10 years. In December 1997, the National Civil Aviation Review Commission recommended the civil aviation community establish an integrated safety agenda that would continue to reduce the fatal accident rate for commercial aviation. In response, the aviation community created the Commercial Aviation Safety Team (CAST), a voluntary organization dedicated to reducing the worldwide commercial aviation accident rate. CAST is composed of government agencies and organizations representing air carriers and operators, manufacturers, and aviation labor organizations.

To reach the 80% accident reduction goal, CAST developed a data-driven process to analyze past accidents and incidents to identify accident and incident precursors, and develop recommendations for safety enhancements (SEs) that air carriers could implement to reduce the risk of these precursors occurring again. Since CAST first began its work, it has identified approximately 76 SEs that air carriers, commercial operators, manufacturers, and other regulated entities could implement to mitigate the risk of these precursors occurring again in future accidents/incidents. Some examples of SEs include SE 10, which recommends implementation of proactive safety programs, such as Flight Operational Quality Assurance (FOQA) and the Aviation Safety Action Program (ASAP); SE 26, which recommends safety procedures for reducing passenger and crewmember injuries when there is turbulence; and SE 196, which recommends training for crewmembers on aircraft upset prevention and recovery.

The CAST SEs are recommended best practices and implementation of the SEs is voluntary. Many CAST members have agreed to implement the SEs, but the implementation likely varies amongst air carriers and operators because of the needs of their operations. At this time, CAST would like to gather information regarding the extent to which these SEs have been implemented by air carriers.

To facilitate this data collection for CAST, the FAA has developed an information collection (questionnaire) for each SE that air carriers and operators will be asked to complete using the FAA's existing web-based system, Web-based Operations Safety System (webOPSS). Completion of the questionnaires will be voluntary, and will be requested of all 81 part 121 certificated air carriers and operators that the FAA oversees.

#### *Authority*

The FAA's authority to collect this information is derived generally from 49 USC § 106(f) which establishes the FAA Administrator's responsibilities with respect to aviation safety. The

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collection of this information is consistent with the Administrator's authority under 49 USC 44701(c).

**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 FAA intends to share the information submitted by the air carriers and operators in a de-identified format to assist CAST in its evaluation of the extent to which the CAST SEs have been voluntarily implemented.

**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.**

In compliance with the Government Paperwork Elimination Act, the FAA has encouraged the use of automation by certificate holders to reduce their reporting burdens. The CAST SE questionnaires will be issued through the FAA online web-tool, webOPSS, to facilitate completion of the questionnaires. Of the 81 certificated air carriers and operators who will be asked to complete the questionnaires, 79 currently use and access webOPSS on a daily basis to manage their operations and authorizations. For the remaining 2 operators who currently do not use webOPSS, they will be given the option to complete the questionnaire in paper form or online via webOPSS.

**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 other FAA public reports and find no duplication exists. In addition, the FAA has determined that no other agency or organization tracks the implementation of CAST SEs. Therefore, this information is not available from any other source.

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

The FAA has developed the questionnaires in electronic format to ease the burden with completing this information collection. The questionnaires are voluntary and if an operator or air carrier does not have the resources to complete them, they may opt not to do so.

**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.**

If the information collection is not conducted, CAST and FAA will be unable to determine the extent to which the CAST SEs have been implemented.

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**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d)(2)(i) through (viii).**

This collection of information will be conducted in a manner consistent with the guidelines in 5 CFR 1320.5 (d)(2)(i) through (viii). To the extent a certificate holder believes SE implementation reporting involves any confidential information under § 1320.5(d)(2)(viii), the FAA has limited access to the responses to the questionnaires to only FAA staff responsible for the oversight and maintenance of webOPSS, the air carrier/operator's designated staff, and the local FAA field office staff responsible for oversight of the air carrier/operator. In addition, once this information is submitted, it will be protected from further disclosure under the authority provided in 49 USC 40123 and 14 CFR part 193.

**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 recordkeeping, disclosure, or reporting format (if any) and on data elements to be recorded, disclosed, or reported.**

This information collection was developed in consultation with CAST and CAST members who will be asked to complete the questionnaires. In addition, the FAA published a notice in the Federal Register on August 4, 2011, vol. 76, no. 150, pages 47287-47288 concerning its intent to request OMB approval for this collection activity. No comments were received.

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

No gifts or payments will be made to air carriers or operators who provide information about SE implementation.

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

The Federal Aviation Reauthorization Act of 1996 added 49 U.S.C. 40123 to allow the FAA Administrator, through regulation, to protect from disclosure voluntarily provided information relating to safety and security issues. To this end, the FAA adopted 14 CFR part 193, which provides that certain information submitted to the FAA on a voluntary basis will not be disclosed under the Freedom of Information Act (5 U.S.C. 552) or other laws, except as provided in 49 U.S.C. 40123 and 14 CFR part 193. In 2005, the FAA designated information provided to the agency from approved voluntary compliance with CAST SEs as protected from public disclosure in accordance with part 193 (70 FR 5500, February 2, 2005). Thus, data submitted in response to these questionnaires will be protected under 14 CFR part 193, and will only be released to FAA and CAST in an aggregate, de-identified format for review and analysis.

**11. Provide additional justification for any questions of a sensitive nature.**

These questionnaires will not contain 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.**

Number of Potential	Estimated	Average Hour	Cost Burden	Total Cost Burden
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Respondents or Expected Response Rate	Number of S400 SE questionnaires per Respondent	Burden to Complete Each S400 SE Questionnaire	for Each S400 SE Questionnaire per Respondent	(number of potential respondents x S400 20 SE questionnaires x cost burden)
81	20	40 minutes = 0.67/hour	\$48.28	\$52,403

The burden of this information collection program will not exceed the estimate developed below.

(A) Each of the 81 respondents will need 40 minutes to complete each S400 SE questionnaire. At this time, the FAA estimates there will be 20 S400 SE questionnaires for respondents to complete.

81 respondents x 20 questionnaires = 1620 responses. 1620 x 40 minutes = 1080 hours.

(B) The typical respondent is employed in the position of director of regulatory compliance, and, on the average, is paid an annual salary of \$110,000.

(C) The addition of full fringe benefits increases the average annual salary by the factor of 1.3625, bringing the total of annual salary and benefits to \$149,875. This factor is drawn from the currently applicable version of OMB Circular A-76, Revised, *Performance of Commercial Activities*. The basis for this is that OMB A-76 specifies Federal civilian benefits at 36.25 percent of salary, and provides that, when the private sector competes with the Federal sector under OMB A-76 rules, private sector benefits may not be less than Federal civilian benefits. Thus, this estimate of benefits is comparable to private sector benefits, as would accrue to a director of regulatory compliance.

(D) The total cost burden to the typical respondent for each S400 SE questionnaire will not exceed \$48.28, which is 67 percent of \$149,875 / 2,080. Note that the number 2,080 exceeds the number 1,776, which is the total hours specified by OMB A-76 for effective annual work time, excluding annual and sick leave and the like. The number 2,080 is used solely to convert annual salary, which is assumed to include compensation for annual and sick leave, to hourly salary.

(E) Thus, the total cost burden for 20 S400 SE questionnaires completed by 81 respondents will not exceed \$52,403, which is 81 x 20 x \$48.28.

### **13. Provide estimates of the total annual cost burden to respondents or recordkeepers 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.**

The FAA estimates the total cost of this information collection to the Federal Government to be \$55,564.80. This estimate is based on the fully burdened (per OMB A-76) direct costs of required FAA personnel time, as detailed below.

If similar information collections are to be conducted in future years, similar costs will be incurred and pertinent estimates will be made, as provided by the Paperwork Reduction Act. It is not now known whether any similar information collections will be made.

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Components of the above estimate are as follow:

- (A) One-time cost to set up the new section of webOPSS, with associated guidance:  
One hundred hours in total, at \$78.62 per hour = \$7,862.00
- (B) Ceiling value of variable costs for composing questions for each of as many as 20 questionnaires:  
Four hours per questionnaire, at \$104.91 per hour to the maximum of 20 questionnaires = \$8,392.80
- (C) Ceiling value of variable costs for development of each of as many as 20 questionnaires:  
Twenty hours per questionnaire, at \$78.62 per hour to the maximum of 20 questionnaires = \$31,448.00
- (D) Ceiling value of variable costs for review and analysis of each of as many as 20 questionnaires:  
Five hours per questionnaire, at \$78.62 per hour to the maximum of 20 questionnaire = \$7,862.00

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

This is a new information collection; therefore, this is a program change.

**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.**

Results of this information collection will not 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.**

The FAA is not seeking approval to not display the expiration date for OMB approval of the information collection.

**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 identified in item No. 19 of OMB Form 83-I.