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Ms. Kathy DePaepe  
Room 126B  
Federal Aviation Administration, AES-200  
6500 S. MacArthur Blvd.  
Oklahoma City, OK 73169

Re: Report of Inspections Required by Airworthiness Directives  
OMB Control No. 2120-0056; Docket No. FAA-2013-0259-0667

Dear Ms. DePaepe:

The Aeronautical Repair Station Association (ARSA) represents the aviation maintenance industry; its members include aircraft operators, aviation maintenance facilities and individuals certificated by the Federal Aviation Administration (FAA). Accordingly, ARSA members are directly impacted by the above referenced information collection.

ARSA respectfully submits its comments in response to the notice<sup>1</sup> on the FAA's intention to obtain the OMB's approval to renew the above referenced information collection request (ICR). The association requests that the OMB approval be withdrawn.

**(a) Whether the proposed collection of information is necessary for FAA's performance**

This specific information collection is unnecessary. The generic clearance of all information collections included in airworthiness directives (ADs) is inappropriate. Rather, each information collection required by an AD must be submitted individually for approval.

The Paperwork Reduction Act<sup>2</sup> (PRA) mandates that each collection of information be evaluated for criteria including "a specific, objectively supported estimate of burden."<sup>3</sup> As discussed below, the unique nature of each unsafe condition precludes a meaningful aggregated estimate of the burden.

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<sup>1</sup> 79 Fed. Reg. 72054 (Dec. 4, 2014).

<sup>2</sup> Paperwork Reduction Act, 44 U.S.C. § 3501, *et. seq.*

<sup>3</sup> Paperwork Reduction Act, 44 U.S.C. § 3506(c).

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The statute does not contemplate generic ICRs; rather, an OMB memorandum dated May 28, 2010 (“Memo”) provides guidance on their availability and usage.<sup>4</sup> The Memo specifically limits generic ICRs to information collections that are “usually voluntary, low-burden, and uncontroversial.”<sup>5</sup> The Memo also acknowledges that “a generic ICR does not permit the public to examine the details of each individual collection.”<sup>6</sup>

Contrary to the Memo’s criteria, the specific information collections covered by OMB Control No. 2120-0056 are not voluntary. The FAA issues ADs under its general and specific rulemaking authority.<sup>7</sup> Any collection included in the final rule, i.e., the AD, is mandatory.

Generic clearance is not suitable; each AD information collection is unique and requires individualized approval. Indeed, the FAA’s stated reason for requiring these collections is the need for “more information to develop corrective action...if the unsafe condition results from manufacturing quality control problems.”<sup>8</sup> The FAA is definitely aware of these types of situations in sufficient time to apply for an approval number under the standard PRA clearance process.

### **(b) The accuracy of the estimated burden**

The estimated burden is inaccurate and misleading. Due to the unique nature of each AD, corresponding information collection is distinctive, with varying degrees of burden. While the FAA claims that the estimated time burden is five minutes per collection, the reality is that even the simplest collection effort for an AD takes much longer and will have different requirements, dictating individual oversight.

For instance, in 2013 the FAA issued a proposed rule<sup>9</sup> that included an information collection that would have taken between five and nine hours to complete.<sup>10</sup> Indeed, after considering comments to the proposed AD, including comments on the collection activity, the FAA issued a supplemental notice of proposed rulemaking<sup>11</sup> that, among

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<sup>4</sup> OMB, Memorandum for the Heads of Executive Departments and Agencies, and Independent Regulatory Agencies, *Paperwork Reduction Act – Generic Clearances* (May 28, 2010), p. 1.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at p. 2.

<sup>7</sup> See *generally* Administrative Procedure Act, 5 U.S.C. §§ 551-59; see *also*, 49 U.S.C. § 106 (authorizing “the promulgation of regulations, rules, orders, circulars, bulletins, and other official publications of the Administration”).

<sup>8</sup> *Report of Inspection Required by Airworthiness Directives*, Title 14 CFR part 39, OMB No. 2120-0056, at pp. 1-2.

<sup>9</sup> Docket No. FAA-2012-0002

<sup>10</sup> See ARSA Comments, *Reporting Burden for OMB Control Number 2120-0056, Proposed Airworthiness Directive Docket No. FAA-2012-0002* (January 14, 2014).

<sup>11</sup> 80 Fed. Reg. 1008 (Jan. 8, 2015).

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other things, eliminated the reporting requirement altogether. The agency stated that the information collection was unnecessary since the FAA could rely on “established reporting channels.”<sup>12</sup> This action directly undermines the FAA’s justification to OMB that the agency has “no other method for collecting this information.”<sup>13</sup> It also highlights the deceptive burden estimate in the generic request, and the need for OMB approval of each individual information collection, as required by law.

The stated number of respondents is 1,120 aircraft owners/operators, yet there are over 300,000 currently registered aircraft.<sup>14</sup> ADs are not issued against aircraft owner/operators, but rather against aircraft, engines, propellers and appliances—the actions required by these safety rules must be taken by persons authorized to perform maintenance, preventive maintenance or alterations under part 43. Thus, both the time and number of respondents are vastly under estimated.

**(c) Ways for FAA to enhance the quality, utility and clarity of the information collection**

This information collection should not be approved. The unique type of activity involved requires that each specific information collection contained within an AD be subject to individual review and approval by OMB.

**(d) Ways that the burden could be minimized without reducing the quality of the collected information.**

Individual review of each information collection within an AD would help identify specific instances where the burden is unnecessary or overly cumbersome, and would create oversight and opportunity for revision or elimination of such burden.

Sincerely,



Laura Vlieg  
Regulatory Affairs Manager

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<sup>12</sup> 80 Fed. Reg. 1010 (Jan. 8, 2015).

<sup>13</sup> *Report of Inspection Required by Airworthiness Directives*, Title 14 CFR part 39, OMB No. 2120-0056, at p. 2.

<sup>14</sup> As of Jan. 2, 2015, the U.S. Civil Aircraft Registry reported 305,597 registered aircraft.